



Organization of
American States

***Establishing Drug Treatment Courts: Strategies, Experiences and
Preliminary Outcomes***

**APPENDIX OF ADDITIONAL SUPPORTING MATERIALS
Volume Two (2010)**

Justice Programs Office, School of Public Affairs, American University

Caroline S. Cooper

Brent Franklin

Tiffany Mease

Prepared for Drugs Summit: European, Latin American and Caribbean Mayors and Cities

April 21 -23, 2010 Lugo, Spain

Inter-American Drug Abuse Control Commission (CICAD)

Secretariat for Multidimensional Security (SMS)



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This publication was drafted by the Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security of the Organization of American States (OAS); the Justice Programs Office, School of Public Affairs, American University; the Institute for International Research on Criminal Policy (IRCP), Universiteit Gent; the Ministerio Público of Chile (General Prosecutor's Office); and the International Association of Drug Treatment Courts (IADTC). It was developed in the framework of *the EU-LAC Drug Treatment City Partnerships*, an initiative coordinated by CICAD/SMS/OAS and funded by the European Commission. The content of this publication does not necessarily reflect the position of the EU or the OAS.

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From the Justice Programs Office, School of Public Affairs, American University: Caroline S. Cooper. Brent Franklin, and Tiffany Mease; from Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security of the Organization of American States (OAS): Anna McG. Chisman, and Antonio Lomba

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Volume Two: Appendix of Additional Supporting Materials

The materials included in this Volume are organized as follows:

- (1) Legislation and/or regulations enacted to implement the Drug Treatment Court program;
- (2) Program descriptive information provided by the respondents to the CICAD survey; and
- (3) Evaluative information provided by the respondents to the CICAD survey

In view of the growing body of documentation and diversity of materials being developed on global Drug Treatment Courts, reference should be made on an ongoing basis to the various websites on which these materials are posted. A few of them are listed below:

The International Association of Drug Treatment Courts (IADTC):
<http://iadtc.carousel30.com/iadtc-home/>

Drug Court Clearinghouse (American University Justice Programs Office) (includes information on American and international drug courts):
<http://www1.spa.american.edu/justice/project.php?ID=1>

Inter-American Drug Abuse Control Commission (CICAD) Secretariat for Multidimensional Security of the Organization of American States (OAS):
<http://www.cicad.oas.org/>

EU-LAC Drug Treatment City Partnerships:
<http://www.eulacdrugs.org/eulac/>

United Nations Office on Drugs and Crime—Drug courts page (includes many links to national and international drug courts):
<http://www.unodc.org/unodc/en/legal-tools/Drug-Treatment-Courts.html>

Country links:

Australia (New South Wales):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (Queensland):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (South Australia):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (Victoria):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (Western Australia):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Bermuda drug treatment court:

http://www.gov.bm/portal/server.pt?open=512&objID=270&&PageID=1271&mode=2&in_hi_userid=2&cached=true

Canadian Department of Justice drug court program:

<http://www.justice.gc.ca/eng/pi/pb-dgp/prog/dtc-ttt/index.html>

Dublin (Ireland) drug treatment court office (includes contact information and links to other documents):

<http://www.courts.ie/offices.nsf/fd1b5d60ef39f31380256e43003d0107/cfaf3511b9b9639e80256e45005861cf?OpenDocument>

Judges who are interested in developing DTC programs may also find useful the “Solution-Focused Judging Bench Book” by Michael S. King, published by the Australasian Institute of Judicial Administration, Inc. (2009) and available at:

<http://www.aija.org.au/Solution%20Focused%20BB/SFJ%20BB.pdf>

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A. Legislation and Regulations Enacted in Support of Drug Treatment

Courts

Australia:

New South Wales: Drug Court Act 1998 No. 150

Queensland: Drug Court Act 2000

Bermuda

Drug Treatment Programmes: Criminal Code Act 1907. Title 8, Item 31

Jamaica

The Drug Court (Treatment and Rehabilitation of Offenders) Act, 1999

The Drug Court (Treatment and Rehabilitation of Offenders) Regulations, 2000

The Drug Court Act, 1999

Norway

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AUSTRALIA:



New South Wales

Drug Court Act 1998 No 150

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New South Wales

Drug Court Act 1998 No 150

Act No 150, 1998

An Act to provide for the establishment of the Drug Court of New South Wales, for the referral of drug offenders to the Drug Court, and for the supervision of drug programs by the Drug Court; and for other purposes.
[Assented to 8 December 1998]

The Legislature of New South Wales enacts:

Part 1 Preliminary

1 Name of Act

This Act is the *Drug Court Act 1998*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Objects

- (1) The object of this Act is to reduce the level of criminal activity that results from drug dependency.
- (2) This Act achieves that object by establishing a scheme under which drug dependent persons who are charged with criminal offences can be diverted into programs designed to eliminate, or at least reduce, their dependency on drugs.
- (3) Reducing a person's dependency on drugs should reduce the person's need to resort to criminal activity to support that dependency and should also increase the person's ability to function as a law abiding citizen.

4 Definitions

- (1) In this Act:

court includes a Magistrate or Justice.

Drug Court mean the Drug Court of New South Wales constituted by this Act.

drug offender means a person who has been convicted and sentenced by the Drug Court under section 7.

eligible person is defined in section 5.

exercise a function includes perform a duty.

function includes a power, authority or duty.

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eligible person is defined in section 5.

exercise a function includes perform a duty.

function includes a power, authority or duty.

initial sentence, in relation to a person who is convicted and sentenced under section 7, means the sentence imposed on the person under section 7 (2).

Judge means a person appointed to be a Drug Court Judge, as referred to in section 20 (1).

member of staff of the Drug Court means any person appointed as an officer of the Drug Court as referred to in section 28 (1) or whose services are used by the Drug Court as referred to in section 28 (2), and includes any other person prescribed by the regulations.

program, in relation to a person who is convicted and sentenced under section 7, means the program of supervision and control that arises from the conditions accepted by the person and imposed by the Drug Court under section 7 (3) (a).

referring court, in relation to a person who has been referred to the Drug Court under section 6, means the court by which the person has been referred.

registrar means the registrar of the Drug Court.

Senior Judge means the person appointed to be the Senior Judge of the Drug Court, as referred to in section 21 (1).

suspension order, in relation to a person who is convicted and sentenced under section 7, means an order under section 7 (3) (b) by which the person's sentence is suspended for the duration of the person's program.

- (2) In this Act, a reference to the criminal jurisdiction of a Local Court includes a reference to the jurisdiction exercisable by a Magistrate, or by one or more Justices, under the *Justices Act 1902*.

5 Definition of "eligible person"

- (1) A person is an eligible person if:
- (a) the person is charged with an offence, other than an offence referred to in subsection (2), and
 - (b) the facts alleged in connection with the offence, together with the person's antecedents and any other information available to the court, indicate that it is likely that the person will, if convicted, be sentenced to imprisonment, and

- (c) the person has pleaded guilty to, or indicated that he or she intends to plead guilty to, the offence, and
 - (d) the person appears to be dependent on the use of prohibited drugs (within the meaning of the *Drug Misuse and Trafficking Act 1985*) or other drugs prescribed by the regulations, and
 - (e) the person satisfies such other criteria as are prescribed by the regulations.
- (2) A person is not an eligible person if the person is charged with:
- (a) an offence punishable under Division 2 of Part 2 of the *Drug Misuse and Trafficking Act 1985*, not being an offence that (under Part 9A of the *Criminal Procedure Act 1986*) is capable of being dealt with summarily, or
 - (b) an offence involving violent conduct or sexual assault, or
 - (c) any other offence of a kind prescribed by the regulations.

Part 2 Drug Court programs

Division 1 Acceptance into program

6 Courts may refer persons to Drug Court

- (1) This section applies to such courts and proceedings as are prescribed by the regulations.
- (2) It is the duty of a court before which a person is charged with an offence:
 - (a) to ascertain whether the person appears to be an eligible person, and
 - (b) if so, to ascertain whether the person is willing to be referred to the Drug Court to be dealt with for the offence, and
 - (c) if so, to refer the person to the Drug Court to be dealt with for the offence.
- (3) The power conferred on a court by this section is to be exercised as soon as practicable after the person is charged with the offence.

7 Persons accepted into program

- (1) This section applies to a person who has been referred to the Drug Court under section 6.
- (2) The Drug Court may, under this section, convict and sentence a person who has pleaded guilty to the offence for which the person has been referred (whether before the referring court or the Drug Court) if, and only if, it is satisfied as to each of the following matters:
 - (a) that the person is an eligible person,
 - (b) that, having regard to the person's antecedents, it would be appropriate for the person to participate in a program under this Act,
 - (c) that facilities to supervise and control the person's participation in such a program are available, and have been allocated to the person, in accordance with the guidelines prescribed by the regulations,

- (d) that the person accepts the conditions that the Drug Court proposes to impose on the person (whether immediately or at some later date) as a consequence of his or her conviction and sentence under this section,
 - (e) that the person has been informed of the Drug Court's powers under Division 2 and of the respective consequences, as regards the sentence to be imposed under section 12, of the person's compliance or non-compliance with a program.
- (3) On sentencing the person, the Drug Court:
 - (a) must make an order imposing on the person the conditions that the person has accepted as referred to in subsection (2) (d) (the person's *program*), and
 - (b) must make an order suspending execution of the sentence for the duration of the person's program (the person's *suspension order*).
- (4) A person who is convicted and sentenced by the Drug Court under this section with respect to an offence for which the person has been referred to the Drug Court under section 6 may at the same time be convicted and sentenced for any other offence to which he or she has pleaded guilty (other than an offence referred to in section 5 (2)), whether or not the person has been referred to the Drug Court under section 6 in relation to that other offence.
- (5) Nothing in this Act entitles a person to be convicted and sentenced under this section, and no appeal lies against any decision by the Drug Court not to convict or sentence a person under this section.

8 Persons not accepted into program

- (1) This section applies to a person who has been referred to the Drug Court under section 6 but whom the Drug Court has not convicted and sentenced under section 7.
- (2) The Drug Court may, under this section, convict and sentence a person who has pleaded guilty to the offence for which the person has been referred (whether before the referring court or the Drug Court) if, and only if, the person consents to being dealt with under this section.

- (3) If the person does not consent to being dealt with under this section, the Drug Court is to refer the person back to the referring court.
- (4) If the Drug Court refers a person back to the referring court, the proceedings against the person are to be continued before the referring court at a time and place specified in the order, as if:
 - (a) the person had not been referred to the Drug Court, and
 - (b) the proceedings had merely been adjourned to the time and place specified in the order.
- (5) A person who is convicted and sentenced by the Drug Court under this section with respect to an offence for which the person has been referred to the Drug Court under section 6 may at the same time be convicted and sentenced for any other offence to which he or she has pleaded guilty (other than an offence referred to in section 5 (2)), whether or not the person has been referred to the Drug Court under section 6 in relation to that other offence.

Division 2 Administration of program

9 Variation of conditions of program

- (1) The Drug Court may from time to time, in accordance with a drug offender's program, vary the program by adding new conditions to, or varying or revoking existing conditions of, the program.
- (2) No appeal lies against any decision by the Drug Court to vary a drug offender's program under this section.

10 Proceedings for non-compliance with program

- (1) If it is satisfied, on the balance of probabilities, that a drug offender has failed to comply with his or her program, the Drug Court:
 - (a) may, in accordance with the program, impose any one or more of the sanctions specified in the program as sanctions that the Court may impose on the drug offender, or
 - (b) if it is also satisfied that there is no useful purpose to be served in the drug offender's further participation in the program, may decide to terminate the program.

- (2) Without affecting the other circumstances in which a drug offender is taken to have failed to comply with his or her program, a drug offender is taken to have failed to comply with the program if the drug offender is charged before a court with an offence referred to in section 5 (2).
- (3) No appeal lies in relation to any action taken or decision made by the Drug Court under this section.

11 Termination of program

- (1) The Drug Court may terminate a drug offender's program:
 - (a) if the drug offender successfully completes the program, or
 - (b) if the drug offender requests the Drug Court to terminate the program, or
 - (c) if the Drug Court decides to terminate the program as referred to in section 10 (1) (b).
- (2) No appeal lies against the Drug Court's termination of a drug offender's program.

12 Imposition of final sentence

- (1) On terminating a drug offender's program, the Drug Court must reconsider the drug offender's initial sentence.
- (2) In reconsidering a drug offender's initial sentence, the Drug Court must take into consideration:
 - (a) the nature of the drug offender's participation in his or her program, and
 - (b) any sanctions that have been imposed on the drug offender during the program.
- (3) After reconsidering a drug offender's initial sentence, the Drug Court is to determine the drug offender's final sentence:
 - (a) by making an order setting aside the initial sentence and discharging the drug offender, either unconditionally or conditionally on his or her entering into a recognizance to be of good behaviour of the kind referred to in section 556A (1)(b) of the *Crimes Act 1900*, or

- (b) by making an order setting aside the initial sentence, deferring the passing of sentence and releasing the drug offender conditionally on his or her entering into a recognizance to be of good behaviour of the kind referred to in section 558 (1) of the *Crimes Act 1900*, or
 - (c) by making an order setting aside the initial sentence and imposing instead any sentence that it could have imposed for the offence to which the initial sentence related, or
 - (d) by making an order confirming the initial sentence.
- (4) The final sentence determined for a drug offender in relation to an offence is not to be greater than the initial sentence imposed on the drug offender in relation to that offence.
- (5) Part 15 of the *Crimes Act 1900*:
 - (a) applies to a recognizance under subsection (3) (a) in the same way as it applies to a recognizance under section 556A (1) (b) of that Act, and
 - (b) applies to a recognizance under subsection (3) (b) in the same way as it applies to a recognizance under section 558 (1) of that Act.

13 Revocation of suspension order

On sentencing a drug offender under section 12, the Drug Court is to revoke the drug offender's suspension order.

Division 3 Miscellaneous

14 Arrest warrants

- (1) If it suspects that a drug offender may have failed to comply with his or her program, the Drug Court may issue a warrant for the drug offender's arrest.
- (2) A warrant under this section authorises any police officer to arrest the drug offender and to bring the drug offender before the Drug Court to be dealt with under this Act.
- (3) The *Bail Act 1978* does not apply to a drug offender who is arrested on the authority of a warrant under this section.

15 Sentences imposed by Drug Court

- (1) The sentences that may be imposed by the Drug Court under this Part are as follows:

- (a) in the case of an indictable offence (including an indictable offence for which an election to have the offence dealt with on indictment has been duly made under Part 9A of the *Criminal Procedure Act 1986*), any penalty that could have been imposed by the District Court had the offence been dealt with on indictment by the District Court,
 - (b) in the case of a summary offence (including an indictable offence for which an election to have the offence dealt with on indictment has not been duly made under Part 9A of the *Criminal Procedure Act 1986*), any penalty that could have been imposed by a Local Court had the offence been dealt with summarily by a Local Court.
- (2) Except for the purposes of the *Criminal Appeal Act 1912*, a person sentenced by the Drug Court for an offence referred to in subsection (1)(a) is taken to have been convicted of the offence on indictment.

16 Conditions of program

- (1) The conditions of a program may allow the Drug Court to confer the following kinds of rewards on a drug offender who maintains a satisfactory level of compliance with the program:
 - (a) conferral of specified privileges,
 - (b) an appropriate change in the frequency of counselling or other treatment,
 - (c) a decrease in the degree of supervision to which the drug offender is subject,
 - (d) a decrease in the frequency with which the drug offender must undergo testing for drugs,
 - (e) a decrease in the amount of any monetary penalty payable to the Drug Court, as referred to in subsection (2) (e),
 - (f) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which the drug offender is required to attend vocational and social services.
- (2) The conditions of a program may allow the Drug Court to impose the following kinds of sanctions on a drug offender who fails to comply with the program:
 - (a) withdrawal of privileges conferred on the person, as referred to in subsection (1) (a).

- (b) an appropriate change in the frequency of counselling or other treatment,
 - (c) an increase in the degree of supervision to which the drug offender is subject,
 - (d) an increase in the frequency with which the drug offender must undergo testing for drugs,
 - (e) a requirement that the drug offender pay a monetary penalty to the Drug Court,
 - (f) a requirement that the drug offender be subjected to imprisonment in a correctional centre for up to 14 days in respect of any one failure to comply with the requirements of the order,
 - (g) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which the drug offender is required to attend vocational and social services.
- (3) Any monetary penalty payable by a drug offender, as referred to in subsection (2) (e), is recoverable by the registrar of the Drug Court as a debt in any court of competent Jurisdiction.
- (4) This section does not limit the conditions that may form part of a program apart from this section.

17 Immunity from prosecution for certain offences

A person is not liable to prosecution for any offence comprising the unlawful possession or use of drugs:

- (a) as a result of any admission made for the purposes of seeking a referral under Division 1, not being an admission of facts giving rise to an offence referred to in section 5 (2) (a), or
- (b) as a result of any admission made for the purposes of satisfying the Drug Court that the person should be accepted into a program, or
- (c) as a result of any admission made in connection with the Drug Court's supervision of his or her program,

nor may any such admission be admitted as evidence in proceedings for any offence comprising the unlawful possession or use of drugs that are brought as a result of the admission.

18 Application of Criminal Procedure Act 1986

In the application of the *Criminal Procedure Act 1986* to proceedings before the Drug Court:

- (a) the provisions of Part 6 of that Act that enable the Drug Court, when sentencing a person for one offence, to take other offences into account in determining the penalty to impose on the person do not enable the Drug Court to take into account any offence of the kind referred to in section 5 (2), and
- (b) the provisions of Part 9A of that Act are subject to such modifications (if any) as are prescribed by the regulations under this Act.

Part 3 The Drug Court

Division 1 Constitution of Drug Court

19 Constitution of Drug Court

There is constituted by this Act a court of record to be known as the Drug Court of New South Wales.

20 Judges

- (1) The Governor may, by commission under the public seal of the State, appoint as a Drug Court Judge any person who is a Judge of the District Court.
- (2) A person ceases to be a Drug Court Judge on ceasing to be a Judge of the District Court.
- (3) In this section, a reference to a Judge of the District Court includes a reference to an acting Judge of the District Court.

21 Senior Judge

- (1) The Governor may, by a person's commission as a Judge or by a subsequent commission under the public seal of the State, appoint one of the Drug Court Judges to be the Senior Judge of the Drug Court.
- (2) Subject to subsection (3), the Senior Judge holds office as Senior Judge while he or she holds office as Judge.
- (3) With the approval of the Governor, the Senior Judge may resign office as Senior Judge without resigning office as Judge.

22 Acting Senior Judge

- (1) The Minister may appoint a Judge to be acting Senior Judge during any absence from duty or vacancy in office of the Senior Judge.

- (2) An acting Senior Judge has the functions of the Senior Judge and anything done by the acting Senior Judge in the exercise of those functions has effect as if it had been done by the Senior Judge.

Division 2 Procedure of Drug Court

23 Single Judge to constitute Drug Court

All proceedings in the Drug Court, and all matters arising out of any such proceedings, are to be heard and disposed of before a Judge, who constitutes the Court.

24 Jurisdiction of Drug Court

- (1) The Drug Court has the following jurisdiction:
 - (a) the criminal jurisdiction of the District Court,
 - (b) the criminal jurisdiction of a Local Court,
 - (c) such other jurisdiction as is vested in the Drug Court by this or any other Act.
- (2) For the purpose of enabling it to exercise its jurisdiction, the Drug Court has the following functions:
 - (a) all of the functions of the District Court that are exercisable in relation to its criminal jurisdiction,
 - (b) all of the functions of a Local Court that are exercisable in relation to its criminal jurisdiction, including all the functions exercisable by a Magistrate or Justice under the *Justices Act 1902*,
 - (c) such other functions as are conferred or imposed on it by or under this or any other Act.

25 Sittings

- (1) The Drug Court is to sit at such places and times as the Senior Judge may direct.
- (2) Two or more sittings of the Drug Court may be held at the same time.

26 Court proceedings

- (1) This section applies to proceedings before the Drug Court in the exercise of its jurisdiction under this Act, but does not apply to proceedings before the Drug Court in the exercise of the criminal jurisdiction of the District Court or the criminal jurisdiction of a Local court.

- (2) Proceedings before the Drug Court are to be conducted:
 - (a) in accordance with the directions of the Judge presiding in the proceedings, and
 - (b) subject to paragraph (a), with as little formality and technicality, and with as much expedition, as the requirements of this Act and the regulations and the proper consideration of the matters before the Court permit.
- (3) The Drug Court is not bound by the rules of evidence, but may inform itself on any matter in such manner as it considers appropriate.
- (4) The Drug Court may adjourn its proceedings from time to time.

27 Rules of court

The Senior Judge may make rules of court, not inconsistent with this Act, for or with respect to any matter relating to the practice or procedure of the Drug Court, including:

- (a) any matter for or with respect to which rules may be made under the *District Court Act 1973* in relation to the criminal jurisdiction of the District Court, and
- (b) any matter for or with respect to which rules may be made under the *Justices Act 1902* in relation to the criminal jurisdiction of a Local Court.

Division 3 Administration

28 Court officers

- (1) A registrar and such other officers as are necessary for the proper administration of this Act are to be appointed under Part 2 of the *Public Sector Management Act 1988*.
- (2) Arrangements may be made for the use by the Drug Court of the services of any staff (by secondment or otherwise) or facilities of a Government department.

29 Court business

- (1) The Senior Judge is responsible for the administration of the business of the Drug Court.
- (2) The registrar may exercise:
 - (a) such of the administrative functions of the Court as are conferred or imposed on the registrar by the regulations or the rules of court, and

- (b) such of the functions of a registrar of the District Court as are relevant to the exercise by the Drug Court of the criminal jurisdiction of a District Court, and
- (c) such of the functions of a Clerk of a Local Court as are relevant to the exercise by the Drug Court of the criminal jurisdiction of a Local Court.

30 Delegation

- (1) The Senior Judge may delegate to a Judge any of the Senior Judge's functions, other than this power of delegation.
- (2) The registrar may delegate to any other officer of the Court any of the registrar's functions, other than this power of delegation.

Part 4 Miscellaneous

31 Provision of information to Drug Court

- (1) This section applies to such persons as are prescribed by the regulations for the purposes of this section, being persons who are involved in the administration of, or who provide services in connection with, a drug offender's program.
- (2) It is the duty of a person to whom this section applies:
 - (a) to promptly notify the registrar of any failure by a drug offender to comply with the drug offender's program, and
 - (b) to promptly comply with the requirements of the regulations with respect to the giving of information to the registrar.
- (3) The following provisions apply to and in respect of any information provided for the purposes of this section (*protected information*):
 - (a) the provision of the information does not constitute a breach of professional etiquette or ethics or a departure from accepted standards of professional conduct,
 - (b) no liability for defamation is incurred because of the provision of the information,
 - (c) the provision of the information does not constitute a ground for civil proceedings for malicious prosecution or for conspiracy,
 - (d) the information is not admissible in evidence in any proceedings before a court, tribunal or committee,
 - (e) a person is not compellable in any proceedings before a court, tribunal or committee to disclose the information or to produce any document that contains the information.
- (4) The provisions of subsection (3) (d) and (e) do not apply to or in respect of the provision of protected information:
 - (a) in proceedings before the Drug Court or any court hearing or determining an appeal from a decision of the Drug Court, or
 - (b) in support of, or in answer to, any charge or allegation made in proceedings against a person in relation to the person's exercise of functions under this Act.

- (5) A drug offender is taken to have authorised the communication of protected information:
 - (a) from any person to whom this section applies to the registrar, and
 - (b) from the registrar to any person to whom this section applies, and
 - (c) from any member of staff of the Drug Court to any other member of staff of the Drug Court.
- (6) A provision of any Act or law that prohibits or restricts the disclosure of information does not operate to prevent the provision of information in accordance with this section.

32 Regulations

The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular, for or with respect to:

- (a) the forms to be used for the purposes of this Act,¹ and
- (b) the fees to be charged under this Act, and
- (c) the postponement, waiver or remittal of fees charged under this Act.

33 Amendment of other Acts

Each Act referred to in Schedule 1 is amended as set out in that Schedule.

34 Savings, transitional and other provisions

Schedule 2 has effect.

35 Review of Act

- (1) The Minister is to review this Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.

- (2) The review is to be undertaken as soon as possible after the period of 2 years from the date of assent to this Act.
- (3) A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of 2 years.

Schedule 1 Amendment of other Acts

(Section 33)

1.1 Bail Act 1978 No 161

[1] Section 4 Definitions

Insert after paragraph (c) of the definition of *court* in section 4 (1):

(c1) the Drug Court, or

[2] Section 6 Grant of bail for certain periods

Insert after section 6 (g8):

(g9) the period between a person being referred to the Drug Court under section 6 of the *Drug Court Act 1998* and the person being brought before the Drug Court consequent on the referral.

(g10) the period between a person being referred back to a court under section 8 of the *Drug Court Act 1998* and the person being brought before that court consequent on the referral,

1.2 Children (Criminal Proceedings) Act 1987 No 55

Section 7 Jurisdiction of Children's Court not to be exercised by certain other courts

Insert at the end of the section:

(2) The Drug Court may not hear or determine criminal proceedings that a Children's Court has jurisdiction to hear and determine.

1.3 Criminal Appeal Act 1912 No 16

[1] Section 5AE

Insert after section 5AD:

5AE Appeals from sentences imposed by the Drug Court

- (1) Section 5AA applies to and in respect of a person convicted of an offence by the Drug Court in the exercise of its jurisdiction under Part 2 of the *Drug Court Act 1998* (in relation only to a final sentence determined by the Court under section 12 of that Act) in the same way as it applies to a person referred to in section 5AA (1).
- (2) For the purposes of this section, a reference in section 5AA to the Supreme Court is to be construed as including a reference to the Drug Court.
- (3) The power of the Court of Criminal Appeal to hear and determine an appeal under this section is to be exercised by such single judge of the Supreme Court as the Chief Justice may direct.

[2] Section 10 Time for appealing

Omit "or 5AD" from section 10 (4).

Insert instead ". 5AD or 5AE".

1.4 Criminal Procedure Act 1986 No 209

Section 20 Definitions

Insert after paragraph (d) of the definition of court in section 20 (1):

the Drug Court, or

1.5 Justices Act 1902 No 27

[1] Section 51A Effect of plea of guilty in 'committal proceedings

Insert after section 51A (6) (a):

- (a1) is being dealt with in accordance with Part 2 of the *Drug Court Act 1998*, or

[2] Section 121B No appeal in certain cases

Insert after section 121B (2):

- (3) Despite section 122, there is no appeal to the District Court in relation to any order made on the conviction of a person by the Drug Court under the provisions of the *Drug Court Act 1998*.

1.6 Search Warrants Act 1985 No 37

Section 3 Definitions

Insert "or the registrar of the Drug Court" after "Local Court" in paragraph (b) of the definition of *authorised justice*.

1.7 Victims Compensation Act 1996 No 115

Section 78 Application of Part

Insert "the Drug Court," after "the District Court," in section 78 (1) (b).

Schedule 2 Savings, transitional and other provisions

(Section 34)

Part 1 Preliminary

1 Savings and transitional regulations

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts:

this Act

- (2) Such a provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or a later day.
- (3) To the extent to which such a provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
- (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of that publication, or
 - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of that publication.

Part 2 Provisions consequent on enactment of Drug Court Act 1998

2 Transitional provision for past offences

Part 2 applies to and in respect of an offence committed before the commencement of that Part in the same way as it applies to and in respect of an offence committed after that commencement, and so applies whether proceedings for the offence were commenced before or after that commencement.

[Minister's second reading speech made in—
Legislative Assembly on 27 October 1998
Legislative Council on 25 November 1998]



Queensland

Drug Court Act 2000

Reprinted as in force on 1 July 2008

Reprint No. 3

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This Act is reprinted as at 1 July 2008. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- use different spelling consistent with current drafting practice (s 26(2))
- use standard punctuation consistent with current drafting practice (s 27)
- use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- when provisions commenced
- editorial changes made in earlier reprints.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

Drug Court Act 2000

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Drug Court Act 2000

[as amended by all amendments that commenced on or before 1 July 2008]

An Act to provide a drug court program for intensive drug rehabilitation of drug dependent offenders

Part 1 Preliminary

1 Short title

This Act may be cited as the *Drug Court Act 2000*.

2 Commencement

This Act commences on a day to be fixed by proclamation.

3 Objects of this Act

(1) The objects of this Act are—

- (a) to reduce the level of drug dependency in the community and the drug dependency of eligible persons; and
- (b) to reduce the level of criminal activity associated with drug dependency; and
- (c) to reduce the health risks associated with drug dependency of eligible persons; and
- (d) to promote the rehabilitation of eligible persons and their re-integration into the community; and
- (e) to reduce pressure on resources in the court and prison systems.

(2) The objects are to be achieved by establishing drug courts.

4 Relationship with Penalties and Sentences Act 1992

- (1) A drug court magistrate—
 - (a) must have regard to the principles stated in the *Penalties and Sentences Act 1992*, section 9;¹ and
 - (b) may exercise the powers and make the orders a magistrate may exercise or make under that Act.
- (2) Subsection (1) applies unless a contrary intention appears.

4A Notes in text

A note in the text of this Act is part of the Act.

Part 2 Definitions and important terms

5 Definitions

The dictionary in the schedule defines particular words used in this Act.

6 Who is an *eligible person*

- (1) A person charged with an offence is an *eligible person* if—
 - (a) the person is not a person who must be dealt with as a child under the *Juvenile Justice Act 1992*; and
 - (b) the person is drug dependent and that dependency contributed to the person committing the offence; and
 - (c) it is likely the person would, if convicted of the offence, be sentenced to imprisonment; and
 - (d) the person satisfies any other criteria prescribed under a regulation.

¹ *Penalties and Sentences Act 1992*, section 9 (Sentencing guidelines)

- (2) Without limiting subsection (1)(d), the regulation may require that the person be someone who resides within a stated locality at the time—
 - (a) the person is referred for an indicative assessment; or
 - (b) the person is referred for an assessment; or
 - (c) an intensive drug rehabilitation order is made for the person.
- (3) The person is not an *eligible person* if—
 - (a) the person is serving a term of imprisonment other than a community term of imprisonment; or
 - (b) the person is the subject of a parole order that is cancelled by a parole board and the person is to serve the unexpired portion of the person's period of imprisonment; or
 - (c) a charge against the person for a disqualifying offence is pending in a court.

Note for subsection (3)(a)—

A person released on parole is taken to be still serving the sentence imposed on the person: *Corrective Services Act 2006*, section 214.

- (4) For the purpose of deciding whether a person ordered to serve a term of imprisonment under a law of another State or the Commonwealth (the *relevant law*) is a person serving a term of imprisonment for subsection (3)(a)—
 - (a) the *Corrective Services Act 2006*, section 214 applies; and
 - (b) a reference in the *Corrective Services Act 2006*, section 214 to parole includes a reference to a release under the relevant law that is similar to parole.
- (5) In this section—

parole order includes a release under a law of another State or the Commonwealth that is similar to a parole order.

7 What is a *disqualifying offence*

- (1) A *disqualifying offence* is—
-

Drug Court Act 2000

- (a) an offence of a sexual nature; or
 - (b) an offence involving violence against another person, other than an offence charged under any of the following provisions of the Criminal Code—
 - section 335
 - section 340(a), but only if the offence is the assault of another with intent to resist or prevent the lawful arrest or detention of the person or of any other person
 - section 340(b)
 - section 413.²
- (2) For section 6(3)(b), a reference in subsection (1) to a provision of the Criminal Code includes a reference to a corresponding provision of a law of another State or the Commonwealth.
- (3) For subsection (1), an offence of a sexual nature does not include an offence by a prostitute in providing prostitution, or in offering or accepting an offer to provide prostitution.
- (4) For subsection (1)(b), an offence involving violence against another person is an offence that involves any allegation of personal violence, whether as an element of the offence or as an act of violence associated with the offence.

Examples of offences involving violence other than as an element of the offence—

- operating a vehicle dangerously involving dragging a person behind the vehicle
- operating a vehicle dangerously involving intentionally colliding with another vehicle or a person
- breaching a domestic violence order involving a wilful injury

² Criminal Code, section 335 (Common assault), 340 (Serious assaults), 413 (Assault with intent to steal)

7A What is a *community term of imprisonment*

- (1) A term of imprisonment in relation to a person is a *community term of imprisonment* if the person is ordered to serve the term of imprisonment—
 - (a) by way of intensive correction in the community under an intensive correction order made under the *Penalties and Sentences Act 1992*, section 112; or
 - (b) in a similar way under an order made under a law of another State or the Commonwealth.
- (2) However, a term of imprisonment is not a *community term of imprisonment* if the order mentioned in subsection (1) was revoked and the person was committed to prison.

8 What is a *relevant offence*

- (1) Each of the following is a *relevant offence*—
 - (a) a simple offence;
 - (b) an indictable offence that may be dealt with summarily;
 - (c) a prescribed drug offence;
 - (d) another offence prescribed under a regulation that is punishable by imprisonment for a term of not more than 7 years.
- (2) A relevant offence does not include a disqualifying offence.

Part 3 Drug courts and drug court magistrates

9 Drug courts

- (1) The Governor in Council, by regulation, may declare 1 or more Magistrates Courts to be drug courts.
 - (2) A court is a drug court under subsection (1) whether or not it is constituted by a drug court magistrate.
-

- (3) However, a power of a drug court magistrate may be exercised only in a drug court.

10 Drug court magistrates

- (1) The Chief Magistrate must allocate the functions of a drug court magistrate to 1 or more magistrates.
- (2) Nothing in this Act prevents a drug court magistrate exercising the jurisdiction of a Magistrates Court at any time.

11 Functions, additional jurisdiction and powers of drug court magistrates

- (1) A drug court magistrate has the functions given by this Act.
- (2) For the performance of a drug court magistrate's functions, a drug court magistrate has jurisdiction to deal with a person appearing before the magistrate charged with a prescribed drug offence.
- (3) A drug court magistrate has power to do all things necessary or convenient to be done for the performance of the magistrate's functions.
- (4) A drug court magistrate must conduct proceedings under this Act quickly and in a way that avoids unnecessary technicalities and facilitates the fair and practical conduct of the proceedings.
- (5) In a proceeding under this Act, the drug court magistrate is not bound by the rules of evidence, but may inform himself or herself in any way the magistrate considers appropriate.

12 Other functions of drug court magistrates

- (1) This Act does not affect the application of the *Magistrates Act 1991* to a drug court magistrate.
 - (2) For example, a drug court magistrate, in addition to exercising functions as a drug court magistrate, must—
 - (a) exercise other functions as a magistrate as directed by the Chief Magistrate; and
-

- (b) comply with reasonable directions given, or requirements made, by the Chief Magistrate.

Part 3A Indicative assessment of drug dependency

12A Application of pt 3A

This part applies if—

- (a) a person charged with a relevant offence appears before a magistrate in a Magistrates Court prescribed under a regulation for this section; and
- (b) the person has pleaded guilty to the offence or has indicated that he or she intends to plead guilty to the offence; and
- (c) the magistrate is satisfied the person may be drug dependent; and
- (d) the person appears, to the magistrate, to be an eligible person; and
- (e) the maximum number of active intensive drug rehabilitation orders prescribed under a regulation has not been exceeded.

12B Referral for indicative assessment

- (1) The magistrate may decide to refer the person for an indicative assessment.
 - (2) If the magistrate decides to refer the person for an indicative assessment, the magistrate may adjourn the proceedings and—
 - (a) remand the person in custody to appear before a drug court magistrate; or
 - (b) release the person on bail to appear before a drug court magistrate.
-

- (3) If the magistrate adjourns the proceedings to refer the person for an indicative assessment, the magistrate must require—
 - (a) the person to attend at the times and places decided by the chief executive (health) for an indicative assessment by an appropriately qualified health professional decided by the chief executive (health); and
 - (b) the chief executive (health) to prepare and submit to a drug court magistrate, within the time allowed by the magistrate, a report (an *indicative assessment report*) containing an indicative assessment of the person by the appropriately qualified health professional.
- (4) The magistrate may require the indicative assessment report to be given orally or in writing.
- (5) If the magistrate remands the person in custody, the chief executive (corrective services) must ensure the person—
 - (a) is assessed by an appropriately qualified health professional decided by the chief executive (health); and
 - (b) appears before a drug court magistrate to be dealt with as required by the drug court magistrate.
- (6) After the indicative assessment report is submitted to a drug court magistrate, the prosecuting authority appearing before the court and the person's legal representatives may make submissions about whether the proceedings should continue in the drug court or the matter should be dealt with by a magistrates court.

12C Indicative assessment reports

- (1) When required to do so by a magistrate, the chief executive (health) must arrange for an appropriately qualified health professional to prepare an indicative assessment report for a drug court magistrate about a stated person remanded or required to appear before the drug court magistrate.
 - (2) The indicative assessment report must be given to the drug court magistrate within the time allowed under section 12B(3) by the magistrate.
 - (3) The drug court magistrate must give a copy of the indicative assessment report to—
-

- (a) the prosecuting authority that appeared before the court when the offender was referred for an indicative assessment; and
 - (b) the person's legal representatives; and
 - (c) the chief executive (corrective services).
- (4) The drug court magistrate must ensure the prosecuting authority and the person's legal representatives have sufficient time before the proceedings to consider and respond to the report.

12D Additional matters for indicative assessment report

- (1) The drug court magistrate may order that the report, or part of the report, not be shown to the person.
- (2) A report purporting to be an indicative assessment report made by an appropriately qualified health professional is evidence of the matters contained in it.
- (3) An objection must not be taken or allowed to the evidence on the ground that it is hearsay.
- (4) To remove any doubt, it is declared that this section does not limit the jurisdiction and powers of the drug court magistrate under section 11.

Part 4 Referral for assessment

13 Application of pt 4

This part applies if—

- (a) a person charged with a relevant offence appears before a drug court magistrate; and
 - (b) there is evidence the person is drug dependent.
-

14 Referral to be decided as soon as practicable

- (1) The powers conferred on a drug court magistrate under this part must be exercised as soon as practicable after the person first comes before the drug court for a relevant offence.
- (2) Despite subsection (1), the powers may be exercised at any time before the court sentences the person or commits the person for trial or sentence for the offence.

15 Deciding whether to refer for assessment

- (1) The drug court magistrate must decide whether the person appears to be an eligible person.
- (2) If the person appears to be an eligible person, the drug court magistrate may decide to refer the person for assessment if satisfied—
 - (a) the person has pleaded guilty to the offence or has indicated that he or she intends to plead guilty to the offence; and
 - (b) the person is willing to be assessed for suitability for rehabilitation and to appear before a drug court magistrate to be dealt with for the offence; and
 - (c) the maximum number of active intensive drug rehabilitation orders prescribed under a regulation has not been exceeded.

16 Referral for assessment

- (1) If the drug court magistrate (the *referring magistrate*) decides to refer the person for assessment, the referring magistrate may adjourn the proceedings and—
 - (a) remand the person in custody to appear before a drug court magistrate; or
 - (b) release the person on bail to appear before a drug court magistrate.
 - (2) If the referring magistrate adjourns the proceedings, the referring magistrate must require the chief executive (corrective services) to prepare and submit to a drug court magistrate, within the time allowed by the referring
-

magistrate, a pre-sentence report under the *Corrective Services Act 2006*, section 344³ that contains—

- (a) an assessment of the person's suitability for rehabilitation; and
 - (b) if the person is suitable, a proposed rehabilitation program.
- (3) Also, if the referring magistrate adjourns the proceedings, the referring magistrate must require the chief executive (health) to prepare and submit to a drug court magistrate, within the time allowed by the referring magistrate, a written report (an *assessment report*) containing an assessment of the person by an appropriately qualified health professional.
- (4) If the referring magistrate releases the person on bail, the grant of bail must be made subject to the condition that, for the purpose of preparing the pre-sentence report and assessment report, the person—
- (a) reports to an authorised corrective services officer within a stated time; and
 - (b) reports to other persons at the times and places directed by an authorised corrective services officer, including to an appropriately qualified health professional decided by the chief executive (health) for assessment.
- (5) If the referring magistrate remands the person in custody, the chief executive (corrective services) must ensure the person—
- (a) is assessed by an appropriately qualified health professional decided by the chief executive (health); and
 - (b) appears before a drug court magistrate to be dealt with as required by the drug court magistrate.

16A Assessment report

- (1) When required to do so under section 16(3) by a referring magistrate, the chief executive (health) must arrange for an appropriately qualified health professional to prepare an assessment report for a drug court magistrate about a stated

3 *Corrective Services Act 2006*, section 344 (Pre-sentence report)

person remanded or required to appear before the drug court magistrate.

- (2) The assessment report must be given to the drug court magistrate within the time allowed by the referring magistrate.
- (3) The drug court magistrate must give a copy of the assessment report to—
 - (a) the prosecuting authority that appeared before the court when the offender was referred for assessment; and
 - (b) the person's legal representatives; and
 - (c) the chief executive (corrective services).
- (4) The drug court magistrate must ensure the prosecuting authority and the person's legal representatives have sufficient time before the proceedings to consider and respond to the assessment report.

16B Additional matters for assessment report

- (1) The drug court magistrate may order that the assessment report, or part of the assessment report, not be shown to the person.
 - (2) A report purporting to be an assessment report made by an appropriately qualified health professional is evidence of the matters contained in it.
 - (3) An objection must not be taken or allowed to the evidence on the ground that it is hearsay.
-

Part 5 Intensive drug rehabilitation orders

Division 1 Preliminary

17 Application of pt 5

- (1) This part applies if a person charged with a relevant offence (the *offender*) appears before a drug court magistrate—
 - (a) on proceedings adjourned under part 4; or
 - (b) if expressly provided in relation to a provision of this part, on other proceedings.
- (2) In deciding whether to make an order under this part, it does not matter whether the offence was committed before or after the commencement of this Act.

Division 2 Making an order

18 Drug court magistrate may make order only if conviction recorded

- (1) A drug court magistrate may make an intensive drug rehabilitation order for the offender for a relevant offence only if the magistrate records a conviction.
- (2) Subsection (1) also applies if the proceedings for the offence are before the magistrate other than on adjournment under part 4.

19 Making of order

A drug court magistrate may make an order (*intensive drug rehabilitation order*) for the offender for an offence if satisfied—

- (a) the offence is a relevant offence; and
 - (b) the offender is an eligible person; and
 - (c) the offender has pleaded guilty to the offence; and
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- (d) the magistrate would, apart from this Act, sentence the offender to a term of imprisonment; and
 - (e) the offence is—
 - (i) a prescribed drug offence, or an offence against the *Drugs Misuse Act 1986* that may be prosecuted summarily, for which the offender may be adequately punished with imprisonment of not more than 3 years; or
 - (ii) another offence for which the offender may be adequately punished with imprisonment of not more than 4 years; and
 - (f) the offender is not suffering from any mental condition that could prevent the offender's active participation in a rehabilitation program; and
 - (g) the maximum number of active intensive drug rehabilitation orders prescribed under a regulation has not been exceeded; and
 - (h) the facilities to supervise and control the offender's participation in a rehabilitation program are available for allocation to the offender under guidelines prescribed under a regulation; and
 - (i) there are reasonable prospects the offender would satisfactorily comply with an intensive drug rehabilitation order and it would be otherwise appropriate for an intensive drug rehabilitation order to be made, having regard to all relevant matters including, for example—
 - (i) the pre-sentence report and assessment report mentioned in section 16; and
 - (ii) whether a charge for an offence that can not be dealt with under this Act (other than a disqualifying offence) is pending in a court against the offender, and if so, the nature and seriousness of the offence and when the charge is likely to be dealt with.
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20 Contents of order

- (1) If the drug court magistrate decides to make an intensive drug rehabilitation order for the offender, the order must contain—
 - (a) an order—
 - (i) sentencing the offender to serve a term of imprisonment (the *initial sentence*); and
 - (ii) suspending the whole of the term of imprisonment under this Act; and
 - (b) the requirements of the order; and
 - (c) a rehabilitation program decided by the drug court magistrate for the offender.
- (2) For subsection (1)(a)(i), the intensive drug rehabilitation order may contain an order sentencing the offender to serve a term of imprisonment of more than 3 years only if the prosecuting authority appearing before the court and the offender have consented to the offence being prosecuted summarily on the ground that the defendant will be adequately punished on summary conviction.

21 Delaying suspension of sentence

If the drug court magistrate is satisfied sufficient grounds exist, the magistrate may—

- (a) direct that the commencement of the suspension of the sentence be delayed for not more than 15 days; and
- (b) order that the offender be detained in custody in a prison until the earlier of the following days—
 - (i) the day the chief executive (corrective services) is given a release authority in the approved form signed by the clerk of the court of a drug court;
 - (ii) the day the 15 day period ends.

Example—

The drug court magistrate is satisfied the offender requires detoxification but suitable facilities for detoxification are not immediately available.

22 Core conditions of intensive drug rehabilitation order

An intensive drug rehabilitation order is subject to the following core conditions—

- (a) the offender must not commit an offence, in or outside Queensland, during the period of the order;
- (b) the offender must notify an authorised corrective services officer of every change of the offender's place of residence or employment within 2 business days after the change happens;
- (c) the offender must not leave or stay out of Queensland without an authorised corrective services officer's permission;
- (d) the offender must comply with every reasonable direction of an authorised corrective services officer, including a direction to appear before a drug court magistrate at a stated time and place;
- (e) the offender must attend before a drug court magistrate at the times and places stated in the order.

23 Additional requirements of order

- (1) The intensive drug rehabilitation order may also contain requirements that the offender—
 - (a) make restitution, or pay compensation; and
 - (b) satisfactorily perform community service of up to 240 hours for the period stated in the order, as and when directed by an authorised corrective services officer; and
 - (c) do another thing that a drug court magistrate considers may help the offender's rehabilitation.
 - (2) A requirement to make restitution may be made for property—
 - (a) in relation to which an offence was committed; or
 - (b) taken in the course of, or in connection with, the commission of the offence.
 - (3) A requirement to pay compensation may be made—
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- (a) to a person for any loss or destruction of, damage caused to, or unlawful interference with, property—
 - (i) in relation to which an offence was committed; or
 - (ii) in the course of, or in connection with, the commission of the offence; and
 - (b) for personal injury suffered by a person, whether or not the person is the victim against whom an offence was committed, because of the commission of the offence.
- (4) In deciding whether to require the offender to perform community service under subsection (1)(b), the drug court magistrate must consider the number of hours of community service the offender has outstanding under another order and when the hours must be completed.
- (5) If the drug court magistrate decides to require the offender to perform community service under subsection (1)(b), the drug court magistrate must consider whether the offender is in a residential rehabilitation facility and is able to complete the community service.
- (6) The *Penalties and Sentences Act 1992*, part 3, division 4, does not apply to restitution or compensation under an intensive drug rehabilitation order.
- (7) The *Penalties and Sentences Act 1992*, part 5, divisions 2 and 3, do not apply to community service under an intensive drug rehabilitation order.
- (8) A requirement under subsection (1) is not a sentence within the meaning of the *Penalties and Sentences Act 1992*, section 4.

24 Contents and requirements of rehabilitation program

- (1) The intensive drug rehabilitation order must, as far as practicable, state the details of the rehabilitation program the offender must undertake, including, for example, that the offender must—
 - (a) report to, or receive visits from, an authorised corrective services officer; or
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- (b) report for drug testing to an authorised corrective services officer; or
 - (c) attend vocational education and employment courses; or
 - (d) submit to medical, psychiatric or psychological treatment.
 - (2) As part of the medical, psychiatric or psychological treatment, the offender may be required to remain at a place, and for a time, stated in the program.
 - (3) The offender's rehabilitation program must also state that a drug court magistrate may, at any time, commit the offender to a prison if, in the magistrate's opinion, the committal is necessary to facilitate—
 - (a) detoxification of the offender; or
 - (b) assessment of the offender's participation in the program.
 - (4) However, the offender must not be committed to a prison for detoxification unless the drug court magistrate is satisfied no other suitable facilities are immediately available.
 - (5) If a drug court magistrate commits an offender to prison to facilitate detoxification, the offender is committed to the prison until the earliest of the following—
 - (a) 22 days after the offender is committed to prison for detoxification;
 - (b) the chief executive (corrective services) or chief executive (health) is satisfied the offender is detoxified;
 - (c) a drug court magistrate, on the offender's application, orders the committal of the offender end.
 - (6) If an offender is committed to prison for an assessment of the offender's participation in the program, the committal must not be for more than—
 - (a) if the assessment is because the offender has failed to attend on a person or at a place as stated in the rehabilitation program—30 days; or
 - (b) otherwise—15 days.
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- (7) If a drug court magistrate commits an offender to prison under subsection (5) to facilitate detoxification, the drug court magistrate must order that after the committal ends the person must appear before a drug court magistrate at the time and place stated.
- (8) If a drug court magistrate commits an offender to prison under subsection (6) for assessment, the drug court magistrate must state that after the committal ends the offender must—
 - (a) appear before a drug court magistrate at the times and places stated; or
 - (b) attend at another place at the times stated.

25 Explaining orders

- (1) Before making an intensive drug rehabilitation order, the drug court magistrate must explain, or cause to be explained, to the offender the following matters—
 - (a) that the intensive drug rehabilitation order has 3 parts—
 - (i) the sentence of imprisonment and the suspension of the sentence; and
 - (ii) the core conditions and additional requirements of the order; and
 - (iii) the rehabilitation program;
 - (b) the purpose and effect of the order;
 - (c) what may happen if the offender does not comply with the order;
 - (d) that, subject to divisions 4 and 5, the requirements of the order or the rehabilitation program may be amended or a rehabilitation program terminated on a drug court magistrate's own initiative or on application by—
 - (i) the offender; or
 - (ii) an authorised corrective services officer; or
 - (iii) the commissioner of the police service; or
 - (iv) the director of public prosecutions.
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- (2) If the offender is charged with a prescribed drug offence, the magistrate must also explain—
 - (a) the offender would normally be dealt with in the Supreme Court for the offence; and
 - (b) the magistrate is dealing with the offender on the condition the offender successfully complete the rehabilitation program; and
 - (c) if the offender does not successfully complete the rehabilitation program, the offender will be dealt with in the Supreme Court for the offence.
- (3) The explanation must be made in language, or in a way, likely to be readily understood by the offender.

26 Offender to agree to making or amending of order

- (1) The drug court magistrate may make an intensive drug rehabilitation order for the offender only if the offender agrees to the order being made, including the core conditions, and agrees to comply with it.
- (2) The drug court magistrate may amend the requirements of an intensive drug rehabilitation order or a rehabilitation program only if the offender agrees to the order being amended and agrees to comply with it.

27 Copy of order to offender

- (1) The clerk of the court of the drug court must give the offender a copy of the intensive drug rehabilitation order.
 - (2) A copy of the core conditions must be included in, or attached to, the intensive drug rehabilitation order.
 - (3) The offender must acknowledge receipt of the copy of the intensive drug rehabilitation order in writing.
 - (4) Until subsections (1) and (3) are complied with, the offender must remain in the custody of a police officer.
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28 Multiple offences

- (1) Under section 19,⁴ the drug court magistrate (*magistrate*) may make more than 1 intensive drug rehabilitation order (*order*) for the offender for more than 1 offence.
- (2) If the magistrate makes an order for the offender in proceedings adjourned before the magistrate under part 4, the magistrate may also make an order under section 19 for the offender in relation to another relevant offence even though proceedings for the other offence are before the magistrate other than on adjournment under part 4.
- (3) However, in no case may the magistrate make more than 1 order for the offender for more than 1 offence if the total period of imprisonment for which the offender would be sentenced under section 20(a)(i)⁵ would be more than 4 years.
- (4) The orders may be included in a single form of order that specifies each offence for which an intensive drug rehabilitation order is made.

Division 3 Not making an order**29 Dealing with offenders if no intensive drug rehabilitation order made**

If the drug court magistrate decides not to make an intensive drug rehabilitation order for the offender, the magistrate must exercise the jurisdiction of a Magistrates Court and deal with the offender according to law.

Division 4 Rewards and sanctions**30 Application for reward or sanction**

A reward or sanction under this division may be given or imposed on the application of an authorised corrective

4 Section 19 (Making of order)

5 Section 20 (Contents of order)

services officer or the offender or on the drug court magistrate's own initiative.

31 Rewards

- (1) A drug court magistrate may give the following kinds of rewards to the offender if the magistrate is satisfied on the balance of probabilities the offender is satisfactorily complying with the offender's intensive drug rehabilitation order—
 - (a) stated privileges;
 - (b) a decrease in the amount of any monetary penalty payable, but not yet paid, by the offender under section 32;
 - (c) a decrease in the frequency of drug testing of the offender;
 - (d) a decrease in the level of supervision of the offender by a drug court magistrate or someone else;
 - (e) a change in—
 - (i) the nature of the vocational education and employment courses the offender attends; or
 - (ii) the nature of medical, psychiatric or psychological treatment the offender is undergoing;
 - (f) a decrease in the frequency with which the offender must attend the courses or treatment;
 - (g) a decrease in the amount of community service the offender must perform under the order.
- (2) The magistrate may, if necessary, amend the requirements of the offender's intensive drug rehabilitation order or the offender's rehabilitation program to give the reward.

32 Sanctions

- (1) A drug court magistrate may impose the following kinds of sanctions on the offender if the magistrate is satisfied on the balance of probabilities the offender is not complying with the offender's intensive drug rehabilitation order—
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Drug Court Act 2000

- (a) the withdrawal of stated privileges;
 - (b) the imposition of a monetary penalty payable to the clerk of the court of a drug court;
 - (c) an increase in the level of supervision of the offender by a drug court magistrate or someone else;
 - (d) a change in—
 - (i) the nature of the vocational education and employment courses the offender attends; or
 - (ii) the nature of medical, psychiatric or psychological treatment the offender is undergoing;
 - (e) an increase in the frequency with which the offender must attend the courses or treatment;
 - (f) a term of imprisonment for up to 15 days for each failure to comply with the order, but not so as to impose a term of more than 22 days at any 1 hearing under this section;
 - (g) an increase in the amount of community service the offender must perform, but—
 - (i) not more than 40 hours community service for each failure to comply with the order; and
 - (ii) not so as to impose more than 40 hours community service at any 1 hearing under this section; and
 - (iii) not so as to increase the total number of hours to be performed under this section and under the order to more than 240 hours.
- (2) In deciding whether to increase the amount of community service the offender must perform under subsection (1)(g), the drug court magistrate must consider—
- (a) the number of hours of community service the offender has outstanding under another order and when the hours must be completed; and
 - (b) whether the offender is in a residential rehabilitation facility and is able to complete the community service.
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- (3) The magistrate may, if necessary, amend the requirements of the offender's intensive drug rehabilitation order or the offender's rehabilitation program to give the sanction.
- (4) A monetary penalty imposed under subsection (1)(b) is not a penalty within the meaning of the *Penalties and Sentences Act 1992*, section 4.
- (5) A term of imprisonment imposed under subsection (1)(f) is not a sentence within the meaning of the *Penalties and Sentences Act 1992*, section 4.⁶

Division 5 Amending orders and terminating rehabilitation programs

33 Amending intensive drug rehabilitation orders

- (1) A drug court magistrate may, on application under this division or on the magistrate's own initiative, amend the requirements of an intensive drug rehabilitation order or a rehabilitation program.
- (2) If the magistrate amends the order, the magistrate must give reasons.
- (3) This section is subject to section 26(2).⁷

34 Terminating rehabilitation programs

- (1) A drug court magistrate may, on application under this division or on the magistrate's own initiative, terminate a rehabilitation program decided for the offender if—
 - (a) the offender asks the magistrate to terminate the rehabilitation program; or
 - (b) if the magistrate proposes to amend the order—
 - (i) the offender does not agree to the order being amended; or

⁶ *Penalties and Sentences Act 1992*, section 4 (Definitions)

⁷ Section 26 (Offender to agree to making or amending of order)

- (ii) the offender does not agree to comply with the amended order; or
 - (c) the offender does not attend before a drug court magistrate as required under the offender's intensive drug rehabilitation order or otherwise; or
 - (d) the offender has otherwise failed to comply with the intensive drug rehabilitation order; or
 - (e) the magistrate is satisfied, on the balance of probabilities, there are not reasonable prospects of the offender satisfactorily complying with the offender's intensive drug rehabilitation order.
- (2) If the magistrate terminates the rehabilitation program, the magistrate must give reasons.
 - (3) If the magistrate terminates the rehabilitation program and the offence in relation to which the intensive drug rehabilitation order for the offender was made is a prescribed drug offence, the magistrate must—
 - (a) revoke the conviction recorded for the offence; and
 - (b) vacate the intensive drug rehabilitation order; and
 - (c) under the *Justices Act 1886*, section 113,⁸ commit the offender to the Supreme Court for sentence, even though the magistrate has not addressed the defendant as required under section 104(2).

35 Process for application to amend intensive drug rehabilitation order or terminate rehabilitation program

- (1) An application under section 33 or 34 may be made by any of the following persons—
 - (a) the offender;
 - (b) an authorised corrective services officer;
 - (c) a prosecuting authority.
- (2) The application may be made—

⁸ *Justices Act 1886*, section 113 (Procedure if defendant pleads guilty)

- (a) if the offender is before a drug court magistrate—without notice; or
 - (b) if the offender is not before a drug court magistrate—after giving notice in the approved form and as required under subsection (3), (4), (5) or (6).
- (3) If an application is made by the offender, notice must be given by the court to the chief executive (corrective services) and the prosecutor.
 - (4) If an application is made by an authorised corrective services officer, notice must be given to the court, the offender and the prosecutor.
 - (5) If an application is made by a prosecuting authority, notice must be given to the court, the offender and the chief executive (corrective services).
 - (6) Notice under subsection (3), (4) or (5) must be given to the person at least the day before the application is to be heard before the magistrate.
 - (7) In this section—
prosecutor means the prosecuting authority that appeared before the court when the intensive drug rehabilitation order was made.

35A Inclusion of new rehabilitation program

- (1) This section applies when an offender is brought before a drug court magistrate after the offender's rehabilitation program has been terminated by a magistrate in the offender's absence for a reason mentioned in section 34(1)(c) or (d).
 - (2) Unless the offender's intensive drug rehabilitation order has been vacated under section 34(3), the drug court magistrate may amend the intensive drug rehabilitation order to include a new rehabilitation program.
 - (3) The drug court magistrate may amend the intensive drug rehabilitation order to include a new rehabilitation program only if—
 - (a) the drug court magistrate is satisfied of the matters mentioned in section 19 and is satisfied the offender has
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reasonable prospects of successfully completing the new rehabilitation program; and

- (b) the offender agrees to the order being amended and agrees to comply with it.

36 Final sentence to be decided on completion or termination of rehabilitation program

- (1) This section applies when an offender's rehabilitation program ends—
 - (a) if the offence for which the offender's intensive drug rehabilitation order was made was a prescribed drug offence—because the offender has successfully completed the rehabilitation program under the order; or
 - (b) if the offence for which the offender's intensive drug rehabilitation order was made was not a prescribed drug offence—for any reason unless a new rehabilitation program is included in the offender's intensive drug rehabilitation order under section 35A.
- (2) The magistrate must reconsider the offender's initial sentence, vacate the intensive drug rehabilitation order and impose a final sentence.
- (3) When reconsidering the initial sentence, the magistrate must consider the extent to which the offender participated in his or her rehabilitation program, including, for example—
 - (a) whether any rewards or sanctions were given to or imposed on the offender; and
 - (b) if sanctions were imposed on the offender that included the imposition of a term of imprisonment under section 32(1)(f), the number and length of the terms imposed.
- (4) The final sentence may be—
 - (a) for a prescribed drug offence—any sentence that a magistrate could impose for an offence against the *Drugs Misuse Act 1986* on proceedings taken summarily under section 13⁹ of that Act; or

9 *Drugs Misuse Act 1986*, section 13 (Certain offences may be dealt with summarily)

- (b) for any other relevant offence—any sentence that the magistrate could have imposed for the offence.

Note to subsection (4)—

See also the Criminal Code, section 552H(1)(b) for an express extension of a drug court magistrate's power to impose a maximum penalty of 4 years imprisonment on summary conviction under section 552A or 552B of the Code.

- (5) The magistrate must revoke the conviction recorded for the offence—
 - (a) if the *Penalties and Sentences Act 1992*, section 16 or 22¹⁰ applies; or
 - (b) otherwise, if the magistrate has a discretion not to record a conviction and decides not to record a conviction.
- (6) If the magistrate sentences the offender to serve a term of imprisonment with or without suspending the sentence, the term of imprisonment must not be greater than the term imposed in the initial sentence.
- (7) It is declared that in applying the *Penalties and Sentences Act 1992*, section 161,¹¹ to a sentence for a term of imprisonment imposed on an offender under this section, time spent in custody under this Act, other than under section 32(1)(f), is taken to be imprisonment already served under the sentence.

Division 6 General

36A Drug court magistrate must consider views of drug court team

- (1) This section applies if a drug court magistrate is making a decision (a *relevant decision*) about any of the following matters—

10 *Penalties and Sentences Act 1992*, section 16 (Court may make order under this division if it does not record conviction) or 22 (Court may make order under this division if it does not record conviction)

11 Section 161 has been renumbered as section 159A—see the *Corrective Services Act 2006*, section 496 and the *Acts Interpretation Act 1954*, section 14H.

- (a) whether an offender's rehabilitation program should include medical, psychiatric or psychological treatment (*health treatment*);
 - (b) what matters should be included in an offender's rehabilitation program about the offender's health treatment;
 - (c) where the offender should be placed for health treatment, including, for example, in a residential rehabilitation facility, an outpatient facility or with a particular service provider;
 - (d) how often the offender should meet with the persons providing or supervising the offender's rehabilitation program, including health treatment;
 - (e) how often the offender should appear before a drug court magistrate;
 - (f) whether or not to give a reward to, or impose a sanction on, an offender;
 - (g) whether or not an intensive drug rehabilitation order or a rehabilitation program for an offender should be amended;
 - (h) whether or not an intensive drug rehabilitation order for an offender should be terminated.
- (2) The drug court magistrate must consider the views of the members of the offender's drug court team in making the relevant decision.
- (3) In this section—
- drug court team*, for an offender, means the persons who—
- (a) act for an interested entity; and
 - (b) attend a hearing at which a relevant decision is made about the offender.
- interested entity* means any of the following—
- (a) Legal Aid (Queensland);
 - (b) a prosecuting authority;
 - (c) the department in which the *Corrective Services Act 2000* is administered;
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Editor's note—

Corrective Services Act 2000—see the Acts Interpretation Act 1954, section 14H and Corrective Services Act 2006.

- (d) the department in which the *Health Services Act 1991* is administered.

37 Immunity from prosecution

- (1) A person is not liable to be prosecuted for an offence as a result of an admission made by the person—
 - (a) for the purposes of deciding whether the person—
 - (i) is, or appears to be, an eligible person; or
 - (ii) is suitable for rehabilitation; or
 - (b) to someone responsible for the person's supervision or treatment under this Act.
- (1A) To remove any doubt, it is declared that subsection (1) does not prevent a prosecution if there is evidence, other than the admission or evidence obtained as a result of the admission, implicating the accused.
- (2) The admission, and any evidence obtained as a result of the admission, is not admissible against the person in proceedings for an offence.
- (3) However, this section does not apply to—
 - (a) a disqualifying offence; or
 - (b) an indictable offence, other than an indictable offence mentioned in the Criminal Code, section 552B¹² or the *Drugs Misuse Act 1986*, section 13;¹³ or
 - (c) an offence committed in connection with an offence mentioned in paragraph (a) or (b).

12 Criminal Code, section 552B (Charges of indictable offences that may be dealt with summarily)

13 *Drugs Misuse Act 1986*, section 13 (Certain offences may be dealt with summarily)

38 Random drug testing

If a rehabilitation program under an intensive drug rehabilitation order includes a requirement that the offender must report for drug testing and states the frequency for the testing, an authorised corrective services officer—

- (a) may decide when and where the offender is to report; and
- (b) may require the offender to report for further random testing as directed by the officer.

39 Disclosure of compliance and related information

(1) A prescribed person—

- (a) must promptly give the chief executive (corrective services), or a drug court magistrate, any compliance information the prescribed person has about the offender; and
- (b) may enter in the drug court database any compliance information or related information the prescribed person has about the offender.

(2) Subsection (1) applies despite any Act, oath, rule of law or practice that prohibits or restricts the disclosure of information.

(3) In this section—

compliance information means any information about the offender's compliance with, or failure to comply with—

- (a) the requirements of the offender's intensive drug rehabilitation order; or
- (b) the offender's rehabilitation program.

drug court database means a database for the drug court diversion program to which only a prescribed person has access.

information includes a document.

prescribed person means a person involved in the administration of, or who provides services in connection

with, an offender's rehabilitation program who is prescribed under a regulation.

related information means any information, other than compliance information, about the offender obtained in the administration of, or in the provision of services in connection with, the offender's rehabilitation program.

39A Disclosure of relevant information

- (1) A person who is a member of a drug court team for an offender may give another member of the drug court team any relevant information the person has about the offender.
- (2) In this section—

compliance information see section 39.

drug court team, for an offender, means any of the following persons who are responsible for attending the drug court and providing reports to the drug court magistrate about the performance of the offender under the intensive drug rehabilitation order—

- (a) a corrective services officer;
- (b) a police officer;
- (c) a person employed for the purposes of the *Director of Public Prosecutions Act 1984*;
- (d) a health service employee under the *Health Services Act 1991*;
- (e) a Legal Aid employee under the *Legal Aid Queensland Act 1997*.

related information see section 39.

relevant information means—

- (a) compliance information; or
- (b) related information; or
- (c) any other information prescribed under a regulation for this section;

but does not include information to which legal professional privilege attaches.

39B Protection from liability

- (1) This section applies if—
 - (a) a person who is a health professional gives an indicative assessment report to the chief executive (health) or a drug court magistrate; or
 - (b) a person who is a health professional gives an assessment report to the chief executive (health) or a drug court magistrate; or
 - (c) a prescribed person gives the chief executive (corrective services) or a drug court magistrate compliance information under section 39; or
 - (d) a prescribed person enters compliance information or related information in the drug court database under section 39; or
 - (e) a person who is a member of a drug court team for an offender gives another member of the team relevant information under section 39A.
 - (2) The person is not liable, civilly, criminally or under an administrative process, for giving the report, or giving or entering the information, honestly and on reasonable grounds.
 - (3) Also, merely because the person gives the report, or gives or enters the information, the person can not be held to have—
 - (a) breached any code of professional etiquette or ethics; or
 - (b) departed from accepted standards of professional conduct.
 - (4) Without limiting subsections (2) and (3)—
 - (a) in a proceeding for defamation, the person has a defence of absolute privilege for publishing the report or information; and
 - (b) if the person would otherwise be required to maintain confidentiality about the report or information under an Act, oath or rule of law or practice, the person—
 - (i) does not contravene the Act, oath or rule of law or practice by giving the report or giving or entering information; and
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- (ii) is not liable to disciplinary action for giving the report or giving or entering information.

39C Protection of personal information about offenders

- (1) This section applies if a personal information document about an offender is given to a drug court.
- (2) The clerk of the court of a drug court may give a copy of a personal information document to a person, other than the offender to whom the document relates, only if—
 - (a) the person applies to the drug court for a copy of the document; and
 - (b) the court is satisfied the person has a sufficient interest in the document; and
 - (c) the court orders the person is to be given a copy of the document.
- (3) A regulation may provide for the storage of personal information documents to ensure the confidentiality of information in the document.

Example for subsection (3)—

A regulation may provide that a medical report about an offender, kept in the offender's file, is to be stored in a sealed envelope.

- (4) This section applies despite any other Act, including the *Justices Act 1886*, section 154.
- (5) In this section—

personal information document means a document that is prescribed, under a regulation, to be a document to which this section applies.

40 Arrest warrants

- (1) A drug court magistrate may issue a warrant for the offender's arrest if the magistrate—
 - (a) reasonably suspects an offender has failed to comply with his or her rehabilitation program; or
 - (b) terminates the offender's rehabilitation program.
-

- (2) The warrant authorises any police officer to arrest the offender and to bring the offender before a drug court magistrate.
- (3) The *Bail Act 1980* does not apply to an offender who is arrested on the authority of a warrant under this section.
- (4) If the drug court magistrate decides to refer the offender for an assessment as to whether the offender should continue with the offender's intensive drug rehabilitation order or to reserve making a decision about terminating the offender's rehabilitation program, the magistrate may remand the offender in custody to appear before a drug court magistrate.
- (5) The period for which an offender may be remanded in custody is as follows—
 - (a) an initial period of not more than 30 days;
 - (b) a further period or periods of not more than 8 days.
- (6) If the drug court magistrate remands the offender in custody, the chief executive (corrective services) must ensure the person appears before a drug court magistrate to be dealt with as required by the drug court magistrate.
- (7) The clerk of the court of a drug court may perform the magistrate's functions under subsection (1).

41 Warrants of commitment

- (1) A drug court magistrate may issue a warrant of commitment for the purposes of section 21 or 32(1)(f).¹⁴
- (2) The clerk of the court of a drug court may perform the magistrate's functions under subsection (1).

42 When no appeal

- (1) An appeal does not lie against—
 - (a) an initial sentence; or
 - (b) a decision to do or not to do any of the following—

14 Section 21 (Delaying suspension of sentence) or 32 (Sanctions)

- (i) remand a person to appear before a drug court magistrate;
 - (ii) make an intensive drug rehabilitation order for a person;
 - (iii) amend an intensive drug rehabilitation order or terminate a rehabilitation program for an offender;
 - (iv) give a reward to or impose a sanction on an offender.
- (2) Subsection (1) applies despite the *Justices Act 1886*, section 222 and the Criminal Code, chapter 67.¹⁵

42A Application of Penalties and Sentences Act 1992, s 188

To remove any doubt, it is declared that the *Penalties and Sentences Act 1992*, section 188 applies to initial sentences and final sentences imposed under this Act.

Part 6 General

43 Regulation-making power

- (1) The Governor in Council may make regulations under this Act.
- (2) A regulation prescribing the maximum number of active intensive drug rehabilitation orders may prescribe the maximum number of active intensive drug rehabilitation orders applicable for persons who reside within a stated locality.
- (3) A regulation may prescribe guidelines for drug courts or a particular drug court.

¹⁵ *Justices Act 1886*, section 222 (Appeal to a single judge) and Criminal Code, chapter 67 (Appeal—pardon)

- (4) Without limiting subsection (3), a regulation may prescribe guidelines for drug courts or a particular drug court about the following matters—
- (a) the requirements of an intensive drug rehabilitation order;
- Example—*
- the maximum number of attendances ordinarily required before a drug court magistrate during a particular period
- (b) the contents and requirements of a rehabilitation program;
- Example—*
- the maximum number of times an offender must ordinarily report for drug testing during a particular period
- (c) the ordinary requirements for successful completion of a rehabilitation program.
- (5) A regulation may prescribe the minimum frequency with which offenders must be drug tested under the offenders' intensive drug rehabilitation orders.

44 Approved forms

The chief executive may approve forms for this Act.

Part 7 Transitional provisions

Division 1 Transitional provision for Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002

46A Transitional provisions for Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002

- (1) Sections 6 and 19,¹⁶ as in force immediately before the commencement of this subsection, continue to apply in relation to an intensive drug rehabilitation order made before the commencement.
- (2) The release under section 16(1)¹⁷ during the transitional period of a person on bail subject to a condition that the person report to persons at the times and places directed by a community correctional officer is taken instead to have been subject to a condition that the person report to persons at the times and places directed by a corrective services officer.
- (3) In this section—
transitional period means the period beginning on 1 July 2001 and ending immediately before the commencement of subsection (2).

Division 2 Transitional provisions for Drug Legislation Amendment Act 2006

47 Definition for div 2

In this division—

commencement means the commencement of this division.

16 Sections 6 (Who is an *eligible person*) and 19 (Making of order)

17 Section 16 (Referral for assessment)

48 References to Act

In an Act or document, a reference to the *Drug Rehabilitation (Court Diversion) Act 2000* may, if the context permits, be taken as a reference to this Act.

49 Transitional provision for courts

A Magistrate Court that was, immediately before the commencement, declared to be a pilot program court is, on the commencement, taken to be a drug court.

50 Transitional provision for magistrates

A magistrate who, immediately before the commencement, had been allocated the functions of a pilot program magistrate is, on the commencement, taken to have been allocated the functions of a drug court magistrate.

51 Transitional provision for proceedings

If proceedings before a pilot program court had been started but not finished before the commencement, the proceedings may continue as if they had been started after the commencement.

Schedule Dictionary

section 5

active intensive drug rehabilitation order means an intensive drug rehabilitation order other than—

- (a) an intensive drug rehabilitation order, the rehabilitation program for which has been terminated under section 34; or
- (b) an intensive drug rehabilitation order that has been vacated.

appropriately qualified, for a health professional, means having the qualifications or experience to carry out an indicative assessment or assessment of a person.

approved form see section 44.

assessment, of a person, means an assessment of the following to help decide the person's capacity to undertake treatment—

- (a) the person's physical and mental health;
- (b) the person's past and present drug dependency and drug use;
- (c) the treatment options appropriate for the person.

assessment report see section 16(3).

authorised corrective services officer see *Penalties and Sentences Act 1992*, section 4A.¹⁸

chief executive (health) means the chief executive of the department in which the *Health Services Act 1991* is administered.

community service means any activity declared by the chief executive (corrective services) to be community service for

¹⁸ *Penalties and Sentences Act 1992*, section 4A (Meaning of *authorised corrective services officer*)

Schedule (continued)

the *Corrective Services Act 2006* or the *Penalties and Sentences Act 1992*.

community term of imprisonment see section 7A.

core condition, of an intensive drug rehabilitation order, means a condition mentioned in section 22.

corrective services officer see the *Corrective Services Act 2006*.

corresponding provision means a corresponding provision of a law of another State or the Commonwealth.

disqualifying offence see section 7.

drug means—

- (a) a dangerous drug within the meaning given by the *Drugs Misuse Act 1986*; or
- (b) another drug prescribed under a regulation.

drug court means a Magistrates Court declared to be a drug court under section 9.

drug court magistrate means a magistrate to whom functions are allocated under section 10(1).

eligible person see section 6.

health professional has the meaning given by the *Health Services Act 1991*, section 60.

health service facility means a place at which a health service, within the meaning of the *Health Services Act 1991*, section 3, is provided.

indicative assessment, of a person, means an assessment as to whether the person is drug dependent.

indicative assessment report see section 12B.

initial sentence see section 20(a)(i).

intensive drug rehabilitation order see section 19.

offender see section 17.

Schedule (continued)

period of imprisonment means the unbroken duration of imprisonment that an offender is to serve for 2 or more terms of imprisonment, whether—

- (a) ordered to be served concurrently or cumulatively; or
- (b) imposed at the same time or different times;

and includes a term of imprisonment.

prescribed drug offence means an offence under the *Drugs Misuse Act 1986*—

- (a) for which the maximum penalty is 20 years imprisonment; and
- (b) that is prescribed under a regulation.

prison means a prison within the meaning of the *Corrective Services Act 2006*.

prosecuting authority means the commissioner of the police service or the director of public prosecutions.

referring magistrate see section 16(1).

rehabilitation program means a rehabilitation program under an intensive drug rehabilitation order.

relevant offence see section 8.

term of imprisonment means the duration of imprisonment imposed for a single offence.

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2008. Future amendments of the Drug Court Act 2000 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	13 June 2000	7 July 2000
1A	2000 Act No. 46	25 October 2000	8 November 2000
1B	2000 Act No. 58	17 November 2000	27 November 2000

Reprint No.	Amendments included	Effective	Notes
1C	2002 Act No. 23	19 July 2002	
1D	2002 Act No. 41	25 October 2002	
2	2003 Act No. 55	18 September 2003	
2A rv	2004 Act No. 43	3 December 2004	
2B	2006 Act No. 8	3 July 2006	
2C	2006 Act No. 29	28 August 2006	
2D	2007 Act No. 37	28 September 2007	
3	2007 Act No. 37	1 July 2008	

5 List of legislation

Drug Court Act 2000 No. 3 (prev Drug Rehabilitation (Court Diversion) Act 2000)

date of assent 8 March 2000

ss 1–2 commenced on date of assent

remaining provisions commenced 13 June 2000 (2000 SL No. 103)

amending legislation—

Statute Law (Miscellaneous Provisions) Act 2000 No. 46 ss 1, 3 sch

date of assent 25 October 2000

commenced on date of assent

Justice and Other Legislation (Miscellaneous Provisions) Act 2000 No. 58 ss 1–2 sch

date of assent 17 November 2000

s 2 sch amdt 4 commenced on date of assent (amdt could not be given effect)

remaining provisions commenced on date of assent

Criminal Law Amendment Act 2002 No. 23 ss 1, 2(3), pt 5

date of assent 23 May 2002

ss 1–2 commenced on date of assent

remaining provisions commenced 19 July 2002 (2002 SL No. 157)

Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002 No. 41

date of assent 12 September 2002

ss 1–2 commenced on date of assent

remaining provisions commenced 25 October 2002 (2002 SL No. 279)

Evidence (Protection of Children) Amendment Act 2003 No. 55 pts 1, 9A

date of assent 18 September 2003

commenced on date of assent

Justice and Other Legislation Amendment Act 2004 No. 43 pts 1, 9, s 3 sch

date of assent 18 November 2004

ss 1–2 commenced on date of assent

remaining provisions commenced 3 December 2004 (2004 SL No. 263)

Drug Legislation Amendment Act 2006 No. 8 pts 1–2

date of assent 15 March 2006

ss 1–2 commenced on date of assent

remaining provisions commenced 3 July 2006 (2006 SL No. 151)

Corrective Services Act 2006 No. 29 ss 1, 2(2), 518 sch 3

date of assent 1 June 2006

ss 1–2 commenced on date of assent

s 518 sch 3 amds 5, 6 and 8 (to the extent it amds def “corrective services office”)

commenced 28 August 2006 (amds could not be given effect)

remaining provisions commenced 28 August 2006 (2006 SL No. 213)

Justice and Other Legislation Amendment Act 2007 No. 37 pts 1, 11, s 51 sch

date of assent 29 August 2007

ss 1–2 commenced on date of assent

ss 52–61 commenced 1 July 2008 (2008 SL No. 197)

remaining provisions commenced 28 September 2007 (2007 SL No. 241)

6 List of annotations

Title sub 2006 No. 8 s 4**Short title**

s 1 sub 2006 No. 8 s 5

Objects of this Act

s 3 sub 2006 No. 8 s 6

Relationship with Penalties and Sentences Act 1992

s 4 amd 2006 No. 8 s 7

Notes in text

s 4A ins 2002 No. 41 s 4

Who is an “eligible person”

s 6 amd 2002 No. 41 s 5; 2006 No. 8 s 8; 2006 No. 29 s 518 sch 3; 2007 No. 37 s

52

BERMUDA:

DRUG TREATMENT PROGRAMMES

Drug treatment programmes

68 (1) There is established a special magistrates court to be known as the Drug Treatment Court.

(2) The Chief Justice may designate any magistrate as a judge of the Drug Treatment Court.

(3) Where an accused other than a corporation—

(a) pleads guilty to or is found guilty of an offence;

(b) appears to the court to satisfy the eligibility criteria; and

(c) is willing to undergo an assessment by a qualified person to determine his suitability for a drug treatment programme,

the court may by order direct the offender to appear before the Drug Treatment Court.

(4) The Drug Treatment Court on being satisfied—

- (a) that the offender is suitable for enrollment in a drug treatment programme;
- (b) that it is in the best interests of the offender that he be enrolled in such programme; and
- (c) that the offender agrees to be enrolled in such programme,

may, instead of convicting the offender, order that he be enrolled in a drug treatment programme of such description, for such period and subject to such conditions as the Drug Treatment Court may specify in the order.

(5) Where an offender has been enrolled in a drug treatment programme, the Drug Treatment Court shall monitor the progress of the offender throughout the duration of the programme.

(6) Where the offender fails, without reasonable excuse, to comply with the rules of a drug treatment programme or any conditions set out in an order under subsection (4), the Drug Treatment Court may—

- (a) (i) impose any sanction, including, imprisonment for a period not exceeding 20 days, that it could have imposed for the offence in respect of which the order was made; and
- (ii) require the offender to continue in the drug treatment programme; or
- (b) (i) revoke the order,
- (ii) convict the offender of the offence in respect of which the order was made, and
- (iii) impose any sentence that could have been imposed if the offender had been convicted at the time the order was made.

(7) For the avoidance of doubt it is declared that where an accused

- (a) has pleaded guilty to an offence; and
- (b) has been enrolled in a drug treatment programme,

the plea is irrevocable.

(8) For the purposes of the Rehabilitation of Offenders Act 1977 a person shall be deemed to have become a rehabilitated person if he successfully completes a drug treatment programme pursuant to an order under subsection (4).

CRIMINAL CODE ACT 1907

(9) In this section—

- (a) "drug treatment programme" means a drug treatment and rehabilitative programme approved by the Minister of Health and Family Services;
- (b) "eligibility criteria" means eligibility criteria for participation in a drug treatment programme that are approved by the Minister of Health and Family Services and are published in the Gazette;
- (c) "qualified person" means a person approved by the Minister of Health and Family Services as qualified to conduct an assessment under this section.

[Section 68 repealed and substituted by 2001:29 effective 29 October 2001]

JAMAICA:

THE DRUG COURT (TREATMENT AND REHABILITATION OF OFFENDERS) ACT, 1999

The Drug Court (Treatment and Rehabilitation Of Offenders) Regulations, 2000

In exercise of the power conferred upon the Minister by section 18 of the Drug Court Act, 1999, and of every other power hereunto enabling, the following Regulations are hereby made:-

- | | | |
|--|----------|---|
| Citation. | 1. | These Regulations may be cited as the Drug Court (Treatment and Rehabilitation of Offenders) Regulations, 2000. |
| Approval of treatment providers. | 2. | The Minister may in writing, designate any individual or organization as an approved treatment provider if he is satisfied as to the kind of care, treatment or rehabilitation which is to be provided by that individual or organization. |
| Criteria for eligibility. | 3. | A person is an eligible person for the purposes of section 5(c) of the Act if that person -

(a) is at least seventeen years of age; and

(b) is not suffering from any mental condition that could prevent or restrict the person's active participation in a prescribed treatment programme. |
| Procedure for referring persons to Drug Court. | 4. - (1) | For the purposes of section 6 of the Act (procedure after arrest) the person arrested shall be brought before the court on the first sitting of the court following the date of arrest. |
| | (2) | Where , pursuant to section 6 (2) of the Act, a recommendation is made to the court that a person be referred to the Drug Court, the Resident Magistrate shall -

(a) ascertain whether the person is an eligible person;

(b) explain to the person the reasons why he is being referred to the Drug Court and the consequences of such referral; and

(c) require the person to signify in writing ,his consent to being so referred. |
| Procedure in Drug Court. | 5. - (1) | The Drug Court shall, in relation to a person referred to it under section 6 of the Act or brought directly before it under section 7 of the Act –

(a) explain to the person that he will be assessed by an approved treatment provider in order to determine his suitability for participation in a prescribed treatment programme; |

- (b) if the person agrees to undergo such assessment, adjourn the case for a period of two weeks to facilitate the carrying out of the assessment during that period.

(2) Where the approved treatment provider recommends to the Drug Court that a drug offender is suitable to participate in a prescribed treatment programme and furnishes to that Court, a plan of that programme, the Drug Court shall, if satisfied as to the matters specified in section 9 (1) of the Act -

- (a) require the drug offender to signify in writing his consent to such participation;
- (b) require a probation officer to carry out a means test in relation to the drug offender in order to determine the amount of contribution, if any, to be made by that offender in relation to such participation; and
- (c) make an order in relation to that offender in accordance with section 9 (2) of the Act.

(3) Where an assessment is not completed at the end of the period referred to in paragraph (1) (b), the Drug Court shall adjourn the case for such further period as it thinks fit to facilitate the completion of the assessment.

(4) An assessment shall include the following in relation to a drug offender –

- (a) social, economic and family background;
- (b) health profile;
- (c) history of drug use and previous treatment, if any;
- (d) level of education;
- (e) vocational achievements;
- (f) previous convictions, if any.

(5) The provisions of paragraphs (1) (a) and (2) shall apply in relation to a person who is convicted of a relevant offence before a regular sitting.

Conditions. 6. - (1) The conditions which may be imposed by the Drug Court pursuant to section 9 (1) (c) of the Act in relation to a drug offender's participation in a prescribed treatment programme may include the advantages specified in paragraph (2) and the sanctions specified in paragraph (3).

(2) The following advantages may be specified by the Drug Court on the recommendation of the approved treatment provider in relation to a drug offender who maintains a satisfactory level of compliance with the programme -

- (a) specified privileges;
- (b) a change in the frequency of counselling or other treatment;
- (c) a decrease in the degree of supervision to which the drug offender is subject;
- (d) a decrease in the frequency with which the drug offender is required to undergo drug tests;
- (e) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which he is required to attend those services.

(3) The following sanctions may be specified by the Court on the recommendation of the approved treatment provider in relation to a drug offender who fails to comply with the programme -

- (a) withdrawal of privileges referred to in paragraph (2) (a);
- (b) an appropriate change in the frequency of counselling or other treatment;
- (c) an increase in the degree of supervision to which the drug offender is subject;
- (d) an increase in the frequency with which the drug offender is required to undergo drug tests;
- (e) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which he is required to attend those services.

Means test. 7. In carrying out a means test pursuant to regulation 5 (2) (b), the probation officer shall take into account such factors as he considers relevant, including -

- (a) the nature of the offence committed by the drug offender ;
- (b) the drug offender's income and expenses;
- (c) the drug offender's property, if any;
- (d) the ability and willingness of the offender's relatives, friends or employers to make the contribution referred to in regulation 5(2)(b).

Duration of programme. 8. - (1) A prescribed treatment programme shall commence on the date specified by the Court in the order under section 9 (2) of the Act and shall, unless it is sooner terminated pursuant to section 12 (1) (b) or (c) of the Act, be for such period as the Court shall specify in the order.

(2) Before the commencement of the prescribed treatment programme, the approved treatment provider shall conduct an intake interview with the drug offender, in the form of a discussion of the following -

- (a) the goals and objectives for participation, including abstinence from the use of drugs during the period of the programme;
- (b) counselling and education requirements;
- (c) attendance requirements;
- (d) drug testing requirements;
- (e) payment of contribution, if any;
- (f) the place and times for participation;
- (g) reasons for termination of the programme;
- (h) rules which will relate to the drug offender.

(3) The drug offender shall sign the rules referred to in paragraph (2) (h) in duplicate and one copy shall be given to the offender and the other shall be kept in the record of the offender's participation in the programme.

(4) The following documents shall be used for enrollment of a drug offender in the prescribed treatment programme -

- (a) registration form containing the information referred to in paragraph (2) ;
- (b) a form permitting the release of confidential information concerning the drug offender to the Drug Court;
- (c) an agreement to be signed by the drug offender and the approved treatment provider, listing the services to be provided under the programme, the amount of contribution, if any, payable by the offender, attendance requirements and the reasons for termination of the programme.

(5) One copy of the signed agreement shall be given to the drug offender and a copy shall be kept in the record of his participation in the programme.

Reports.	9.	The progress report required under section 11 of the Act shall be submitted to the Drug Court by an approved treatment provider at such intervals as the Court may direct.
Termination of programme.	10. - (1)	Where an approved treatment provider intends to report to the Drug Court that there is no useful purpose to be served by a drug offender's continued participation in a prescribed treatment programme, the treatment provider shall inform the drug offender of that intention.
	(2)	On receipt of a report referred to in paragraph (1), the Drug Court shall permit the drug offender to show cause why the approved treatment programme should not be terminated in accordance with section 12 (1) (c) of the Act.
	(3)	A conditional discharge of a drug offender by the Drug Court upon his successful completion of a prescribed treatment programme shall have effect for such period, not exceeding twelve months, as the Court may specify.
Register.	11.	The register required by section 14 of the Act shall contain the particulars specified in the First schedule.
First Schedule.		
Plan of prescribed treatment programme.	12.	A plan of a prescribed treatment programme shall include the matters specified in the Second Schedule.
Second Schedule.		

FIRST SCHEDULE

(Regulation 11)

Particulars to be entered in register kept pursuant to section 14 of the Act.

1. Name and address of each drug offender.
2. Nature of relevant offence and date and place of arrest.
3. Date of first appearance in regular sitting and date of reference to the Drug Court.
4. Date of appearance in Drug Court and whether the prosecution of the offence is deferred or sentence is deferred after a guilty plea.
5. Name of approved treatment provider making an assessment and recommendation under section 8 (1) of the Act.

6. Date of adjournment for assessment and date of completion of assessment.
7. Whether the drug offender is -
 - (a) considered suitable or unsuitable for participation in an approved treatment programme; or
 - (b) not willing to be dealt with by the Drug Court.
8. Date of trial by the Drug Court of offence specified in section 7 (3) of the Act.
9. Date of order made under section 9 (2) of the Act.
10. Date of commencement and period of prescribed treatment programme.
11. Date of termination of prescribed treatment programme and basis of termination.
12. Where the drug offender failed to complete the prescribed treatment programme -
 - (a) if the prosecution was deferred under section 7 (2) (a) of the Act -
 - (i) the date of the order for trial of the relevant offence and the outcome; or
 - (ii) the date of any order requiring the offender to undergo a new treatment programme and date of commencement and period of that programme;
 - (b) where sentence was deferred under section 7 (2) (b) of the Act, the nature of the sentence imposed;
 - (c) date of confirmation of any sentence, the execution of which was deferred pursuant to section 9 (4) of the Act.
 - (d) where trial was deferred by a regular sitting, the date of reference back to that sitting.
13. Date of warrant of arrest in respect of a person who has failed to comply with specified conditions.
14. Date of notification under section 17 of the Act of a drug offender's failure to comply with the prescribed treatment programme.

SECOND SCHEDULE**(Regulation 12)****Plan of Prescribed Treatment Programme**

The following matters shall be included in a plan of a prescribed treatment programme

Educational Sessions -

- (1) a minimum of 8 weekly educational sessions of at least 60 minutes (excluding time allowed for breaks) for each drug offender.
- (2) Information on -
 - (a) the effects of drug use on the individual, the foetus, the family and society;
 - (b) the physiological and psychological facets of drug use;
 - (c) the nature of addiction;
 - (d) HIV/AIDS, intravenous drug use and sex and sexuality;
 - (e) Alternatives to drug use;
 - (f) Relapse prevention;
 - (g) Stress management;
 - (h) Conflict resolution

Group Counselling Sessions -

- (1) a minimum of 12 weekly group sessions, at times convenient to the programme structure following the initial educational sessions;
- (2) at least 90 minutes in length, excluding time allowed for breaks;
- (3) conducted in such a manner as to -
 - (a) encourage participants to talk and share ideas and information in order to identify and resolve drug related problems;
 - (b) provide an opportunity for participants to examine their own personal attitudes and behaviour;
 - (c) provide support for positive changes in life style to facilitate reduction or elimination of drug use.

One-to-One Sessions -

- (1) a minimum of four separate sessions with each participant.
- (2) Conducted for the purpose of -

- (a) reviewing the participant's progress related to the treatment and recovery plan;
- (b) identifying problems which may be barriers to accomplishing the goals of that plan;
- (c) developing action plans to address the matters specified in (a) and (b);
- (d) evaluating the participant's need for voluntary referral to ancillary services, such as residential or additional non-residential services.

- (3) The frequency of one-to-one sessions shall be increased whenever the approved treatment provider or the participant determines that additional time is required.

Drug Testing -

- (1) Minimum monthly random urinalyses.
- (2) The frequency of testing shall increase whenever the approved treatment provider determines that additional drug tests are necessary
- (3) Positive results will not necessarily exclude a participant from the programme but will be used to arrive at a decision based on evaluation of the participant's progress in the programme and evaluate the participant's level of treatment intensity.

Treatment/Recovery Plan

- 1. Each participant shall have an individual written treatment/ recovery plan based on the information obtained in the process of intake and assessment.
- 2. The treatment/recovery plan shall be developed within 30 days of the date of commencement of the programme.
- 3. The treatment/recovery plan shall be reviewed and updated at least every 60 days
- 4. The treatment/recovery plan shall include the following -
 - (a) statement of problems to be addressed;

- (b) time-limited goals to be achieved which address the problem;
- (c) steps to be taken by the treatment provider and the participant to achieve the goals;
- (d) target date for achievement of steps and goals, and where possible, dates of resolution;
- (e) a description of the type and frequency of counselling services to be provided.

Dated this 28th day of December , 2000.



Minister of National Security and Justice

THE DRUG COURT ACT, 1999

Consent of Drug Offender to Participate in a Prescribed Treatment Programme (Under Regulation 5 (2) (a))

I,
of
being a drug offender who *having been referred to the Drug Court/* being brought
before the Drug Court/* being convicted of a relevant offence before a regular sitting,
and the Drug Court has made an order in relation to me under section 9(2) of the Drug
Court Act, 1999, declare that the Resident Magistrate has -

(a) explained to me that I will be required to undergo a treatment programme
and that I will have to comply with the specified conditions imposed by the
Drug Court in relation to my participation in the prescribed treatment
programme; and

(b) informed me of the consequences of my failure to comply with the specified
conditions,

do hereby signify my consent to participate in the prescribed treatment programme and
to comply with the specified conditions, including, if applicable, a condition that I
undergo

drug tests at such times as are specified in the order.

.....
Signature of Offender

.....
Date

.....
Signature of Clerk of the Courts

.....
Date

*Cross out which is inapplicable

THE DRUG COURT (TREATMENT AND
REHABILITATION OF OFFENDERS) ACT

ARRANGEMENT OF SECTIONS

1. Short title.
2. Interpretation.
3. Objects of Act.
4. Declaration and jurisdiction of Drug Court.
5. Eligible persons.
6. Procedure after arrest for relevant offence.
7. Persons who may be brought directly before Drug Court.
8. Assessment of offender and determination of relevant offence.
9. Jurisdiction of Drug Court.
10. Variation of conditions.
11. Reports.
12. Termination of programme.
13. Procedure on termination.
14. Register.
15. Arrest warrant.
16. Immunity from prosecution for certain offences.
17. Provision of information.
18. Regulations.

SCHEDULE.

[The inclusion of this page is authorized by L.N. 112/2002]

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

3

THE DRUG COURT (TREATMENT AND
REHABILITATION OF OFFENDERS) ACT

Act
40 of 1999.

[15th January, 2001.]

Short title

1. This Act may be cited as the Drug Court (Treatment and Rehabilitation of Offenders) Act.

Interpreta-
tion.

2. In this Act, unless the context otherwise requires—

“approved treatment provider” means an individual or organization approved by the Minister to carry out prescribed treatment programmes for the purposes of this Act;

“drug” includes alcohol and any dangerous drug falling within Parts III, IIIA and IV of the Dangerous Drugs Act;

“Drug Court” means the sitting of the Resident Magistrate’s Court declared to be a Drug Court pursuant to section 4;

“drug offender” means a person who is referred to the Drug Court under section 6(2)(b) or brought before the Drug Court pursuant to section 7;

“eligible person” means a person described in section 5;

“regular sitting” means a sitting of the Resident Magistrate’s Court other than the Drug Court;

“prescribed treatment programme” means a programme for treatment and supervision prescribed by the Drug Court pursuant to section 9;

“relevant offence” means any offence triable by a Resident Magistrate.

[The inclusion of this page is authorized by L.N. 112/2002]

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

Objects of
Act.

3. The objects of this Act are to—

- (a) reduce the incidence of drug use and dependence by persons whose criminal activities are found to be linked to such dependence;
- (b) reduce the level of criminal activity that results from drug abuse;
- (c) provide such assistance to those persons as will enable them to function as law abiding citizens.

Declaration
and juris-
diction of
Drug Court.

4.—(1) The Resident Magistrate presiding in each parish shall declare a sitting of the Resident Magistrate's Court to be a Drug Court for the purposes of this Act.

Schedule.

(2) The Drug Court shall be constituted in accordance with the provisions of the Schedule and when so constituted and sitting shall have the jurisdiction and powers conferred upon it by this Act.

Eligible
persons.

5. A person is an eligible person for the purposes of this Act if—

- (a) the person is charged with a relevant offence;
- (b) the person appears to be dependent on the use of drugs; and
- (c) the person satisfies such other criteria as may be prescribed.

Procedure
after arrest
for relevant
offence.

6.—(1) Subject to section 7, where a person is arrested and charged with a relevant offence and the arresting officer has reasonable cause to believe that the person is dependent on any drug, the arresting officer shall include in the police report, a note of the facts giving rise to that belief.

(2) As soon as practicable after the person is charged with the offence, the Clerk of Courts in the parish in which the person is arrested—

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- (a) shall review the police report and the person's criminal record; and
- (b) may, if satisfied that the person is eligible, recommend to the Court that the person be referred to the Drug Court to be dealt with in accordance with section 8.

7.—(1) A person who is arrested and charged with a relevant offence specified in subsection (3) shall be brought before the Drug Court to be dealt with in accordance with section 9.

(2) The Drug Court may, on the recommendation of the prosecution in relation to a person brought before it pursuant to subsection (1)—

- (a) defer prosecution of the offence; or
- (b) defer the imposition of a sentence for the offence after a guilty plea.

(3) The offences referred to in subsection (1) are offences under the Dangerous Drugs Act as follows—

- (a) possession of not more than—
 - (i) one ounce of prepared opium;
 - (ii) eight ounces of ganja;
 - (iii) one-tenth of an ounce of cocaine, heroin or morphine, as the case may be;
- (b) possession of any pipes or other utensils for use in connection with the smoking of opium or ganja, as the case may be, or any utensils used in connection with the preparation of opium for smoking;
- (c) smoking or otherwise using ganja or prepared opium, as the case may be;
- (d) frequenting any place used for the purpose of smoking opium.

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Assessment
of offender
and deter-
mination of
relevant
offence.

8.—(1) A person referred to the Drug Court under section 6 or brought before it pursuant to section 7 shall be assessed by an approved treatment provider who shall make a recommendation to the Drug Court as to the person's suitability for participation in a prescribed treatment programme and shall furnish to the Court, a plan of that programme.

(2) Where—

- (a) based upon an assessment by an approved treatment provider, a person is not considered suitable for participation in a prescribed treatment programme; or
- (b) a person is not willing to be dealt with by the Drug Court,

the relevant offence in relation to that person shall, subject to subsection (3), be heard and determined in a regular sitting.

(3) A relevant offence specified in section 7 (3) shall be heard and determined by the Drug Court.

Jurisdiction
of Drug
Court.

9.—(1) The Drug Court may act in accordance with subsection (2) in relation to a person referred to it under section 6 or brought before it pursuant to section 7 if the Court is satisfied that—

- (a) the person is an eligible person;
- (b) having regard to the person's antecedents, it would be appropriate for the person to participate in a prescribed treatment programme;
- (c) the person accepts the conditions to be imposed by the Drug Court (whether immediately or at some later date) in relation to his participation in a prescribed treatment programme;

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(d) the person has been informed of the Drug Court's powers under this Act and of the respective consequences of the person's compliance or non-compliance with a prescribed treatment programme.

(2) The Drug Court shall make an order—

(a) requiring the drug offender to undergo a prescribed treatment programme and to comply with the conditions imposed by the Court pursuant to paragraph (b);

(b) imposing such conditions as the Court deems fit (hereinafter referred to as specified conditions) in relation to the drug offender's participation in the prescribed treatment programme.

(3) Where the Drug Court makes an order under subsection (2), it shall inform the drug offender of the consequences of any failure to comply with the specified conditions.

(4) The Drug Court may make an order under subsection (2) in relation to an offender who is convicted of a relevant offence before a regular sitting, and in such a case the regular sitting shall defer execution of the sentence during the period for which that order is in force.

(5) Where the Court makes an order under subsection (2), the drug offender to whom it relates shall be required to signify his consent in writing to participate in the prescribed treatment programme, and to comply with the specified conditions, including, where applicable, a condition that the offender undergo drug tests at such times as are specified in the order.

10. The Drug Court may, from time to time, on the recommendation of the approved treatment provider, vary or revoke the conditions imposed pursuant to section 9 (2).

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Reports.

11.—(1) An approved treatment provider shall submit to the Drug Court, at such intervals as may be prescribed, a progress report in respect of each drug offender who participates in a prescribed treatment programme.

(2) A report under subsection (1) shall include, in any case where the drug offender fails to comply with any directions given by the approved treatment provider or any specified condition, the nature of the non-compliance and the effect or likely effect on the offender's successful completion of the prescribed treatment programme.

Termination
of pro-
gramme.

12.—(1) The Drug Court shall terminate a prescribed treatment programme in relation to a drug offender if—

- (a) the offender successfully completes the programme;
- (b) the offender requests the Drug Court to terminate the programme; or
- (c) based on the report of the approved treatment provider, the Drug Court is satisfied that there is no useful purpose to be served by the drug offender's continued participation in the prescribed treatment programme.

(2) Where a prescribed treatment programme is terminated, the records of any tests performed on the person concerned shall not be admissible in evidence in any proceedings against that person.

Procedure
on termina-
tion.

13.—(1) As soon as may be reasonably practicable after the termination of a prescribed treatment programme, the drug offender shall be brought before the Drug Court to be dealt with in accordance with subsection (2) or (3), as the case may require.

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

(2) If the offender has successfully completed the prescribed treatment programme, the Drug Court shall discharge the offender in relation to the relevant offence and that discharge may be either absolute or conditional as the Court thinks fit.

(3) If the offender has failed to complete the prescribed treatment programme the Drug Court may—

(a) if the trial was deferred pursuant to section 7(2)(a)—

- (i) hear and determine the relevant offence; or
- (ii) if the Court considers that the circumstances of the case so warrant, make an order requiring the offender to undergo a new prescribed treatment programme for such period and subject to such conditions as the Court may, on the recommendation of an approved treatment provider, specify;

(b) if sentencing was deferred pursuant to section 7(2)(b), impose any sentence which it could have imposed for the relevant offence;

(c) if the execution of a sentence was deferred pursuant to section 9(4), make an order confirming that sentence;

(d) if the trial was deferred by a regular sitting, refer the relevant offence back to the regular sitting to be heard and determined by that sitting, unless it is an offence specified in section 7(3).

(4) Subject to subsection (5), a conviction in respect of a relevant offence shall not form part of the criminal record of any person who successfully completes a prescribed treatment programme.

(5) Subsection (4) shall not apply in any case where

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

a person is convicted of a relevant offence on more than two occasions.

Register.

14. The Clerk of Courts in each parish shall keep a register containing such particulars as may be prescribed in respect of persons who are dealt with by the Drug Court in accordance with this Act.

*Arrest
warrant.*

15. Where, based upon a report by an approved treatment provider under section 11, the Drug Court is satisfied that a drug offender has failed to comply with the specified conditions, the Court may issue a warrant authorizing a constable to arrest the offender and bring him before the Drug Court to be dealt with under this Act.

*Immunity
from
prosecution
for certain
offences.*

16.—(1) A person shall not be liable to prosecution for any offence comprising the unlawful possession or use of drugs as a result of any admission made—

- (a) for the purpose of seeking a referral to the Drug Court under this Act;
- (b) for the purpose of satisfying the Drug Court that the person should participate in a prescribed treatment programme;
- (c) in connection with the supervision of the prescribed treatment programme in relation to that person.

(2) An admission referred to in subsection (1) shall not be admissible in evidence against the person making it, in proceedings brought as a result of the admission, for an offence referred to in that subsection.

*Provision of
information.*

17.—(1) Every approved treatment provider shall forthwith notify the Drug Court of any failure by a drug offender to comply with the prescribed treatment programme.

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(2) The following provisions apply to and in respect of information furnished in accordance with this section (hereinafter referred to as protected information)—

- (a) the provision of the information—
 - (i) does not constitute a breach of professional etiquette or ethics or a departure from accepted standards of professional conduct on the part of the person furnishing it;
 - (ii) shall not give rise to any action for defamation against that person;
 - (iii) shall not constitute a ground for civil proceedings for malicious prosecution or for conspiracy;
- (b) the information shall not be admissible in any proceedings before a court, tribunal or committee;
- (c) a person shall not be compellable in any such proceedings to disclose the information or to produce any document that contains the information.

(3) The provisions of subsection (2) (b) and (c) shall not apply to or in respect of the provision of protected information—

- (a) in proceedings before the Drug Court; or
- (b) in support of, or in answer to, any allegation made in proceedings against a person in relation to the exercise of his functions under this Act.

(4) A drug offender shall be taken to have authorized the provision of protected information—

- (a) by an approved treatment provider to the Drug Court;
- (b) by any member of staff of the Drug Court to any other member of staff.

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*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

Regulations. 18. The Minister may make regulations generally for giving effect to the provisions of this Act.

SCHEDULE (Section 4)

1. The Minister shall, in each parish, appoint to a special panel of Justices, those Justices whom he may consider to be specially qualified to deal with cases before the Drug Court, and no Justice of the Peace shall be qualified to sit as a member of the Drug Court unless he is a member of such a panel.

2. A Drug Court shall be constituted of a Resident Magistrate as chairman, and two Justices one of whom shall be a woman and both of whom shall be members of the panel referred to in paragraph 1:

Provided that subject to paragraph 3—

- (a) the Court shall be deemed to be fully constituted where the chairman and only one such Justice sit;
- (b) until the panel referred to in paragraph 1 is prepared, the Court shall be constituted of a Resident Magistrate alone.

3. Where a Drug Court conducts a trial to determine guilt or innocence, the Court shall be constituted of a Resident Magistrate alone.

NORWAY:

Regulations relating to a trial scheme for court-controlled drug programmes

Laid down by Royal Decree xxxxx pursuant to the General Civil Penal Code (the Penal Code) no 10 of 22 May 1902 section 53 subsection 6, cf. Act no 92 of 17 June 2005 relating to amendments to the Penal Code sections 53 and 54 (trial scheme for court-controlled drug programmes). Proposed by the Ministry of Justice and the Police.

Section 1 Establishment and objective

A three-year trial scheme for court-controlled drug programmes (drug courts) in the municipalities of Oslo and Bergen will be established with effect from 1 January 2006, cf. section 14.

The objective of the trial scheme is to prevent new crime and to promote the rehabilitation of convicted persons. It is also intended to help improve the practical support and treatment offered to problem drug users covered by the scheme. Completion of the drug programme will require a combined effort from and binding cooperation between different sectors and administrative levels.

Section 2 Scope of the trial scheme

The trial scheme applies to problem drug users convicted of drug-related crimes, where the court has stipulated a condition that the convicted person complete a court-controlled drug programme. The drug user must reside in one of the trial municipalities and illicit drugs must be the main substance abused. Only courts with jurisdiction in the trial municipalities are authorised to stipulate completion of a drug programme as a condition.

Section 3 Definitions

By drug-related crime is meant violations of the Penal Code section 162 and the Act relating to medicines etc. section 31 second paragraph, crimes committed under the influence of illicit drugs, and crimes committed in order to finance personal drug abuse.

By trial municipalities is meant the municipalities in which a trial scheme for drug courts is established, cf. the Regulations section 1.

Section 4 Consent

The court may only stipulate completion of a drug programme as a condition with the consent of the convicted person. Consent shall be given in a declaration of consent that shall also contain necessary exemptions from the duty of confidentiality. For consent to participate to be valid the person charged must have been given and have understood sufficient information on the implications of giving his/her consent.

The declaration of consent shall be signed by the person charged in connection with the social inquiry, cf. section 5. The person charged can withdraw his/her consent at any time. If the person charged is under the age of 18, the provisions conferring rights of a party on guardians in the Criminal Procedure Act sections 83-84 shall apply.

Section 5 *Social inquiry*

Pursuant to the provisions of the Criminal Procedure Act chapter 13, the prosecuting authority or the court may decide to carry out a social inquiry of a person charged. In its decision, the prosecuting authority or the court shall state that it wishes the person charged to be assessed with a view to completion of a drug programme. A social inquiry shall always be carried out prior to a conviction in which it may be an option to stipulate completion of a drug programme as a condition of sentence. The correctional service is responsible for carrying out the social inquiry. The social inquiry is carried out by the correctional service's representative on the team in cooperation with the other team members. The person charged shall be given detailed information about the drug programme in connection with the social inquiry, including the consequences of violating the conditions stipulated for the programme and of the withdrawal of his/her consent to participate in the programme.

Section 6 *Conditions*

Pursuant to the Penal Code section 53 subsection 3, a court can stipulate special conditions for suspended sentences, including completion of a court-controlled drug programme. Before the case is brought to court, the team must prepare a plan for the drug programme including proposed conditions for the completion of the programme. The correctional service is responsible for monitoring that the conditions are complied with. The provisions relating to investigations in the Execution of Sentences Act section 56 apply correspondingly.

Section 7 *Contents and completion of the drug programme*

A drug programme is an individually adapted rehabilitation programme and a condition for a suspended criminal sentence. The programme can contain individually adapted treatment plans, referral to interdisciplinary specialist treatment for problem drug users, treatment by the municipal health service, educational and employment measures, residential follow-up, recreational plans, follow-up by social services and other measures of importance to the individual's rehabilitation and integration into society.

The contents of the drug programme shall be based on the individual's need for measures that reduce the risk of new crimes being committed and further the convicted person's rehabilitation. The contents of each individual programme shall be the result of the team's professional evaluations arrived at in cooperation with the convicted person and of the conditions stipulated by the court, for example that during completion of the programme the convicted person shall comply with the provisions laid down by the correctional service with respect to place of domicile, place of residence, work, training or treatment. The team shall prepare an intensive programme of regular and frequent appointments, continuity and work with a view to integrating the individual concerned into society.

The drug programme shall be described in an implementation plan. The plan shall contain compulsory measures, including a requirement for the submission of regular urine samples, which is compulsory for all convicted persons, and individual measures planned in cooperation with the individual. The implementation plan shall be formulated in a manner that makes the conditions for participating in the programme predictable and clear to the convicted person. If an individual plan already exists for the convicted person pursuant to the Act relating to the municipal health services section 6-2a, the Act relating to specialist health service section 2-5, the Mental Health Act Section 4-1 or the Act relating to social services section 4-3, the team shall attempt to coordinate the implementation plan with such existing plan.

The drug programme shall be carried out in four phases. The phases are designated the instigation phase, the stabilisation phase, the responsibility phase and the continuation phase. The phases are decided on the basis of an individual assessment and of what constitutes realistic progress. The contents of the phases and the conditions for progressing from one to the next shall be stated in the implementation plan.

Section 8 *The team*

The correctional service shall set up local interdisciplinary teams that will be responsible for the professional implementation of the drug programme, and it shall help provide a comprehensive programme of treatment and rehabilitation for each convicted person. Teams shall consist of a team coordinator, who shall be an employee of the correctional service, and representatives from the correctional service, municipal social services, the educational sector and the specialist health service. Which other bodies shall be represented on the team shall be assessed locally. The team coordinator is the administrative manager of the centre and organises the team's work, chairs team meetings and facilitates cooperation within the team. The coordinator shall also ensure documentation of the project, contribute to marketing and follow up important principles. The coordinator shall also prepare more detailed descriptions of team roles and work processes. The public bodies involved are responsible for the sub-tasks within their respective areas of responsibility.

Section 9 *Centre*

The correctional service shall establish a day centre in each trial municipality. The purpose of the day centre is to meet the professional requirement that convicted persons participating in the scheme receive a comprehensive service. The centre shall be the base for the team's activities. Unless otherwise agreed, the centre shall also be the place attended regularly by the convicted person. At the centre, the team shall coordinate studies, planning and follow-up of convicted persons. It is a precondition that the ordinary treatment and intervention services are used as part of the programme, but follow-up at the centre will be important, during the start-up phase in particular, until the participants are gradually transferred to ordinary services outside the centre. Moreover, as a part of its role in crime prevention and the rehabilitation of convicted persons, the centre should offer evening and weekend activities.

Section 10 *Changes in conditions etc.*

When justified by the convicted person's situation, the court may, if petitioned by the correctional service during the probationary period, decide to revoke or change stipulated conditions, or stipulate new conditions. If the court finds it necessary, it can also prolong the probationary period, not, however, such that it totals more than five years. The correctional service's petition shall be based on the discussions and conclusions of the team. The regional director or person authorised to act on his/her behalf shall submit the petition to the court. The correctional service shall notify the prosecuting authority when it submits a petition for a court ruling.

If the court decides that it is justified by the convicted person's situation, it may, on petition from the correctional service, rule that the convicted person shall proceed to the next phase of the programme. The correctional service's petition shall be based on the discussions and conclusions of the team. The regional director or person authorised to act on his/her behalf shall submit the petition to the court. The correctional service shall notify the prosecuting authority when it submits a petition for a court ruling.

Section 11 *Violation of conditions*

If the convicted person seriously or repeatedly violates the conditions stipulated by the court or if he/she withdraws his/her consent to participate, the court may, on petition from the correctional service, rule that the sentence be fully or partially enforced. Instead of ordering that the sentence be served, the court may order a new probationary period and stipulate new conditions if it finds this more expedient. Moreover, on petition from the correctional service, the court may also rule that the convicted person be returned to a phase with stricter conditions. The correctional service's petition pursuant to the second and third sentences, shall be based on team discussions and conclusions. The regional director or person authorised to act on his/her behalf shall submit the petition to the court. The correctional service shall notify the prosecuting authority when it submits a petition for a court ruling.

If the convicted person refuses to provide a urine sample aimed at detecting the use of illegal intoxicants or narcotic substances, this shall be regarded as a violation. This also applies to failure to attend treatment appointments and other appointments that have been made with the involved bodies.

The correctional service may, in the event of violations deemed to be less serious, give the convicted person a written warning about the consequences of repeated violations. The correctional service may also decide to enforce more rigorous testing of urine samples for a certain period of time or decide that the convicted person shall undergo intensive programmes aimed at improving drug control.

If the convicted person commits a criminal offence during the probationary period, the court may, pursuant to the Penal Code section 54 subsection 3, hand down a combined sentence for both criminal acts or a separate sentence for the new criminal act. The prosecuting authority is responsible for bringing the criminal case to court, and the correctional service is obliged to notify the police/prosecuting authority if it learns that the convicted person has committed any criminal acts during the probationary period.

Section 12 Evaluation

The trial scheme for drug programmes shall be evaluated during the trial period. By evaluation is meant a research-based process and assessment of results. The main objective of the evaluation is to arrive at a recommendation on whether the programme should be concluded after three years or whether it should be continued. Confidential information to be used during the evaluation shall as a rule be anonymised. If this is not the case, the convicted person must give his/her consent.

Section 13 Amendments and supplementary provisions to the regulations

The Ministry of Justice and the Police may make amendments to the regulations and issue additional provisions concerning the consent of convicted persons, the contents and completion of drug programmes, the team, the centre, the evaluation and the processing of personal information. Any proposed amendments or additional provisions must be clarified with the involved ministries before the proposal is adopted.

Section 14 Entry into force

These regulations enter into force on 1 January 2006.

UNITED STATES:

In addition to the federal Crime Bill Authorizing funding to state and local drug courts (H.R. 3355, Title V-Drug Courts. Violent Crime Control and Law Enforcement Act of 1994), statutes have been enacted in the following state and territories regarding the funding and/or other matters relating to drug court programs: Alaska; Arizona; Arkansas; California; Colorado; Connecticut; Delaware; District of Columbia; Florida; Georgia; Guam; Hawaii; Idaho; Illinois; Indiana; Iowa; Kentucky; Louisiana; Maine; Michigan; Mississippi; Missouri; Montana; Nebraska; Nevada; New Jersey; New Mexico; New York; North Carolina; North Dakota; Ohio; Oklahoma; Oregon; Puerto Rico; Rhode Island; South Carolina; South Dakota; Tennessee; Texas; Utah; Vermont; Virginia; Washington; West Virginia; and Wyoming. The following Tribal Councils have enacted Drug Court Statutes: Eastern Band of Cherokee Indians (North Carolina) and Spokane Tribe (State of Washington)²

² See Selected Statutes and Resolutions Relating to Drug Courts Enacted by State Legislatures and Tribal Councils. Compiled by Caroline S. Cooper, BJA Drug Court Clearinghouse, American University. May 2008. at www.american.edu/justice

B. PROGRAM DESCRIPTIVE INFORMATION

Australia Drug Courts: An Overview

New South Wales

Queensland

South Australia

Victoria

Western Australia

Brazil: Therapeutic Justice Program:

Partial Data in Four States

Sao Paulo St.

Pernambuco St.

Rio de Janeiro St.

Rio Grande do Sul St.

About the Therapeutic Justice Program in Brazil:

General Information

Jamaica:

The Jamaican Drug Court – Life Style Changes

**“The Importance of the Drug Rehabilitation Programme and
Why I should be a Member of It. “ By Davian Smith, Age 19**

New Zealand

Christchurch Youth

Norway

The establishment of the drug treatment court in Norway

The Norwegian Way. Bergen. May 2006. Ingunn Seim

United States:

BJA Drug Court Clearinghouse: Drug Court Activity Update:

June 1, 2009

AUSTRALIA:

Australia Drug Courts

An Overview

Australia's drug court program jurisdiction is bound by state borders within Australia. The states with drug court activity are New South Wales, Queensland, South Australia, Victoria, and Western Australia. Formation processes and procedures differ across jurisdiction. The purpose of this overview is to provide information on the drug court program being implemented in each of the states and to extract relevant information in relation to the OAS drug treatment court preliminary report.

New South Wales

Source: *Australian Government-Australian Institute of Criminology*.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- The New South Wales Drug Court was established by the *Drug Court Act of 1998* and exercises both local and district court jurisdiction.
- Eligible defendants are referred from other courts within the catchment area.
- Acceptance into the program results in a custodial remand for detoxification and assessment. This takes up to two weeks and each participant leaves with an individual treatment plan.
- Successful completion of the three phase treatment program can take up to 12 months.
- The court can impose a series of sanctions or award privileges during that time. If the program is not completed successfully the participant returns to court and may be re-sentenced.
- NSW magistrates can place defendants whose offending may not be as significant as those entering the Drug Court and are likely to be granted bail, into the Magistrates Early Referral into Treatment (MERIT) program. MERIT involves completing compulsory treatment as a condition of bail.
- The State has operated a Youth Drug and Alcohol Court since 2000 which functions under the Children's Court.

Reasons for Establishment of the Drug Court³

-Research has consistently shown that there is an association between illicit drug use, particularly heroine, and income-generating crime. The study by Stevenson and Forsythe revealed that

³ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 7. 2002.

burglars who use heroine reported a higher median rate of burglary (13.0 per month compared to 8.7 per month) and generated a much higher weekly income from their burglaries than burglars who did not use heroine.

-In NSW up to 80% of the adult male prison population has committed a drug related crime, a figure that may be even higher among women in prison.

Objectives of the Court

-The Drug Court Act, which commenced on Feb. 5, 1998, outlines the objectives of the Act in section 3:

1. The object of the act is to reduce the level of criminal activity that results from drug dependency.
2. This Act achieves that object by establishing a scheme under which drug dependent persons who are charged with criminal offenses can be diverted into programs designed to eliminate, or at least reduce, their dependency on drugs.
3. Reducing a person's dependency on drugs should reduce the person's need to resort to criminal activity to support that dependency and should also increase the person's ability to function as a law-abiding citizen. (Drug Court Act s.3)

Court Procedures²

-Court procedures conducted by the Court itself outlined ten components of U.S. drug courts that were applied by the NSW Drug Court:

- Treatment is integrated into the criminal justice system
- Prosecution and defense lawyers work together as part of a drug court team
- Eligible offenders are identified early
- Participants have access to a continuum of quality treatment and rehabilitation services which meet their health needs
- Participants are frequently monitored for illicit drug use
- Any non-compliance by a participant results in a swift and certain sanction by the court
- There is ongoing judicial supervision and regular judicial interaction with each participant
- There is evaluation of the rehabilitation outcomes achieved through the drug court
- The drug court team and others associated with the court receive ongoing interdisciplinary education
- Networks are forged with other drug courts, law enforcement authorities, public bodies, treatment providers and the community'. (NSW Drug Court 1999a, point 3.10)

Addition critical components of the NSW Drug Court include ongoing case management and the provision of the social support necessary to achieve reintegration into the community (NSW Drug Court 1999a).⁴

Structure of the Drug Court Team⁵

-The Drug Court team in NSW consists of:

- Ø Senior Judge
- Ø Senior Judge's Associate
- Ø Registrar
- Ø Prosecutors (from the Office of the Director of Public Prosecutions)
- Ø Solicitors (Legal Aid Commission)
- Ø Inspector of Police (NSW Police Service)
- Ø Nurse Manager (CHS)

Drug Treatment Court Eligibility⁶

In NSW, the Drug Court exercises the functions of the criminal jurisdictions of both the District Court and the Local Court, which means that offenders appearing before both Local and District Courts can be referred to the Drug Court.

Under the Drug Court Act: it is the duty of a court before which a person is charged with an offence:

- a) To ascertain whether the person appears to be an eligible person, and
- b) If so, willing to be referred to the Drug Court to be dealt with for the offence, and
- c) If so refer the person to the Drug Court to be dealt with for the offence.' (Drug Court Act s. 6 (2))

Section 6 of the Drug Court Regulation lists the courts that are required to determine whether the person appearing before the court appears to be eligible for referral to the Drug Court. Criminal proceedings brought before the District Court sitting in Campbelltown, Liverpool, Parramatta or Penrith, and Local Courts in Bankstown, Blacktown, Burwood, Campbelltown, Fairfield, Liverpool, Parramatta, Penrith, Richmond, Ryde or Windsor are listed.

An assessment of an offender's potential eligibility for participation in the Drug Court

⁴ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 8. 2002.

⁵ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 61-64. 2002.

⁶ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 11-12. 2002.

Program may be made either by the presiding judge/magistrate at the District/Local Court, or following a request by the offender or his/her legal representative.

For a referral to be successful, the following eligibility criteria must be met. The Drug Court Act outlines the eligibility criteria as follows: if

- a) The person is charged with an offence, other than an offence referred to in subsection (2), and
- b) The facts alleged in connection with the offence, together with the person's antecedents and any other information available to the court, indicate that it is highly likely that the person will, if convicted, be required to serve a sentence of full-time imprisonment, and
- c) The person has pleaded guilty to, or indicated that he or she intends to plead guilty to the offence; and
- d) The person appears to be dependent on the use of prohibited drugs (within the meaning of the *Drug Misuse and Trafficking Act 1985*) or other drugs prescribed by the regulations, and
- e) The person satisfies such other criteria as are prescribed by the regulations.' (Drug Court Act s. 5 (1)).

Further criteria are provided to determine persons who cannot be considered eligible for the Drug Court Program. These criteria include persons charged with:

- a) An offence punishable under Division 2 of Part 2 of the Drug Misuse and Trafficking Act 1985, not being an offence that (under Part 9A of the Criminal Procedure Act 1986) is capable of being dealt with summarily, or
 - b) An offence involving violent conduct or sexual assault; or
 - c) Any other offence of a kind prescribed by the regulations.
- (Drug Court Act s. 5 (2))

In his Second Reading speech introducing the Drug Court Bill into Parliament, the Minister for Police noted that the types of offences which are eligible for referral to the Drug Court are break, enter and steal, fraud, forgery, stealing from person, unarmed robberies (with no violence), possession and use of prohibited drugs, or dealing in quantities of prohibited drugs below the indictable limit (Hansard 27/10/1998, p. 9031).

Drug Court Regulation prescribes further criteria that a person must satisfy in order to be an eligible person within the meaning of the Act:

- a) The person's usual place of residence must be within one of the following local government areas, namely, Auburn, Bankstown, Baulkham Hills, Blacktown, Campbelltown, Fairfield, Hawkesbury, Holroyd, Liverpool, Parramatta or Penrith,

- b) The person must not be suffering from any mental condition that could prevent or restrict the person's active participation in a program under the Act,
- c) The person must be of or above the age of 18 years,
- d) Criminal proceedings against the person for the offence with which the person is charged must not be criminal proceedings that are within the Children's Court jurisdiction to hear and determine'. (Drug Court Regulations s. 5)

****There are numerous other eligibility conditions and assessments, including a procedure for Referral to the NSW Drug Court, a Preliminary Health Assessment, and additional Conditions for Acceptance into the Program. See Evaluation report for further information.⁷**

Treatment and Supervision Services⁸

- Treatment and services are provided by the Corrections Health Service (Detoxification Unit) (CHS), the Probation and Parole case managers, and health treatment providers.
- Participants are only sent to the Detoxification Unit following the preliminary assessment if there is a high probability that they will be accepted onto the Drug Court Program.
- Staff at the Detoxification Unit undertake the detoxification, stabilization and development of treatment plans for Drug Court participants, and provide health services to participants on sanctions, including treatment reviews.
- Two detoxification Units were established. One for men and another for women.

Queensland

Source: *Australian Government-Australian Institute of Criminology*.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- In Queensland. Five drug courts have been established under the *Drug Rehabilitation (Court Diversion) Act* as a pilot project. The Act and regulations limit the number of people who can enter the system from each court each year.
- In August 2005, Queensland Premier Peter Beattie issued a media statement announcing that the drug courts would be made permanent.
- To be eligible, defendants must be adults, dependant on illicit drugs, and this dependency must be a contributing factor to their offending. They must be sentenced to prison, not subject to a pending violent or sexual offence charge, and live within the prescribed areas and plead guilty.

⁷ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. 2002.

⁸ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 68-73. 2002.

- Participants receive an intensive drug treatment order which includes treatment, drug testing, and court supervision.
- These orders generally run for up to 18 months. During that time the participant may receive added privileges or sanctions.
- Successful completion is taken into account when sentencing is conducted at the end of the order.

Queensland Drug Court Act 200-Drug Court Regulation 2006. [See Appendix, Section A.]

South Australia

Source: *Australian Government-Australian Institute of Criminology.*

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- South Australia's Drug Court operates in the Adelaide Magistrates Court.
- Participants must live within the Adelaide metropolitan area, be over 18 years of age, plead guilty to the most serious and bulk of offences and be dependent on illicit drugs.
- The participants do not have to be charged with a drug offence but their offending must have resulted from their drug addiction.
- Those accepted into the program are given an individual treatment regime, which can include electronically monitored home detention bail, urinalysis, treatment and vocational training.
- Successful completion of the program will be taken into consideration at sentencing.

⁹Program Entails:

- Withdrawal management-including in-patient detoxification if necessary
- Pharmacological treatment if necessary-for example methadone
- Relapse prevention-for example counseling, group therapy
- Group Therapy and individual counseling to develop pro-social thoughts and behaviors
- Prevention of further offending behavior through restricted bail
- Referral and assistance to manage physical and mental health issues
- Referral to access education or vocational training
- Provision of accommodation from up to 15 months and referral to access long term housing
- Assistance to restore family relationships
- Referral to obtain income support and manage financial issues
- Support to find or maintain employment
- Practical assistance on leaving detention with basic personal items and food items until income support is arranged

*Funding is set aside to purchase services where none exist.

⁹ Obtained from the Courts Administration Authority-South Australia.

http://www.courts.sa.gov.au/courts/drug_court/index.html. Accessed on March 26, 2010.

Victoria

Source: Australian Government-Australian Institute of Criminology.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- The Victorian Drug Court is located in Dandenong and services defendants within a specific geographical catchment area.
- Only adult defendants who are addicted to illicit drugs, likely to be imprisoned for a drug related offence and prepared to plead guilty are eligible.
- If they are willing to enter the program, they are placed on a Drug Treatment Order.
- Drug Treatment Orders have two components; a custodial sentence of not more than two years and a treatment and supervision component. Failure to complete the order renders the participant liable for re-sentencing.
- Other Victorian courts can place defendants within the Court Referral and Evaluation for Drug Intervention and Treatment (CREDIT) program.
- The 12 week program provides assessment, treatment and support for defendants on bail.

Western Australia

Source: Australian Government-Australian Institute of Criminology.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- In Western Australia, the drug court operates in the Perth Magistrates' Court and the Perth Children's Court.
- The Magistrates' Court drug court is supported by the *Magistrates' Court Act 2004*, which enables the Chief Magistrate to establish divisions within the court to deal with specific classes of cases or offenders, such as drug cases or family violence cases.
- Following a plea of guilty, defendants are placed within one of three regimes depending on their level of previous offending and the type of drug involved.
- The brief intervention regime is a pre-sentence option for second or third time cannabis offenders and involves three sessions of drug education.
- Supervised treatment intervention is for mid-range offenders who are required to undertake case managed treatment before sentencing.
- The drug court regime consists of more intensive treatment and judicial case management.
- Additionally, a drug court style program operates in Geraldton in the form the Geraldton Alternative Sentencing Regime (GASR). The GASR has a broader remit that includes alcohol and solvent abuse cases, domestic violence and other offending behaviors.
- It does not replace other sentencing options but offers alternative pathways for selected offenders: the Court Supervision Regime which involves the offender being managed by a court management team for a period of four to six months whilst participating in rehabilitation programs; and the Brief Intervention Regime which also includes offender participation in rehabilitation programs but without the supervision of the court management team.

BRAZIL:

Therapeutic Justice Program – Brazil

Partial data in 4 States

São Paulo St.

Source: Promotoria de Justiça Criminal de Santana

Address: Rua Benvinda de Andrade, 150 Bairro SantanaZC: 02403-030

São Paulo – SP

Phone: 55 – 11 – 2281.1800

pjcrimsantana@mp.rs.gov.br

Data reported: During the year 2009, this “court” had 120 drug abuse offenders going to treatment instead of a criminal trial.

Pernambuco St.

Source: Judge Flavio Fontes

flavioafl@uol.com.br

Data reported: In Recife (state capital city) there are two “courts” which apply the Justice Therapeutic Program, i.e., treatment instead of criminal trial for drug abuse offenders. No other info provided.

Rio de Janeiro St.

Source: Prosecutor Marcos Kac

mkac@globo.com

Data reported: In the St. of Rio de Janeiro there are 20 “courts” for adults and 10 for juveniles which apply the Justice Therapeutic Program, i.e., treatment instead of criminal trial for drug abuse offenders. No other info provided.

Rio Grande do Sul St.

Source: Brazilian Association of Therapeutic Justice

Data reported: In Porto Alegre (state capital city) there are 09 “courts” for adults and 03 for juveniles which apply the Justice Therapeutic Program, i.e., treatment instead of criminal trial for drug abuse offenders.

Further information:

For juvenile:

Pilot carried through 2001 - 2003

- reduction in use drugs and offenses

- enhancement on education, family relationships, health and professional training
- enhancement on parenting

For adults:

- most judges offer treatment as alternative to the criminal trial and incarceration for drug users offenders
- 2001 – 2006 for each 10 offenders, 7 used to accept treatment instead of criminal trial
- 2007 à Prosecutors proposed 589 offenders to TJP (DTC)
- 2008 à Prosecutors proposed 989 offenders to TJP (DTC)

About the Therapeutic Justice Program in Brazil

General information

Legal Procedures to apply the TJP (DTC) in Brazil

- **2.1 Pre-judgement phase**
- * “Transaction” – a kind of bargain
- * Procedure suspended
- **2.2 Judgement phase**
- * Up to 4 years in jail à alternative punishment + treatment
- * More than 4 years in jail à punishment + treatment
- **2.3 Post-judgement phase à executing punishment**
- * Probation (Conditional suspense of the punishment)
- * Parole (Conditional freedom)

Treatment through the TJP (DTC) in Brazil

Is provided by the public health system (which is not sufficient) and private health services.

JAMAICA:

The Jamaican Drug Court - Life Style Changes

The majority of our clients are from inner cities, socially disadvantaged backgrounds and single parent families. In the rehabilitation of the offender and in order to carry out the objectives of the Drug Court Act, we adapt the holistic approach:

In achieving our goals, help is given by:

Justices of the Peace who sit with The Drug Court Judge

Treatment Provider

Probation Officers

Defence Attorneys

Friend's of the Drug Court

Government Organizations

Non Government Organizations

Our clients receive advice and support in the following areas:

Family and Emotional Support

Self esteem building

Conflict management

- Counselling with parents, partners, siblings

Education

Referred to institutions of further education

National Youth Service

Illiterates are referred to remedial classes

Heart Academy for skills training

Employment

Referred to Employment Agencies

Assistance in job application, resumé, interview techniques

If enter program unemployed, encouraged to find employment before graduation

Business Loans Secured

Development of Social Skills

Dress, deportment

Development of interpersonal skills

Legal Counselling

Successes in Life Style changes of our Graduates

Germaine From carrying a gun to carrying books to school.
Now married, they are expecting their first child.

Kadia From spear fisherman to fire fighter

Conroy From sitting on the corner smoking ganja and drinking to motivational speaker and making presentations to our present clients about safe sex

Judith From an 18 year old prostitute and cocaine addict to a University Student. Married to an executive chef and now able to travel abroad because she has a clean record.

Nicholas From a dejected angry orphan to a happy educated youngman reunited with his mother in Belgium. In college and speaks three languages.

Recently one of our clients, Davian Smith, took leave of absence from the program without permission. He was asked to write a letter giving reasons why he should be re-admitted to the program. The attached letter speaks for itself.

We feel the Drug Court Program is making a difference in the lives of our clients. They not only kick the habit but their souls are mended.

Winsome Henry (Ms)
Senior Resident Magistrate
St. James
May, 2008

THE IMPORTANCE OF THE DRUG REHABILITATION PROGRAMME & WHY I SHOULD BE A MEMBER OF IT

Davian Smith
Age 19

The drug rehabilitation programme is a programme which is offered in Jamaica to provide our strong youths with a second chance.

It is a group which is well organized by the country's government body that includes a Judge with the members of the Justice's of the Peace, a Probation Officer and a Drug Rehabilitation centre of course with a counselor.

For a young man to be a part of the programme is after he is caught smoking or with the possession of marijuana and is brought before the jury, he is instantly seen as committing a criminal offence so automatically he have achieve a criminal record.

The law of the country states that if anyone has been confined by a criminal record to his file, he /she shouldn't be able to travel to or from abroad.

Knowing that you have made a mistake and you have pursue a bad record, you won't be able to apply for a legal visa which is very challenging to live with. That is where one of the benefits of the Drug Rehabilitation Programme is quite beneficial to the future of the youth of today.

If a survey was done on the graduates of the drug programme, it could show that more than sixty (60) percent of the youths who has been through it is continually to achieve successfully with their lives and has also manage to overcome the addiction of the drug.

If you have entered the drug rehabilitation programme without working or schooling, you should be able to find a permanent or a simple job, if not you should be able to go and try to be certified or try to get a proper qualification at a tertiary school.

As a member of the programme I would like to thank the programme for the great effort they are trying exerts to direct the footsteps of our youths.

The constructive speeches which has been delivered is really helping our youths to visualized that life is really out there for all of us to be successful. Being apart of the programme you have to keep active at all times and keep preparing for the upcoming future.

One of the largest opportunity which is been offered by the rehabilitation programme to our youths, other than clearance of records and motivation towards the future is that they provides the chance to be drug free. Without been drug free you will have very serious consequences to be faced, so there it leaves you with no choice than to give marijuana a instant break. The programme is there to help the youths see that they don't have to be under the influence of drug but they can keep the vibes natural. Most after leaving the programme is a changed person, getting to understand that have both negative and positive impact is liable to overthrow the positive. For the fear of the negative impact most change the route while a few continue on their addiction.

Therefore I see the drug rehabilitation programme playing a very important role, because after getting a bad record it give the opportunity to get a new start and it allow we as youth to be drug free.

The reason I feel that I should be apart of the programme is because, after abusing or using the drug marijuana for almost half my life, definitely I would like to give it a break and not only a break I would like to ceased it permanently. With the help of the programme you have to be drug free for at least a six month period and to be free from it so long I really don't think that I should continue the same journey.

To be on this programme is really helping in different ways, because to be addicted for such a long time I didn't expect the day would really exist when I would be telling myself that I can carry on without the influence of marijuana. This programme don't only help us by offering a second chance by freeing our records from criminology.

We hear the term " **experience teaches knowledge**" quite often and I don't think it should be taken lightly because our youth of today really needs experience. To receive enough of that we will have to do a little traveling, and with a criminal record I can say that it is quite impossible to travel and seek for whether a job, school, training or even vacationally.

From my point of view I think that the Drug Rehabilitation Programme should be highly recommended for the great changes which they delivers to the lives of our youth. Without the program I don't think that some of our youth would be able to be drug free, a clean record and really get on with their lives.

Done by


.....
Davian Smith

New Zealand:

Christchurch Youth Drug Court Pilot:

The Christchurch Youth Drug Court pilot (YDC) was established by the Ministerial Taskforce on Youth Offending and started operating on 14 March 2002.

The pilot's overall objectives are to:

- Improve the young people's health and social functioning and to decrease their alcohol and/or drug use
- Reduce crime associated with alcohol and/or drug use
- Reduce criminal activity

Reasons Why the Christchurch Youth Drug Court Pilot was established:

1. The perceived intensity of the drug problems amongst the Youth Court population.
2. The relatively high number of young persons going through the Youth Court.
3. The services available for alcohol and other drug treatment.
4. Youth Specialty Services in Christchurch performs dual diagnosis of alcohol and other drug and forensic mental health with young people.
5. The geographical layout of Christchurch meant that one Youth Court serviced a large metropolitan area where other areas such as Wellington were more geographically dispersed with disparate services.
6. There was an assumption that there would be a reasonably culturally homogenous population so that the pilot program could be designed and evaluated relatively easily. Other centers such as Manukau have many different cultured groups that would need to be considered in the design.

Entry into the Youth Drug Court pilot:

The criteria and process for selecting participants for the YDC pilot includes: identifying young people to be screened by Youth Specialty Services (YSS) clinicians, the YSS full assessment, the role of the Family Group Conference (FGC), and acceptance onto the pilot.

- The pilot targets young offenders appearing at Youth Court who have been identified as having moderate to severe alcohol and/or other drug dependency that is linked to their offending behavior.
- To be eligible for the YDC young people should meet the following criteria:
 - Age 14-17
 - Moderate to severe alcohol and/or drug dependency linked to offending behavior
 - Recidivist offender defined as appearing in the Youth Court two or more times in the previous 12 months
 - Sexual offending is excluded
 - Some violent offending may be excluded and is assessed on a case by case basis
 - The offenses before the Youth Court have been proved or have not been proved

Linkage Between Alcohol and/or other drug use and offending:

1. offending under the influence
2. offending to obtain alcohol and/or other drugs
3. drug offenses

Acceptance on to the Youth Drug Court:

The process from screening to acceptance in the Youth Drug Court for the first 30 participants took an average of 4.5 weeks. This timeframe is slightly longer than the initial 4 weeks proposed. The time ranged from 2 to 7.5 weeks due to a variety of factors including timing of FGCs and YSS assessments. The length of time attending the YDC varied greatly from five to 74 weeks, with the mode 48 weeks and the median 45 weeks.

Programmes and Services Utilized by YDC participants:

- Alcohol and other Drug Services
 - Alcohol and other drug services are classified into three categories for the purpose of this evaluation
 1. Residential
 2. Day Programme
 3. Counselling

Types of Alcohol and Drug Treatment Services Required:

The key respondents considered that any residential facility should be well resourced with a constructive programme based on international models of best practice working with young people.

Some key respondents emphasized that working with young people requires a very different approach; for example, a much higher staff to client ratio is required to treat young people. A youth residential programme also requires more flexibility because of the range in maturity of the young people.

For young people who were required to be in custody, the YDC team considered that a medical detoxification facility attached to Kingslea may be appropriate. However, it was also noted that international research shows that the place of incarceration should be physically separate from the treatment facility, possibly to ensure that the treatment programme is not negatively associated with the incarceration facility.

The Youth Drug Court Team is made up of the following practitioners:

- Judge
- YDC Social Worker (Department of Child, Youth and Family Services)
- YJ Coordinator (Department of Child, Youth and Family Services)
- Police Prosecutor (NZ Police)
- Youth Advocates (lawyers) representing TDC participants
- Youth Specialty Services coordinator of the alcohol and other drug steam and mental health team (Ministry of Health)
- Group Special Education Team Leader (Ministry of Education)
- YDC Court Clerk (Ministry of Justice)

Source:

Dr. Carswell, Sue, *Process Evaluation of the Christchurch Youth Drug Court*

Pilot. Ministry of Justice. Wellington, New Zealand. November 2004.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

NORWAY:

The establishment of the drug treatment court in Norway

On January 1, 2006, two “Drug treatment courts” were established in Norway as pilot projects in the cities of Oslo and Bergen. According to the US National Association of Drug Courts Professionals, a drug court is “... a special court given the responsibility to handle cases involving substance-abusing offenders through comprehensive supervision, drug testing, treatment services and immediate sanctions and incentives” (<http://www.nadcp.org/whatis>). In Norway, drug treatment courts deal with offenders of all ages and of both sexes, with an established relationship between a pattern of serious drug misuse and offending. The aim of the drug treatment court is to reduce or eliminate offenders' dependence on drugs and to reduce the level of drug-related criminal activity.

In the juridical sense, the drug treatment court sentence is a suspended sentence where participation in drug treatment court programs is a condition. The offender has to agree to participate in the drug treatment court programme. The programmes include court-controlled treatment and rehabilitation activities. The programme consists of four phases, and is specially designed for each individual client. Flexibility is an essential feature of the programme in order to meet the client's various needs. Some may need a 24-hour a day treatment at an institution, while others may need policlinic treatment. A supervision and treatment team is responsible for the design of the program. The team consists of representatives from the correctional service, the social service, the health service and the educational and employment service. Other organizations may also be represented in the team, like the police, the child protection agency etc. The permanent members of the team work together at a drug treatment court centre, and some of the client's activities also take place there. The drug treatment court programme transforms the roles of the criminal justice practitioners as well as other involved parties, and one of the aims for the pilot project is to develop good models for cooperation between the services.

A special feature of the Norwegian model is that the court's involvement in the program is not as prominent as for example in the Irish or the Scottish model. However, the programme is supervised by the court, and all the time during the programme, the offender is accountable to the court. It is the court that rewards progress, by for example moving the client to the next phase, or sanctions non-compliance. Naturally, it is also the court that responds to criminal activity during the program. The punishment for not complying with the conditions as well as for new criminality may be imprisonment.

The Norwegian Way

Bergen may 2006

Ingunn Seim

In Norway there were established a working group with participants from different ministries in the government. Their mandate was to make a report on whether the Drug Court system should be implemented in the Norwegian legal system or not, and if so: how to implement it.

The report was presented in September 2004, and the conclusion was that the results from other drug-court countries were so good that this was something Norway should try. The report suggested that the court should lead the drug treatment program.

The report was send out for comments to a lot of different agencies and also all the courts. A lot of agencies, and especially the Supreme Court, was very sceptic to a system where the courts would be so involved in the serving of a sentence. This would break the legal principle of the courts independence to the public administration. The result of the hearing was that when the bill was presented to the Parliament (Stortinget) it suggested that Norway should implement what they called a drug treatment program supervised/controlled by the court (not led by). This resulted in a new statutory provision in the Criminal Code, section 53 and 54. I have enclosed the two sections (document "strl. §§ 53 og 54"). I'm sorry I could not find these in English. The new section also decided that the Ministry of Justice should give administrative regulation to the drug-treatment program. (Enclosed in the document "Forskriften på engelsk"). Both I and Hans-Gunnar were involved in making the administrative regulations for the drug treatment program. The new statutory provision in the Criminal code and the administrative regulations came into force on the 1st of January 2006.

Description of the procedure from a person getting arrested by the police until sentences to a suspended sentence with the condition of attending the drug treatment program supervised by the court:

- ☐ Arrest
- ☐ Usually custody while the police are investigating the crimes
- ☐ A public prosecutor from the police (or the court) has to apply to the drug treatment program- team to write a social inquiry report on the person charged. The team has to conclude whether the charged is suitable for the program or not. This report will be used in court to decide what kind of sentence the judge will give. The court can theoretically come to another conclusion than the team. (Very often a defence lawyer takes the initiative to get a social inquiry report for this purpose, but they still have to apply through the public prosecution. I have spent a lot of time giving information about the drug treatment program to: lawyers, judges, police officers, public prosecutors, prison officers, social workers, health workers, people working with education for grown-ups, and you name it. So the chance for someone to know about this possibility for drug-addicts is good. Theoretically all these different people can guide the drug-addict into getting a sentence like this, as long as it is the public prosecution/the court that formally asks for the social inquiry report).

The team usually needs 4-5 weeks to finish the report. We talk to the charged and we get information from other agencies. Then the team work closely together to conclude on suitability. That is one of our most difficult and major tasks at the moment – finding the right persons to attend the program.

- ☐ When we have finished the report we send it back to the public prosecutor.
- ☐ Then we have to wait until the main hearing is over and the judge passing the sentence, then we formally start the serving of the sentence.

I have enclosed the document “The establishment of Drug Court in Norway”, made by Berit Johnsen. She is a researcher working at the Prison and Probation staff education centre. Here she explains a lot about how the system is supposed to work in Norway.

The Prison and Probation staff education centre is also responsible for evaluating the drug treatment program.

There is only one district court in Bergen and one court in Oslo. It is the ordinary court with all of the judges there, who can pass a suspended sentence and put the condition to attend the drug-treatment program. The correctional service is responsible for the execution of the sentence.

When the convicted has qualified to be transferred to the next phase in the program, the court has to say an order to do so. And also when the convicted has broken any of the conditions the court has to say a sentence that the convict has to go to jail or put other conditions to the sentence.

In Bergen there will be 5 judges (Drug Court judges) in the district court who will follow up the convicted every time they have qualified to be transferred to the next phase or when there is a breach of conditions. One of these 5 judges is probably not the same judge that pronounced the sentence (but it can be). Other than that, the judges will not be part of the team and there will be no pre-court meetings. There is no legal authority for this in Norway. The court is only involved when there is a petition, there is no routinely review.

The team in Bergen consists of:

- ☐ A coordinator (me), employed by the regional level of the correctional service. I have a law degree, and have worked as a public prosecutor, a probation officer and a legal advisor for the correctional service. Hans-Gunnar has almost the same background.
- ☐ A social worker employed by the local council.
- ☐ A psychologist employed by the local health service. (In Oslo a nurse).
- ☐ A probation officer also employed by the correctional service.
- ☐ An educational adviser employed by the county administration.

All the different ministries involved grant money to the project. All the team-members get their salary from their own agency, and the correctional service is responsible for the operating costs.

Where are we today?

We are working on a lot of social inquiry reports. It is a big challenge finding the right persons for the program. Who can we help with this program? How addicted can they be? How mentally ill can they be? Do they need a safe place to live before we start working with them? We have a lot of questions, and very few answers. But we are getting more and more experienced every day.

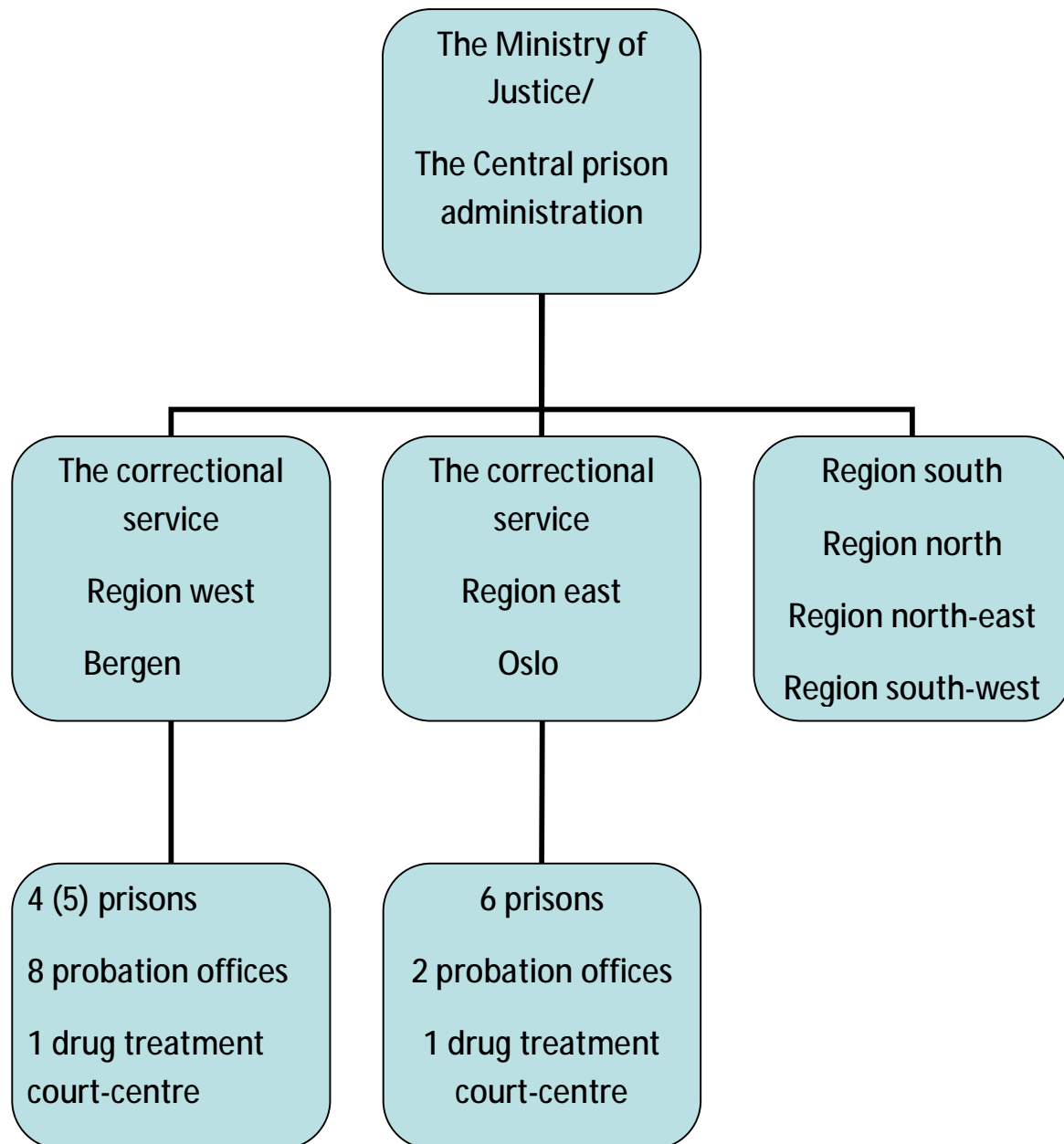
We also have five persons convicted to the program: two of them still serving a prison sentence for a couple of more months, one already breached the conditions by committing new crimes, and two convicts have started using the drug treatment court-centre. There are more to come....

Where are we in 12 months?

In 12 months I really hope we are more certain of whom the target group really is. I also hope we have found a good way to organize and administrate the project with so many agencies involved. (For example the different budgets and the organization of the staff).

I guess we will be working with about 20 convicts in different phases of the program. Hopefully some of the convicts we have today are still with us.

In case it is of any interest I have tried to illustrate the organisation of the correctional service in Norway:



UNITED STATES:



BUREAU OF JUSTICE ASSISTANCE (BJA) DRUG COURT CLEARINGHOUSE **Drug Court Activity Update:** **June 1st, 2009**

Drug Court Activity Underway

No. of Programs Currently Operating: Courts)	2,035 ¹⁰ (includes 83 Tribal Drug
<i>[Additional No. of Operating Drug Court Programs that have been consolidated with other drug courts/ or suspended operations]</i>	147
No. of Programs Planned:	227 ¹¹ (includes 35 Tribal Drug Courts)
<i>[Additional No. of Drug Court Programs that were planning but are no longer planning programs]</i>	188
No. of Drug Courts with Alumni Groups:	175+
No. of States with Drug Court Programs: (Operating or being planned):	All 50 (including Native American Tribal Courts), plus the District of Columbia, Northern Mariana Islands, Guam, and Puerto Rico
No. of states and territories with:	
Adult drug courts (operating or being planned)	50 (including Native American Tribal Courts), plus the District of Columbia,
Guam, and Puerto Rico	
Juvenile drug courts (operating or being planned)	49 (including Native American Tribal
Courts), plus the District of Columbia, Guam, and Northern Mariana Islands	
Family drug courts (operating or being planned)	41 (including Native American Tribal
Courts), plus the District of Columbia	
No. of counties with drug court programs (operating or being planned)	1,416 out of 3,155 Counties ¹² (44.8 %)
No. of Tribes and Native Villages with Drug Court Programs (Operating or being planned)	86
No. of tribal drug court/healing to wellness court programs: (Operating or being planned)	118
No. of counties with drug court programs being planned or are operating and also have mental health courts	100+
No. of Judges Who:	
Are currently serving as Drug Court Judges for programs Operating or being planned	2,775 approx.

¹⁰ Includes 1171 adult drug courts; 488 juvenile drug courts; 268 family drug courts; 24 combination adult/juvenile/family drug courts; and 84 tribal drug/healing to wellness courts.

¹¹ Includes 103 adult drug courts; 51 juvenile drug courts; 35 family drug courts; 3 combination adult/juvenile/family drug courts; and 35 tribal drug/healing to wellness courts

¹² U.S.Census Bureau, "Geographic Coverage," Washington, DC: U.S. Census Bureau. June 2006

[<http://censtats.census.gov/usa/usainfo.shtml.>](http://censtats.census.gov/usa/usainfo.shtml)

Have previously served as Drug Court Judges
Are also serving as Mental Health Court Judges

2,800 approx.
25+ approx.

States That Have:

Enacted legislation relating to the planning, operating and/or funding of Drug Courts:

44 plus the District
of Columbia, and
Guam

Enacted state or local rules/orders relating to the operation of drug courts:

24 plus the District
of Columbia

Appellate Caselaw Relating to Drug Courts:

36 states plus
District of Columbia,
3 tribal courts & 6
fed. Distrs; 4 fed. Circs.

**Native American Tribal Councils which have enacted legislation relating
to the Planning/operation of drug court programs:**

2

DRUG COURT IMPLEMENTATION BY YEAR

	JUVENILE		ADULT		FAMILY		TRIBAL/Healing to Wellness Courts		COMBINED		TOTAL*	
Year	For Year	To Date	For Year	To Date	For Year	To Date	For Year	To Date	For Year	To Date	For Year	To Date
1989	0	0	1	1	0	0	0	0	0	0	1	1
1990	0	0	0	0	0	0	0	0	0	0	0	0
1991	0	0	4	5	0	0	0	0	0	0	4	5
1992	0	0	4	9	0	0	0	0	0	0	4	9
1993	0	0	9	18	1	1	0	0	0	0	10	19
1994	0	0	21	39	2	3	0	0	0	0	23	42
1995	7	7	30	69	0	3	1	1	0	0	38	80
1996	10	17	49	118	3	6	0	1	0	0	62	142
1997	20	37	65	183	2	8	4	5	3	3	94	236
1998	29	66	72	255	8	16	7	12	2	5	118	354
1999	39	105	94	349	7	23	8	20	0	0	148	502
2000	72	177	101	450	17	40	8	28	2	7	200	702
2001	60	237	113	563	18	58	8	36	4	11	203	905
2002	62	299	128	691	39	97	10	46	2	13	241	1146
2003	33	332	74	765	30	127	4	50	1	14	142	1288
2004	44	376	120	885	28	155	8	58	1	15	201	1489
2005	45	421	112	997	37	192	9	67	3	18	206	1695
2006	25	446	68	1065	28	220	10	77	0	18	131	1826
2007	17	463	46	1111	18	238	2	79	1	19	84	1910
2008	22	485	55	1166	27	265	4	83	5	24	113	2023
6/1/2009	3	488	5	1171	3	268	1	84	0	24	12	2035

* Does not include 147 additional programs that were implemented and subsequently suspended operations or consolidated with other programs.

For further information, contact:

BJA Drug Court Clearinghouse
Justice Programs Office, School of Public Affairs
American University

4400 Massachusetts Avenue NW, Brandywine, Suite 100
Washington D.C. 20016-8159

Tel: 202/885-2875 Fax: 202/885-2885 E-mail: justice@american.edu Web: www.american.edu/justice

C. EVALUATIVE INFORMATION

Ireland:

Evaluation of Irish Drug Courts, October 2002: Summary

Jamaica:

Statistical Information

United States:

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IRELAND:

Evaluation of Irish Drug Courts, October 2002¹³: Summary

In the 1990's, informal estimates of the Irish prison system, particularly in Dublin, showed that approximately 80% of indictable crimes were drug-related and that 66% of a sample of Dublin prisoners were heroin users. In 1997, a Drug Court Planning Commission was set up to investigate the feasibility of establishing an alternative to incarceration and, in 2001, the very first participant was admitted to the drug court in Dublin.

In January, 2001, a Steering Committee decided to establish January 16th, 2001-January 31st, 2002 as the time period in which a formal evaluation of the pilot project would be conducted. Although the relatively short timeframe precluded any conclusive comparisons of recidivism to incarcerated drug users, the evaluation was able to assist in determining whether the program should be continued.

The evaluation was based on three components:

- 1) Process Evaluation: the collection of both quantitative and qualitative information to determine whether or not the drug court program met procedural and administrative goals, and to identify strengths and weakness of the model
- 2) Outcomes Evaluation: the collection of information to determine whether the drug court program was effective in reducing recidivism, drug usage, and addiction, when compared to a control group of non-participant drug offenders
- 3) Cost-Effectiveness Analysis: the collection of Average Standard Cost for processing a drug court participant compared to members of the control group

Process Evaluation: All stakeholders in the drug court process agreed that the program could address in a significant way the causes of acquisitive crime and make a strong positive impact on the lives of certain drug addicted offenders. However, there was less clarity as to the established mission and objectives of the drug court, which some believed contributed to the relatively low number of referrals. Some respondents expressed optimism that referrals would increase as the program became more established. Many respondents felt that the drug court program needed to have its own dedicated treatment service in order to appropriately address treatment needs, since "mainstream" treatment often lagged behind the established time deadlines. Furthermore, while some difficulties were experienced in getting various agencies to work together on the joint project, respondents were generally positive about future cooperation. Finally, drug court participants (offenders) believed the program to be quite demanding, but felt that it provided an experience that was overall supportive and ultimately rewarding.

Outcomes/Impact Evaluation: Despite the low numbers of referrals as of the conclusion of the evaluation, the overall profile of participants was similar to that of drug courts in other countries. Participants were primarily male; in their 20s; unemployed; undereducated; possessed a high number of prior convictions, with a high risk of reconviction; and all 35 participants were heroin addicts using an average of 5 different drugs. By the end of the evaluation period, significant results became evident: the re-offense had declined substantially, as had the percentage of positive drug tests, and participation in

¹³ This summary was prepared by staff at the Justice Programs Office, School of Public Affairs at American University. The full text of the report can be found, with statistical appendices, on the website for the Irish Courts website at [http://www.courts.ie/Courts.ie/library3.nsf/%28WebFiles%29/0D3E40D7D530786380256DA6003DB7DB/\\$FILE/Final%20Report.pdf](http://www.courts.ie/Courts.ie/library3.nsf/%28WebFiles%29/0D3E40D7D530786380256DA6003DB7DB/$FILE/Final%20Report.pdf).

educational activities was generally high. Some issues adversely affected participants' progress, including alcoholism, homelessness, and gender/childcare troubles.

Cost-Effectiveness: The study finds that, in many jurisdictions that have already established drug courts, much of the cost savings comes from participation over incarceration. However, Ireland had relatively low incarceration rates to begin with. Respondents felt that efficiency could be improved in three areas—shortening the assessment phase from an average of 27 days; revoking bail less frequently, especially in the early days of the evaluation; and increasing referrals to capacity level—but that most indicators point to cost savings over time.

JAMAICA:

STATISTICAL INFORMATION

REPORT OF DRUG COURT TREATMENT & REHABILITATION PROGRAMME FROM START OF PROGRAMME TO MARCH 2009

YEAR	TOTAL REFERRED BY COURT	ADMITTED & ELIGIBLE FOR PROGRAMME	GRADUATED	DROP OUT
2001	20	17	5	5
2002	36	32	5	10
2003	43	29	18	10
2004	57	38	18	9
2005	64	45	25	7
2006	36	29	21	5
2007	43	42	11	18
2008	30	25	6	11
2009	5	5	-	-
TOTAL	334	262	109	75

UNITED STATES:

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PART ONE

#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
1	2004	<i>Phase II Douglas County [Nebraska] Drug Court Evaluation Report.</i> Thomas J. Martin, Cassia C. Spohn, R.K. Piper, and Jill Robinson	Recidivism and cost benefit study comparing criminal justice outcomes of offenders in drug court with offenders in County Attorney's pre-trial diversion program and offenders in traditional adjudication	Drug court participants	offenders in County Attorney's pre-trial diversion program and offenders in traditional adjudication
2	September 2004	<i>Participation in Drug Treatment Court and Time to Rearrest.</i> Duren Banks and Denise C. Gottfredson. <i>Justice Quarterly</i> . Vol. 21, no. 3, September 2004. Academy of Criminal Justice Sciences	Review of arrest history of 139 drug court and 96 control group defendants re arrests for two year period following assignment to drug court (drug court participants randomly assigned to drug court; control group was eligible but randomly assigned to nondrug court treatment)	139 drug court participants randomly assigned to drug court; and 96 control group was eligible but randomly assigned to nondrug court treatment)	96 control group defendants who were eligible for drug court but randomly assigned to nondrug court treatment
3	January 29, 2004	<i>Cost Analysis of Anne Arundel County, Maryland Drug Court. Prepared by: NPC Research, Inc., Portland, Oregon</i>	Tracked sample (53) of Drug court participants who entered the drug court from 1997 – 1998 re recidivism and costs resulting	Sample (53) of drug court participants who entered drug court from 1997 -1998	Comparable defendants who did not enter the drug court during the same period
4	January 29, 2004	<i>Cost Analysis of Baltimore City, Maryland Drug Treatment Court: Includes Outcome Findings, Cost Analysis, and Summary and Conclusions, Only; Prepared by NPC Research, Inc., Portland, Oregon</i>	Tracked sample of 60 drug court participants from 2000 and comparable sample of 63 offenders who did not enter the drug court for 3 year period to determine possible cost savings for justice system, victimization, and for other areas	Sample of 60 drug court participants who entered program in 2000 compared with comparable sample of 63 offenders who did not enter the drug court	Comparable defendants from 2000 who did not enter the drug court

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
5	January 2004	<i>Kalamazoo County 9th Judicial Circuit Court Office of Drug Treatment Court Programs: Statistical Report: 2003. Prepared January 2004</i> - Part One: Female Drug Court - Part Two: Male Drug court	Updates previous annual report with 2003 data to cover 543 female enrollees and 506 male enrollees since program began	543 female enrollees and 506 male enrollees in Kalamazoo Drug Court since its inception	n/a
6	January 2004	<i>Oklahoma Drug Courts: Fiscal Years 2002 and 200. Prepared by The Oklahoma Criminal Justice Resource Center.</i>	Review of data from 19 adult drug and DUI courts operating in 21 counties in Oklahoma, including drug court participant characteristics at time of program entry; compliance with Oklahoma Drug Court Statute; use of sanctions; outcome, recidivism and costs	1,666 participants in 19 drug courts during period July 2001 – June 2003. [findings reported for graduates only]	(1) successful standard probation drug offenders; and (2) released inmates who had drug convictions;
7	October 2003	<i>The New York State Adult Drug Court Evaluation: Policies, Participants and Impacts.</i> Center for Court Innovation. New York, New York.	Reviews operations, recidivism and other impacts in the following nine drug courts: Bronx, Brooklyn, Queens, Rochester, Suffolk Co., and Syracuse	Studied post-arrest recidivism of drug court participants for 3 years (Bronx, Manhattan, Queens, and Suffolk) and 4 years (Brooklyn and Rochester), compared with reconviction rates of similar defendants not entering the drug court;	Similar defendants not entering drug court
8	August 1, 2003	<i>Drug Court More Beneficial for Women:</i> [author not provided]	Oklahoma female prison population Drug-Court Enrollments as of July 1, 2003	Oklahoma female drug court graduates	Oklahoma male drug court graduates
9	July 2003	<i>16th Judicial District of Tennessee (Rutherford Co.) Drug Court Program 2003 Process Evaluation.</i> Dana K. Fuller, Ph.D. July 2003	Studied 99 persons admitted to the program as of July 15, 2003	Studied 99 persons admitted to the program as of July 15, 2003	n/a – process evaluation with limited outcome data

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
10	June 1, 2003	<i>Recidivism Among Federal Probationers</i> Minor, Kevin; Wells, James; Sims, Crissy.	Individuals serving federal probation sentences in the Eastern District of Kentucky.	200 individuals sentenced from Federal Probation in the Eastern District of Kentucky between 1/96 and 6/99. Individuals were studied during a 2-year follow-up period between 1/96 and 6/99.	N/A
11	May 2003	<i>Coconino County DUI/DRUG Court Evaluation</i> . Prepared by: Frederic I. Solop, Nancy A. Wonders, et. Al. Social Research Laboratory, Northern Arizona University	Outcome data compiled May 1, 2001 – October 31, 2002 for Drug court participants and control group with similar characteristics and processed through traditional criminal justice system	Participants in DUI Drug Court during May 1, 2001-October 31, 2002	Randomly assigned eligible offenders with similar characteristics processed through traditional criminal justice system
12	April 18, 2003	<i>Assessing the Efficacy of Treatment Modalities in the Context of Adult Drug Courts</i> . Donald F. Anspach, Ph.D. and Andrew S. Ferguson.	Examines various issues relating to the delivery of treatment services in four drug court sites: Bakersfield, Cal; St. Mary Parish La.; Jackson Co., Mo.; and Creek Co., Okla.;	In addition to treatment and related staff, 2,357 offenders enrolled in the four programs between January 1997 and December 2000	n/a

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
13	April 15, 2003	<i>Bibb County Special Drug Court Program: Eight-Year Annual Report. April 15, 2003.</i> Prepared by Chief Judge Tommy Day Wilcox, Superior Courts, Macon Judicial Circuit and Jacqueline Duncan, Program Administrator	Review of program operations and analysis of graduates: 1994 – 2002	394 graduates of program from 1994 – 2002	n/a
14	March 2003	<i>Summary Report of Virginia's Drug Court Programs.</i> Office of the Supreme Court of Virginia and Virginia Department of Criminal Justice Services.	Individuals in the Virginia drug court program between November 1995 and December 2002 were analyzed.	1727 Virginians admitted to the felony drug court program	N/A

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
15	March 2003	<i>Washington State's Drug Courts for Adult Defendants: Outcome Evaluation and Cost-Benefit Analysis.</i> Washington State Institute for Public Policy	Presents statistical summary of other drug court studies in U.S; describes Washington's outcome evaluation and cost-benefit analysis of the following 6 of Washington's adult drug courts (with implementation dates noted): King Co. (8/1/94); Pierce Col (10/11/94); Spokane Co. (1/1/95); Skagit Co. (4/1/97); Thurston Co. (5/1/98); and Kitsap Co. (2/1/99); and presents findings and recommendations (study conducted at direction of Washington Legislature)	Evaluated six adult drug courts in Washington operating during 1998 and 1999 to test whether Washington's drug courts reduce recidivism rates	Obtained individual-level data (gender, age, ethnicity, prior criminal history, and current offense) for defendants who entered drug court and, for four of the programs also obtained individual-level data for defendants screened for the drug court; then constructed comparison groups; used this information to construct comparison groups, using six different comparison groups and several sampling approaches, including: selecting cases filed in the same counties 2 years prior to start of drug court; selecting comparable cases from non-drug court counties filed at same time; tested drug court effectiveness using all six groups to provide a range of estimates for drug court outcomes
16	February 7, 2003	<i>Judicial Council of California. Administrative Office of the Courts. Report. Collaborative Justice Courts Advisory Committee. Progress Report</i>	Evaluated cost and effectiveness of drug courts in state; Phase I: study of three courts	Participants who completed drug court	N/A; compared arrest rates two years following admission with arrest rates two years prior to admission

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
17	January 6, 2003	<i>Evaluating the Effectiveness of Drug Courts in Idaho: Report to Governor Dirk Kempthorne and the First Regular Session of the 57th Idaho Legislature.</i> Idaho Supreme Court	Review of developments of 30 drug courts in Idaho; data provided on participants in Districts 4 and 5 (6 programs with 206 participants)	6 programs in Districts 4 (Ada Co and Elmore Co.) and 5 (Mini-Cassia Minidoka Co and Twin Falls Co.) [findings reported for graduates only]	n/a
18	January 2003	<i>Evaluating Treatment Drug Courts in Kansas City, Missouri and Pensacola, Florida: Final Reports for Phase I and Phase II.</i> Abt Associates. Prepared by Linda Truitt; Wm. Rhodes; N.G. Hoffman; Amy Maizell Seeherman; Sarah Kuck Jalbert; Michael Kane; Cassie P. Bacani; Kyla M. Carrigan; Peter Finn	Phase I: retrospective study of 1992-7 participants including case studies (process); and impact evaluation (survival analysis of recidivism); Phase II: study of 1999-2000 participants re program retention and participant perceptions	Phase I; 1992-7 and Phase II: 1999-2000 participants in Escambia County, Florida (74 participants) and Jackson County, Kansas (182 participants)	Phase I: Recidivism: Defendants with similar criminal histories arrested before drug court started and defendants with similar criminal histories arrested between 1993-7 who participated and did not participate in the drug court Phase II: n/a
19	May 5, 2002	<i>From Whether to How Drug Courts Work: Retrospective Evaluation of Drug Courts in Clark County (Las Vegas) and Multnomah County (Portland), [Oregon].</i> John S. Goldkamp; Michael D. White; Jennifer B. Robinson.	Tracks implementation and development of drug court in Portland, Oregon (1991-98) and Las Vegas, Nevada (1992-1998, focusing on outcomes and possible impact of various factors relating to structure, operation, and various innovations introduced in these programs	75 Drug court participants from each year since program inception in Portland (except 143 defendants for 1997); and 100 participants for each year in Las Vegas, and similar groups of defendants who didn't enter drug court and whose cases were disposed of through the traditional process.	Two groups of comparable defendants in each site whose cases were disposed of through the traditional process: (a): defendants who failed to attend first drug court appearance; and (b) defendants who attended first drug court appearance but failed to attend treatment

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20	March 2002	<i>Drug Court Partnership Act of 1998, Chapter 1007, Statutes of 1998. Final Report.</i> Prepared by The California Department of Alcohol and Drug Programs and the Judicial Council of California, Administrative Office of the Courts.	Present results of evaluation of 34 drug courts operating under Drug Court Partnership Act to demonstrate cost effectiveness of program	34 drug courts operating under Drug Court Partnership Act	
21	October 2001	<i>Kentucky Drug Court Outcome Evaluation: Behaviors, Costs, and Avoided Costs to Society. Prepared by TK Logan, William Hoyt and Carl Leukefeld. Center on Drug and Alcohol Research. University of Kentucky</i>	Outcome evaluation of drug court programs in Fayette, Jefferson and Warren Counties, Kentucky	Study of 745 drug court participants from three drug courts; studied graduates, program terminators and individuals assessed for the drug court but who did not enter	Individuals assessed for the drug court but did not enter
22	October 2000	<i>Tulsa County Adult Drug Court: Phase II Analysis.</i> Wright, David. O'Connell, Paul. Clymer, Bob. Simpson, Debbie.	Clients that had entered the Tulsa County Adult Drug Court Programs from 5/96 to 6/00.	117 adult non-violent felony offenders with substance abuse histories who had entered the drug court program were monitored from 5/96 to 6/00 within the Tulsa County Adult Drug Court system.	A sample of 113 individuals on probation was matched by criminal history and felony charge to the population studied.

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
23	May 1999	<i>Evaluation of the Hennepin County {Minneapolis} Drug Court. Minnesota Citizens Council on Crime and Justice (R. Ericson; S. Welter and Thomas L. Johnson]</i>	Reviews program operations and outcomes of drug court participants during 1996-998 period; analyses treatment recidivism (readmission to new program after completing drug court treatment) and criminal recidivism (felony and gross misdemeanor charges and misdemeanor convictions occurring during 9 month follow up study period); also looked at employment status and improved parenting skills of participants while in program	Drug court participants whose cases were filed between August 1, 997 and December 31, 1997 (with certain stated exceptions)	past drug offenders prior to drug court program implementation with similar demographic characteristics
24	October 2000	<i>North Carolina Drug Treatment Court Evaluation Final Report. Craddock, Amy.</i>	Data was collected from 534 individuals attending 4 pilot drug court treatment programs in North Carolina, monitored 12 months after graduation	Individuals attending the pilot drug court treatment programs in North Carolina	Eligible drug court treatment applicants not admitted to the program
25	October 2000	<i>Evaluation of Oklahoma Drug Courts, 1997-2000. O'Connell, Paul. Wright, David. Clymer, Bob.</i>	Individuals in the Oklahoma drug court program were monitored at 6, 9, 12, 18, and 24 months.	Oklahoma Drug Court Graduates	Probation offenders matched by criminal history and felony charge

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26	October 2000	<i>1998 Drug Court Recidivism Report Update.</i> Administrative Office of the Courts, Dade County (Miami), Florida	Provides cumulative re-arrest rates for defendants who refused drug court, withdrew from drug court, and those who successfully completed probation.	Drug court graduates through 1998	Defendants who refused drug court withdrew from drug court, and those who successfully completed probation.
27	January 2001	<i>Final Report on the Polk County Adult Drug Court: Executive Summary and Summary of Findings.</i> Iowa Dept. of Human Rights. Division of Criminal and Juvenile Justice Planning. Statistical Analysis Center.	Study comparing clients entering program from its inception through September 30, 1998 with group of revoked probationers from FY96 and other offenders referred to the drug court who didn't enter	Drug court clients who entered program from inception through September 30, 1998 [findings reported for graduates only]	Group of revoked probationers from FY 96 and defendants who were referred to the drug court but didn't enter
28	July 2001	<i>NW HIDTA/DASA Washington State Drug Court Evaluation Project.</i> G. Cox, L. Brown, C. Morgan, M. Hansten. Alcohol and Drug Abuse Institute. University of Washington, Seattle, Wash.	Study of drug court processes and outcomes in King County, Pierce Co;; Spokane Co; Thurston Co; Skagit Co; Kitsap Co; and Snohomish County; focus on examining organizational structure and operational characteristics of each program and impact of program on re-arrests; convictions, incarceration rates, earned income of participants, and utilization of public resources including medical, mental health, treatment and vocational services	Drug court participants in each site [findings reported for graduates only]	
29	December 2004	<i>Evaluation of Virginia's Drug Treatment Court Programs.</i> Office of the Executive Secretary, Supreme Court of Virginia	Process and outcome evaluation of drug court participant retention rates and graduate and nongraduate (terminated or withdrawn) recidivism rates; also analysis of severity and tonicity of offenses committed by participants prior to drug court entry to address the issue: are drug courts accepting only "light weight" offenders? Or more serious and chronic offenders?	3,216 adult felony Drug court participants admitted to the drug courts between November 1995 and December 2004, consisting of 2,002 graduates or current enrollees	Adult drug offenders studied by Virginia Criminal Sentencing Commission (VCSC) in 1999 for recidivism rates and severity of offense history

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
30	October 2003	<i>South Central Judicial District Adult Drug Court Program (Bismarck, N.K). Process Evaluation – Final Report. October 2003. Jeffrey A. Bouffard. North Dakota State University. Department of Criminal Justice and Political Science.</i>	Primarily a process evaluation of program operations compared with anticipated program process and services; also provides limited analysis of outcome info re recidivism (program was too young to do compile adequate data on this) and relationship between demographic chars. Of participants and program performance and outcomes	Reviewed 105 applications of potential participants, 47 enrolled participants and 14 graduates (8 terminations). [findings reported for graduates only]	n/a
31	July 2002	<i>Outcome Evaluation of Ohio's Drug Court Efforts. Final Report. By Edward J. Latessa, Ph.D.; Deborah Koetzle Shaffer; Christopher Lowenkamp. Center for Criminal Justice Research. University of Cincinnati.</i>	Study of adult and juvenile drug courts in Ohio to examine their effectiveness; primary focus is on effects of frequent court contacts and community based treatment on recidivism rates	Common Pleas: Sampled 788 drug court participants and 429 comparison group members from Hamilton, Butler, Erie, and Richland Counties Municipal Court: 556 drug court participants and 228 comparison group from Cuyahoga Co., Miami County and City of Akron; Juvenile Court: studied 310 participants and 134 comparison group members from Belmont, Summit and Montgomery Counties	Matched offenders eligible for drug court program re demographic characteristics and presence of substance abuse problem
32	2001	<i>Evaluation of the Bernalillo County Metropolitan DWI/Drug Court (Institute for Social Research conducted comparison study specifically for drug court graduates)</i>	Reviews background, recidivism, and incarceration costs for 450 offenders served by the DWI/Drug Court since its inception in July 1997 through July 31, 2001; recidivism info for 168 graduates who graduated between March 1998 – September 2000	560 offenders served by the drug court program [findings reported for graduates only]	Recidivism and Cost comparisons: Similar group of probation clients
33	February 2005	<i>Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes. U.S Government Accountability Office</i>	Review of 27 drug court evaluation reports of 39 adult drug court programs that met GAO methodological criteria for soundness	n/a – reviewed already completed evaluation reports but focus includes participants as well as graduates	n/a

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
34	April 2005	<i>Evaluation of the Outcomes in Three Therapeutic Courts: Anchorage Felony Drug Court; Anchorage felony DUI Court; Bethel Therapeutic Court. Alaska Judicial Council.</i>	Study for legislature which reviewed info about all participants in Anchorage Felony DUI Court; Anchorage Felony Drug Court; and Bethel Therapeutic Court for 1 years prior to entering drug court and 2 years after leaving drug court	Defendants in Anchorage Felony DUI Court, Anchorage Felony Dr Court and Bethel Therapeutic Court for 2 years prior and 2 years following drug court participation [findings reported for graduates and active participants only]	Defendants who matched participants but didn't enter a therapeutic program.
35	April 2003	<i>The Kootenai and Ada County [Idaho] Drug Courts: Outcome Evaluation Findings. Final Report</i>	Focus is on (1) characteristics of offenders served by the drug court; (2) how drug court participants appear on various indicators of drug use; (3) whether drug court participation affects likelihood of individual recidivating; (4) factors that predict likelihood of success/failure; and (5) outcomes for program graduates	Drug court participants in Kootenai and Ada County Drug courts selected between February 1998 and July 2002: <u>Kootenai Co.</u> : (45% in Phase I; under 1% in Phase 2, 27% in phase 3 and 25% in phase 4; 29% (41) had graduated and 52% (76) had been terminated, followed up for 820 days (2 yrs, 3 mos) for drug court group and 677 days (1 year, 10 months for comparison group; <u>Ada Co.</u> : drug court participants between March 1999 – June 2002; 25.7% currently enrolled (56); 41.7% (91) graduates; and 32.6% (71) terminated.	Comparison group identified by each court of defendants similar to participants in demographics and drug use and who were eligible for the drug court but didn't receive drug court services (Kootenai Co.- 133 and Ada Co. – 161)
36	July 2000	<i>The Hamilton County [Ohio] Drug Court: Outcome Evaluation Findings. Shelley Johnson and Edward Latessa. University of Cincinnati.</i>	Comparison of drug court participants with comparison cases to determine whether drug court participation is associated with differences in outcome	Defendants screened for program during January 1, 1997 – October 31, 1998	Comparison group identified by various data sources including demographics, case history, assessment information and judge's daily drug court docket containing disposition and outcome information; each participant must have a reported substance abuse problem and be eligible for the drug court; drug court group = 226; comparison group – 230

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37	March 2005	<i>Analysis of Oklahoma Drug Courts: Fiscal Years 2002-2004.</i> Oklahoma Department of Mental Health and Substance Abuse Services	Analyzed data from 25 adult drug and DUI courts operating in 30 counties in Oklahoma, including participants who were active July 1, 2001 – June 30, 2004, totaling 2,307 participants	2,307 participants active in 25 adult and dui drug courts during period July 1, 2001 – June 30, 2004 [findings reported for graduates only]	Recidivism rate of drug court graduates compared with that of successful standard probation offenders or released prison inmates
38	July 2001	<i>The Akron Municipal Drug Court: Outcome Evaluation Findings.</i> S. Listwam, D.K. Shaffer, and Edward J. Latessa. Center for Criminal Justice Research, University of Cincinnati	Studied participants in drug court and compared with those designated as comparison cases		Matched group of cases screened November 1997 – April 2000 with selected demographic characteristics, reported substance abuse problem, and eligible for the drug court
39	May 2003	<i>Coconino County DUI/Drug Court Evaluation.</i> Frederic I. Solop, Nancy A. Wonders, K.K. Hagen, K McCarrier. Social Research Laboratory, Northern Arizona University.	Two year process and outcome evaluation of Coconino Co. DUI/Drug court program; used random assignment of eligible offenders to an experimental group that entered the DUI drug court and a control group that was processed through the traditional criminal justice system; collected from May 1, 2001 – October 31, 2002	Drug court participants in the DUI drug court from May 1, 2002 – October 31, 2002	DUI offenders randomly assigned to traditional adjudication process; data collected: May 1, 2001 – October 31, 2002
40	2005	<i>Recidivism of Violent Offenders in a Delaware Drug Court Program for Probation Violators.</i> Christine A. Saum, Ph.D. Univ. of Delaware.	Study of 452 samples of seriously crime-involved offenders and their success in drug court program for probation violators.	452 probation violators with serious criminal histories who entered probation-violator track of New Castle Co. (Wilmington), Delaware Superior Court drug court between October 1993 and March 1997	n/a
41	2004	<i>Kalamazoo County 9th Judicial Circuit Court: Drug Treatment Court Programs. Statistical Report.</i> 2004	Review of demographics, progress, and recidivism of 1,967 females and 2,267 males referred to the drug court program (566 females and 581 males enrolled) from inception (1992 and 1997 respectively) through December 2004	Study of 1,967 females and 2,267 males referred to Kalamazoo drug court programs since inception (June 1992 and January 1997, respectively) through December 2004 [findings reported for graduates only]	n/a

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
42	April 2005	<i>Puerto Rico Drug Court Program: Outcome</i> Evaluation Center for Addiction Studies, School of Medicine, Universidad Central del Caribe	(1)Study of the status of participants in the Puerto Rico Drug Court Program one year after admission compared to their status immediately prior to admission; (2) comparison of outcomes of Drug Court Participants to participants in traditional diversion groups supervised by probation and TASC	Drug Court: 222 consecutive admissions from six judicial regions which had a drug court (Arecibo, Bayamon, Carolina, Guayama, Ponce, and San Juan) from March through August 2003; comparison group comprised 220 consecutive admissions from 12 regions	comparison group comprised 220 consecutive admissions from 12 regions in probation or TASC supervised programs
43	September 2005 (interim)	<i>California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II Study Results. NPC Research, Shannon M. Carey, Michael W. Finigan, David Crumpton, Mark Waller, Francine Byrne.(See No. 51 for final report)</i>	Two research questions: (1) are drug courts cost-effective (cost-beneficial)? (2) what drug court practices appear most promising and cost-beneficial? Study of costs and benefits (opportunity resources); cost to taxpayers (public funds); and transactional cost analysis	Graduates and all participants in 9 California courts: Monterey, Los Angeles (El Monte); Orange County (Santa Ana) and Laguna Niguel; San Joaquin Co. and Stanislaus County	n/a
44	January 2005	<i>Malheur Co. Adult [gender specific]t Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey and Gwen Marchand.</i>	(1) does drug court participation reduce no. of re-arrests for participants? (2) does drug court reduce levels of substance abuse; (3) how success is program in bringing participants to graduation within expected timeframe? (4) what participant characteristics produce success? Termination?	Drug court participants entering program since implementation in January 20001 and at least 6 months prior to evaluation. (125 participants) – 77 males and 48 females)	n/a

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45	January 2005	<i>Marion Co. (Oregon), Adult Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey, Gwen Marchand.</i>	(1) does drug court participation reduce no. of re-arrests for participants? (2) does drug court reduce levels of substance abuse; (3) how success is program in bringing participants to graduation within expected timeframe? (4) what participant characteristics produce success? Termination? (5) (5) how important is aftercare to successful outcomes?	62 drug court participants who entered program since implementation in April 2000 and at least 6 months prior to evaluation.	Persons arrested on drug court eligible charges during year prior to drug court implementation, matched to drug court participants on gender, ethnicity, age and criminal history in 2 years prior to drug court
46	July 2003	<i>A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research, Inc. Shannon Carey, Michael Finigan</i>	Study of investment costs and benefits of drug court program; compares use of public resources for drug court clients and for sample of drug court eligible “business as usual” serviced clients.		
47	March 2004	State of California Department of Alcohol and Drug Programs. <i>Comprehensive Drug Court Implementation Act of 1999: Interim Report to the Legislature. Kathryn P. Jett, Director</i>	Study mandated by Comprehensive Drug Court Implementation Act (CDCI) of 1999 describing interim programmatic progress achieved	Data collected from January 2001 – June 2003 for “new participants”, participants who completed (“completers”), and those who were terminated (total of more than 9,000, 7,790 of whom were adults; 3,563 completed program; 2,657 terminated	n/a
48	June 14, 2006	<i>Suffolk Co. (Mass) Drug Court Evaluation. Abt Associates. Wm. Rhodes, Ryan Kling and M. Shiveley</i>	Impact of drug court program on drug court probationer participants	844 probation participants in four drug courts in Suffolk County; could get info for 794 participants; 13% active at time of study; 42% graduates,, 11% had FTAs;	Other drug-involved probationers (but had less extensive criminal histories and less severe probation risk scores so inappropriate to use them as comparison group

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49	May 20, 2006	<i>Outcome Evaluation of the Jackson County, Florida Drug Court.</i> Williams Consulting. Silver Spring, Md.		12 Drug court completers and 16 non-completers who entered program November 1, 2002 and left by October 31, 2005 [findings reported for graduates only]	12 Defendants with similar demographics sentenced during the same period as drug court participants (post conviction) entered program but who had different treatment
50	Spring 2006	<i>Long-Term effects of participation in the Baltimore City drug treatment court: Results from an experimental study.</i> Denise C. Gottfredson et al. U. of Maryland.	Using an experimental design, compares 235 offenders assigned either to drug court or traditional process	139 drug court participants (84 District and 55 Circuit) compared with 96 defendants processed through traditional system during 1997 and 1998	96 defendants processed through traditional system during 1997 and 1998
51	April 2005	<i>California Drug Courts: A Methodology for Determining Costs and Benefits: Phase II: Testing the Methodology.</i> NPC Research. Shannon Carey, Dave Crumpton, Michael Finigan and Mark Waller. (See No. 43 for interim report)	U.S. Dept. of Justice funded study to conduct statewide eval to develop methodology that could be used by drug courts throughout California for ongoing cost-benefit evaluation; and answer two policy questions: (1) are adult drug courts cost beneficial? And (2) what adult drug court practices appear most promising and cost-beneficial	All drug court participants who entered the nine drug courts from January 1998 – December 1999 regardless of whether they completed program.	Non-drug court Defendants in each site eligible to enter the 9 drug courts from January 1998 – December 1999
52	August 2001	<i>The Philadelphia Treatment Court, Its Development and Impact: The Second Phase (1998-2000).</i> John S. GoldKamp al. Crime and Justice Research Institute	Follows first phase that described pilot period for the drug court; focuses on providing aggregate and trend data (April 1997 – August 2000); one year follow up for all participants entering program January 1998 – August 1999 and 6-month follow-up for participants and comparison group from January 1998 – November 1999	All participants and comparison group entering court system from January 1998 – August 1999 and six month follow up for all participants and comparison group from January 1998 – November 1999	-defendants ordered to assessment but not assessed (never appeared); -defendants assessed but found not in need of treatment; -defendants assessed in need of treatment but who chose not to enter drug court; -defendants found to be ineligible for drug court after referral; and -defendants assessed who chose to enter the drug court

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53	July 2005	<i>Malheur County, Oregon Adult Drug Court (S.A.F.E. Court) Cost Evaluation: Final Report. NPC Research.</i>	Outcome: Compared study group behaviors two years prior to entering drug court to the time (12 months to 2 years) following program entry to determine whether drug court (1) reduced no. of re-referrals? (2) reduced substance abuse; (3) successfully completes program for participants; and (4) any participant characteristics predict success? Cost: compared costs to crj incurred by participant 2 years prior to drug court entry with costs over 2 years following drug court entry.	Outcome: All offenders who entered the drug court at least one year before the start of the evaluation Cost: 89 drug court participants (57 males and 32 females); whose primary drug of choice was meth (51%), alcohol (41%). Average age at entry: 31.6; (32.5 – men; 30.3-women) Prior arrests: .47 (.17 drug related)	Not used
54	September 2006	<i>Kalamazoo County, Michigan Adult Drug Treatment Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	Whether drug courts reduced substance abuse? Recidivism? Produced cost savings?	Sample of participants who entered drug court between January 2002 and December 2003	Persons referred to drug court but didn't enroll
55	September 2006	<i>Barry County, Michigan Adult Drug Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	Whether drug court reduced substance abuse? Recidivism? Produced cost savings?	Identified sample of participants who entered drug court between implementation in 2001 and July 1, 2004	(1) those eligible for drug court at time of program implementation but couldn't be admitted because of incapacity; and (2) those subsequently eligible but not participating
56	March 2004	<i>The Douglas County (Nebraska) Drug Court: Characteristics of Participants, Case Outcomes and Recidivisms. Cassia Spohn and R.K. Piker. Final Report. March 2004</i>	Describes characteristics of all offenders (255) bound over to Douglas County District Court and subsequently diverted to Douglas Co. Drug Court in 2001	255 offenders diverted to Douglas Co. drug court in 2001	Comparison group of 687 traditionally adjudicated offenders
57	November 2001	<i>Dallas County DIVERT Court Outcome Evaluation. Monica Turley and Ashley Sibley.</i>	To determine whether Dallas county DIVERT drug court successfully reduced recidivism of first time felony drug offenders	Sample of drug court clients in program between January 5, 1998 and April 30, 2000. (77 graduates; 101 noncompleters)	78 control group

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58	January 2003	<i>Initial Process and Outcome Evaluation of Drug Courts in Texas.</i> Criminal Justice Policy Council.	Legislatively mandated study to examine effectiveness of present drug courts when H.B. 1287 enacted requiring drug courts by September 1, 2002 in counties with over 550,000 population	Tracked 501 offenders entering drug courts in Dallas, Jefferson and Travis Counties between 1998 – 1999 for three years	285 offenders eligible for drug court but not participating
59	October 2003	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 1 Evaluation Report.</i> ISED Solutions.	Studied 64 participants in first year of drug court	64 participants in first year of drug court	n/a
60	December 2004	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 2 Evaluation Report.</i> ISED Solutions.	Documents second year of drug court services and outcomes and analysis of client characteristics associated with poorer /better outcomes	116 drug court clients	n/a
61	March 31, 2004	<i>Cost/Benefit Analysis of the Douglas county, Neb Drug Court. R.K. Piper and Cassia Spohn</i>	To provide administrators and policy makers with critical information for future policy and funding decisions re drug courts	Approximately 300 drug court participants in first two years of program	194 traditional adjudication offenders in Phase 2 and 309 traditional adjudication offenders in Phase 3
62	February 2007	<i>Recidivism in Alaska's Felony Therapeutic Courts.</i> Alaska Judicial Council.	Study of recidivism of graduates of Anchorage Felony DUI and Felony Drug Courts and Bethel Therapeutic Court	63 Graduates and 54 nongraduates of Anchorage Felony DUI Court (46%), Anchorage Felony Drug Court (23%); and Bethel Therapeutic Court (31%)	Comparison group of 97 offenders with similar characteristics
63	October 2006	<i>The Staten Island Treatment Court Evaluation: Planning, Implementation, and Impacts.</i> Kelly O'Keefe and Michael Rempel. Center for Court Innovation.	Process (completed December 2003 for first 19 months of program) and impact evaluation of recidivism for SITC participants in first 40 months of program (March 2002- June 2005)	First 146 SITC participants in program	Matched sample of 46 similar defendants arrested in Staten Island in the year before the SITC opened.

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64	2007	<i>2005/2006 Tennessee Drug Court Annual Report. Office of Criminal Justice Programs. Dept. of Finance and Administration.</i>	Compilation of information submitted by 37 of existing 45 drug courts in the state to annual report of drug court activity and performance according to stated performance measures to be evaluated.	n/a	n/a
65	2007	<i>Wyoming Drug Court Performance Measures Project. National Center for State Courts.</i>	Collected demographic and performance measures data for Wyoming drug courts: retention; sobriety; in program recidivism and units of service for period January 1, 2005-June 30, 2005.	Drug court participants during January 1 – June 30, 2005	n/a
66	April 2007	<i>Multnomah County, Oregon: The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs. NPC Research</i>	Examined impact of drug court on total population of drug court-eligible offenders over 10 year period (1991-2001)- focus of study was on impact of drug court on target population over time (five years of follow up on all cohorts, with up to 10 years on some)	Entire population of offenders identified as eligible for drug court from 1991-2001 identified and tracked; 11,000 cases identified; 6,500 participated in drug court; 4600 had cases processed outside of drug court; data included cases during pretrial/ component (1991-1999) and post adjudication component (beginning in 2000)	Tracked all drug court eligible defendants from 1991-2001; cases processed outside of drug court; 6500 processed cases through drug court
67	April 2007	<i>Indiana Drug Courts: A Summary of Evaluation Findings in Five Adult Programs. NPC Research</i>	Process, outcome and cost study of five unnamed adult drug courts in the state that were operating for at least 12 months at the time of the stud	Participants enrolled sometime between January 2002 and June 2005; varied by program	NA
68	Fall 2005	<i>An Evaluation of Treatment in the Maine Adult Drug Courts. Faye S. Taxman, April Pattavina and Jeffrey Bouffard.</i>	Whether the Maine Drug Court curriculum advances the recovery of offenders and ways in which the drug court affects outcomes.	99 participants from 6 drug courts in different phases of treatment	NA
69	Spring 2008	<i>Substance Use, Drug Treatment, and Crime: An Examination of Intra-Individual Variation in a Drug Court population. Denise C. Gottfredson, Brook W. Kearley, Shawn D. Bushway.</i>	Whether (1) substance use increases crime; (2) drug treatment reduces substance use; (3) drug treatment reduces crime; and (4)the effect of drug treatment on crime is mediated by reductions in substance use	Interviews with 157 study participants 3 years following random assignment to Baltimore Drug court (additional 16 had died)	Random assignment control group

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70	January 2008	<i>Strafford County [NH] Drug Treatment Court: Performance Evaluation 2. New Hampshire Center for Public Policy Studies.</i>	Issues for improvement identified earlier: (1) timeliness of substance abuse evaluations by LADC for new referrals; (2) lack of written standards for program termination for noncompliance; and (3) missed gender treatment groups which seemed to create difficulty for many female participants	Persons admitted since January 19, 2006 (start of program) through October 31, 2006	NA
71	August 1, 2006	<i>A Process and Site-Specific Outcome Evaluation of Maine's Adult Drug Treatment Court Programs. Andrew Ferguson et. Al. Dep't. Of Sociology., University of Southern Maine</i>	Study of five adult drug courts (York County, Cumberland County, Androscoggin Co., Penobscot Co, and Washington Co.) re process and outcomes	Offender level date for 1,365 persons referred to drug court over 56-month period: April 1, 2001-November 30, 2005; assessed 195 adult drug court participants over two time frames: 84 admitted between December 1, 2004- November 30, 2005; and 111 admitted between December 1, 2003 and November 30, 2004.	Substance abusing offenders who didn't participate in the drug court
72	August 2007	<i>Benefit-cost calculations for three adult drug courts in Minnesota. August 2007. Paul A. Anton. Wilder Research</i>	Review of cost benefit of three drug courts (in St. Louis, Stearns and Dodge Counties	203 participants in three county drug courts (see methodology), including both completers and noncompleters	Drug offenders in the counties in the years just prior to establishment of the drug court
73	September 2008	<i>California Drug Courts: Costs and Benefits: Superior Court of San Francisco County. Shannon M. Carey et al. NPC Research</i>	Focus on: (1) are drug courts cost-beneficial?; and (2) what drug court practices appear most promising and cost-beneficial?	221 participants who entered program January 1, 2005 – December 31, 2005 (64 graduated and 157 non-completers) 80% men/20% women: 47% African American; 22% Hispanic/Latino; 21% White; 6% Asian and 4% other; primary drug of choice was cocaine (39%), meth: 21%; heroin (17%);	Participants from 9 different counties analyzed in previous Phase I and II of the study
74	January 31, 2004	<i>Evaluation of Maine's Statewide Adult Drug Treatment Court Program. Interim Report. Donald Anspach, Ph.D. U. of Southern Maine</i>	Review of initial operational period of Maine's six adult drug court (in counties serving 2/3 of Maine's population)	800 persons referred to the drug court over 32 month period: April 2001-November 30, 2003; 345 offenders admitted to adult drug courts as of November 30, 2003	N/A- much of report is process oriented but some comparisons with nationally available data

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75	March 2009	<i>Strafford County (New Hampshire): Drug Treatment Court: Final Performance Evaluation. New Hamp Center for Public Policy Studies</i>	Determine if drug court program is operating successfully and value of rug court in improving rehabilitation of drug abusing offenders	Participants in first three years of the program	Offenders with charges in 203-4 who would have likely been admitted to drug court if existed
76	January 2009	<i>Vermont Drug Courts: Rutland County Adult Drug Court Cost Evaluation. Final Report. NPC Research.</i>	Evaluate effectiveness of Rutland Drug Court in terms of effectiveness in reducing recidivism; determining cost benefits of drug court participation, and to evaluate the drug court processes; key policy questions to be answered: was program implemented as intended? Are services that were planned being delivered to target population? Does program reduce recidivism? Is there a cost savings to taxpayers as a result of drug court participation	Participants who entered program between January 1, 2004 – July 31, 2007	Offenders eligible for drug court but received traditional court proceeding; matched on age, gender, ethnicity, prior criminal history and indications of drug use
77	April 2008	<i>To Treat or Not to Treat: Evidence on the Prospects of Expanding Treatment to Drug-Involved Offenders.</i> Urban Institute. [Avinash Singh Bhati, John K. Roman, Aaron Chalfin.] April 2008	Research using micro-level data compiled from three nationally representative sources (National Survey on Drug Use and Health (NSDUH), Arrestee Drug Abuse Monitoring (ADAM) and Drug abuse Treatment Outcome Study (DATOS) used to construct a synthetic dataset defining using population profiles rather than sampled observation. Resulting synthetic dataset comprising of over 40,000 distinct profiles, permitted cost=benefit analysis of a limited number of simulated policy options	Created a synthetic data set from three nationally representative sources (National Survey on Drug Use and Health (NSDUH), Arrestee Drug Abuse Monitoring (ADAM) and Drug abuse Treatment Outcome Study (DATOS) u	n/a

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78	March 2008	<i>Michigan DUI Courts Outcome Evaluation Final Report Carey, S. M., Fuller, B. E., & Kissick, K. NPC Research</i>	Evaluation of three drug courts in Michigan guided by five research questions. Goal to examine recidivism, reduction in alcohol and substance abuse, determine what traits lead to successful outcome of the program.	DUI court participants for a minimum of one year following either program completion or termination from DUI Court	comparison group of offenders who were eligible for DUI court in the year prior to DUI court implementation
79	April 2008	<i>Crumpton, D., Mackin, J. R., Weller, J. M., Linhares, R., Carey, S. M., & Finigan, M. W. (July 2007). Harford County Adult District Drug Court Process Evaluation. A report to the Maryland Judiciary, Office of Problem-Solving Courts. NPC Research: Portland, OR.</i>	NPC Research, under contract with the Administrative Office of the Courts of the State of Maryland, conducted a cost and outcome study of the Harford County District Court Adult Drug Court (HCADC) program. The report includes the cost of the program and the outcomes of participants as compared to a sample of similar individuals who received traditional court processing. Evaluation designed to answer three key policy questions of interest to program practitioners, researchers and Policymakers: 1. Do drug treatment court programs reduce recidivism? 2. Do drug treatment court programs reduce drug-related re-arrests? 3. Do drug treatment court programs produce cost savings?	Identified sample of participants who entered the HCADC between January 2002 and August 2005	comparison group of individuals who were arrested on a drug court-eligible charge between February 2002 and August 2005 and referred to drug court but received traditional court processing for a variety of reasons (for example, a perceived inability to meet program requirements or unwillingness to participate)

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80	March 2008	<i>Garey, S. M., Finigan, M. W., & Pukstas, K. (March 2008). Exploring the Key Components of Drug Courts: A Comparative Study of 18 Adult Drug Courts on Practices, Outcomes and Costs. NPC Research: Portland, OR</i>	Examines how different drug court programs are implementing the 10 Key Components and, in particular, how practices vary across programs; also examines whether and how these practices have impacted participant outcomes and program costs including graduation rate, program investment costs, and outcome costs related to participant criminal justice recidivism	Eighteen of 30 evaluations conducted by NPC Research between 2000 and 2006 chosen to be highlighted in the paper for the following reasons. The evaluations included detailed process evaluations of adult drug court program operations and had at least some accompanying outcome data. All process evaluations used the same basic methodology and were designed to assess whether and to what extent the drug court programs had been implemented in accordance with the 10 Key Components	NA
81	April 2007	<i>Finigan, M. W., Carey, S. M., & Cox, A. A. (2007). The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs: Final Report. NPC Research: Portland, OR.</i>	This study was designed to look at the operations and outcomes of a single drug court in Multnomah County (Portland, Oregon) over a 10-year period of court operations through examining the entire population of drug court-eligible offenders over that period. By examining the entire population, rather than sampling, we hoped to describe for policymakers the effects of drug court on the system as it operated during that decade. By examining operations and outcomes, we hoped to add to our knowledge about external and internal changes and how they affect drug court success or failure	The entire population of offenders, identified as eligible for drug court by the Multnomah County District Attorney's Office over a 10-year period, from 1991 to 2001, was identified and tracked through a variety of administrative data systems. Approximately 11,000 cases were identified; 6,500 participated in the Drug Court program during that period and 4,600 had their case processed outside the drug court mode	n/a

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82	March 2007	<i>Carey, S. M., & Waller, M. (March 2007). Guam Adult Drug Court Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	There are two key policy questions that are of interest to program practitioners, researchers and policymakers that this evaluation was designed to answer. 1. Do drug treatment court programs reduce substance abuse? 2. Do drug treatment court programs reduce recidivism?	NPC Research identified a sample of participants who entered the Guam Adult Drug Court from the implementation of the program through August 2005, allowing for the availability of at least 12 months of outcome data post-program entry for all participants	A comparison group was selected from Probation data on drug offenders in the 2 years prior to the GADC implementation who had cases that would have been eligible for drug court had the program existed at the time
83	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Monroe County Drug Treatment Court Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. Has the MCDTC program been implemented as intended and are they delivering planned services to the target population? 2. Does the MCDTC reduce recidivism? 3. Does the MCDTC reduce substance use? 4. Is there a cost-savings to the taxpayer due to drug court participation? I	The following Information includes data from the 132 participants who entered the program after that date. The vast majority of these participants were white (97%) and male (76%). Forty-eight percent of the participants are single, 22% are married or living as married, 29% are divorced or separated, and 1% widowed. The mean age is 33 years with a range of 19 to 60 years	A sample of individuals who were eligible for drug court but chose not to attend MCDTC and had similar demographic characteristics and prior criminal records

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84	November 2006	Carey, S. M., Finigan, M. W., Crumpton, D., & Waller, M. S. (2006). <i>California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II in a Statewide Study. Journal of Psychoactive Drugs</i> , 38 (4),345-356.	This study focused on creating a research design that can be utilized for statewide and national cost-assessment of drug courts by conducting in-depth case studies of the costs and benefits in nine adult drug courts in California. A Transactional Institutional Costs Analysis (TICA) approach was used, allowing researchers to calculate costs based on every individual's transactions within the drug court or the traditional criminal justice system	All participants who entered the drug court programs during a specified time period and were active in the drug court programs for at least two weeks were included in the study. It was necessary for drug court participant samples to be selected from years that had a reasonable amount of administrative data, while at the same time giving the individuals in the samples enough time for outcomes to occur. The drug court cohorts were selected from participants who entered the drug court programs between January 1998 and December 1999, which provided at least four years of outcome data. The participant cohorts from each site were selected from either the drug court database or from databases (such as electronic court records) that flagged drug court participants.	comparison offenders at each site were matched as closely as possible to the drug court participants using a propensity score matching technique based on demographics (gender, age, ethnicity), previous criminal justice involvement (in the two years prior to the drug court arrest: number of all arrests, number of drug related arrests, number of days in jail), and previous use of treatment services (number of treatment episodes in the two years prior to the drug court arrest)

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85	September 2006	<i>Marchand, G., Waller, M. S., & Carey, S. M. (Oct. 2006). Barry County Adult Drug Court Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	<p>In 2005, the Michigan Supreme Court, State Court Administrative Office contracted with NPC Research to perform outcome and cost evaluations of two Michigan adult drug courts; the Kalamazoo Adult Drug Treatment Court and the Barry County Adult Drug Court. This document describes the evaluation and results for the Barry County Adult Drug Court (BCADC).</p> <p>There are three key policy questions that are of interest to program practitioners, researchers and policymakers that this evaluation was designed to answer.</p> <ol style="list-style-type: none"> 1. Do drug treatment court programs reduce substance abuse? 2. Do drug treatment court programs reduce recidivism? 3. Do drug treatment court programs produce cost savings (in terms of avoided costs)? 	NPC Research identified a sample of participants who entered the BCADC from the implementation of the program through July 1, 2004 (allowing time for outcomes post program entry).	A comparison group was identified from two sources (1) those individuals who were eligible for Drug Court at the time of implementation, but whom could not be admitted into the program due to capacity issues at startup and (2) individuals arrested on a Drug Court eligible charge during the study period but who received traditional court processing for a variety of reasons

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86	February 2006	<i>Pukstas, K., Weller, J. M., Brekhus, J., Crumpton, D., Carey, S. M., Mackin, J. R., & Finigan, M. W. (Feb. 2006). Maryland Drug Treatment Courts: Interim Report of the Effectiveness of Juvenile Drug Courts. NPC Research: Portland, OR</i>	<p>The report includes the following</p> <p>A description of the characteristics of juvenile drug court programs and the problems that they are designed to address.</p> <ul style="list-style-type: none"> • A discussion of the practices incorporated in Maryland's juvenile drug court programs as compared with research-based best practices for juvenile substance abuse and criminal justice interventions. • A comparison of the criminal justice system experience of a statewide sample of youth before and after their participation in Maryland's juvenile drug courts. • A comparison of the estimated program costs for juvenile drug court participants with those of individuals who participate in another intervention for similar juvenile offenders operated by DJS. 	NPC selected a sample of juveniles who were placed in the Maryland juvenile drug court system between 2001 and 2004, and released prior to December 15, 2004,	N/A
87	July 2005	<i>Carey, S. M., & Marchand, G. (Jan. 2005). Malheur County Adult Drug Court (S.A.F.E. Court) Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	The goal of this design is to determine whether participation in S.A.F.E. Court was influential in changing behavior patterns established prior to S.A.F.E. Court entry	NPC Research identified all offenders who had entered the S.A.F.E. Court program at least one year before the start of the evaluation and compared their behaviors in the two years prior to entering S.A.F.E. Court to the time period (twelve months to two years) following their entry into the program	N/A

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88	July 2003	<i>Carey, S. M. & Finigan, M. W. (July 2003). A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research: Portland, OR.</i>	<ul style="list-style-type: none"> · Collect and examine data from a mature drug court using a high-intensity cost assessment protocols developed specifically for this study and report these findings in a manner relevant to local policy makers. · Examine the differences between the proxy measures that we might have used in this study with the actual costs generated by our detailed cost assessment protocols. · Develop preliminary cost and cost offset assessment protocols that can be used by other drug court sites. 	N/A	N/A

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89	February 2004	Carey, S. M. (Feb. 2004). <i>Clackamas County Juvenile Drug Court Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	<p>Following is the list of research questions asked in this evaluation and the outcome results for these questions.¹</p> <p><i>Research question #1: Does participation in drug court, compared to traditional court processing, reduce the number of re-referrals for participants?</i></p> <p><i>Research question #2: Does participation in drug court reduce levels of substance abuse?</i></p> <p><i>Research question #3: How successful is the program in bringing program participants to completion and graduation within the expected time frame?</i></p> <p><i>Research Question #4: How has the program impacted the participants and their families?</i></p> <p><i>Research Question #5: What participant characteristics predict successful outcomes? What are the commonalities of clients terminated from the program? How do those terminated from the programs differ from those who have graduated?</i></p>	<p>This report contains the CCJDC outcome evaluation performed by NPC Research. Because the CCJDC is relatively small and was implemented recently, the entire population of drug court participants (except for those who had started less than 6 months before the time of outcome data collection) was used in these analyses</p>	<p>The drug court participant outcomes were compared to outcomes for a matched group of offenders who were eligible for drug court during a time period before the CCJDC program was implemented.</p>

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
90	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., & Linhares, R. (April 2007). Indiana Drug Courts: Vanderburgh County Day Reporting Drug Court Evaluation: Final Report. NPC Research: Portland, OR.	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. <i>Has the VCDRDC program been implemented as intended and are they delivering planned services to the target population?</i> 2. <i>Does the VCDRDC reduce recidivism?</i> 3. <i>Does the VCDRDC reduce substance use?</i> 4. <i>Is there a cost-savings to the taxpayer due to drug court participation?</i> I	current participants	Terminated participants
91	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Vigo County Drug Court Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. <i>Has the VCDC program been implemented as intended and are they delivering planned services to the target population?</i> 2. <i>Does the VCDC reduce recidivism?</i> 3. <i>Does the VCDC reduce substance use?</i> 4. <i>Is there a cost-savings to the taxpayer due to drug court participation?</i>	Current and graduated participants	Terminated participants

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
92	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: St. Joseph County Drug Court Program Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. <i>Has the SJCDC program been implemented as intended and are they delivering planned services to the target population?</i> 2. <i>Does the SJCDC reduce recidivism?</i> 3. <i>Does the SJCDC reduce substance use?</i> 4. <i>Is there a cost-savings to the taxpayer due to drug court participation?</i>	Current and graduated participants	Terminated Participants
93	November 2009	Analysis of the Sisseton-Wahpeton Oyate Tribal Drug Court	Analyzing the Successes and areas in need of improvement in the treatment court.	Current and Graduated Participants	Terminated participants

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PART TWO

#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
1	2004	N/A	<p>Offenders assigned to drug court significantly less likely to be rearrested than offenders who go through traditional adjudication (including felony arrests)</p> <p>Offenders assigned to drug court more likely to be rearrested than offenders in pretrial diversion (including felony arrests) <u>–[NOTE: pretrial diversion is for lower risk offenders]</u></p>	n/a	n/a
2	September 2004	Survival analysis of 139 drug court participants and 96 defendants eligible for drug court but randomly assigned to non drug court program	<p>-A significantly greater proportion of the drug court sample (33%) survived throughout the follow up period compared with less than one fifth of the control sample (18%)</p> <p>-both samples experienced their sharpest decline between months 0 and 4 when each lost about one third of its members to failure (e.g., arrest).</p> <p>- half of the control sample failed by 5.1 months while the drug court sample did not lose half of its members until 11.1 months</p> <p>- drug court sample members who had greater exposure to the drug court components of drug treatment, drug testing, and status hearings were rearrested significantly less often than those with less exposure to these components.</p>	N/a	24 months from time of program entry

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
3	January 29, 2004	Tracked sample of drug court participants (53) in District Court and comparable group of non drug court participants for recidivism and costs and possible cost savings resulting	Over 4 year period, drug court participants had 12.3% fewer arrests than comparison group; PROPERTY OFFENSES: Drug court participants had 18.8% fewer arrests for property crime than comparison group; CRIMES AGAINST PERSONS: Drug court participants had 73.3% fewer arrests for crimes against persons than comparison group, so that victimization costs (e.g., medical costs, lost time from work, etc.) were substantially reduced; nongraduates had 1.17	n/a	Four years following program entry
4	January 29, 2004	Tracked sample of drug court participants (60) in Circuit and District Courts and comparable group of (63) non drug court participants for recidivism and resultant costs and possible cost savings resulting	- Over 3 year period, drug court participants had 31.4% fewer arrests overall than comparison group (Circuit Court participants had 44.2% fewer arrests); - DRUG OFFENSES: Drug court participants had 35.3% fewer arrests than comparison group (62.3% fewer arrests for Circuit Court participants); -PROPERTY OFFENSES: Drug court participants had 68.8% fewer arrests for property crimes than comparison group (71.9% fewer arrests for Circuit Court participants) -CRIMES AGAINST PERSONS: drug court participants had 48% fewer crimes against person than comparison group (Circuit Court participants had 70% fewer), with resultant reductions in victimization costs (medical expenses, lost pay, etc.) as well as criminal justice system costs	n/a	3 years following program entry
5	January 2004	Updated previous annual report to follow 543 female enrollees since program inception		N/a	n/a

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			Re-Arrests	Convictions	Time Followed
6	January 2004	N/A		Of 425 drug court graduates, 8 (1.9% recidivated*; of 3,405 successful standard probation offenders, 113 (3.3% recidivated); of 3,334 released inmates, 262 (7.9%) recidivated. Drug court graduates almost 2 times (73.7%) less likely to recidivate* than successful standard probation offenders; Drug Court graduates over 4 times (315.8%) less likely to recidivate than released <u>prison inmates</u> *recidivate: defined as offender becoming incarcerated in prison	First year following graduation
7	October 2003	Follows drug court participants in six NY programs and compares with similar defendants not entering drug court	(1) Recidivism reductions ranged from 13% to 47%, with average of 29% (2) (post program recidivism reduction from 19% to 52% (average is 32%))		(1)Following arrest (2) following program
8	August 1, 2003	N/A	-Women 14.2% -Men 21.4%	N/A	Within 36 months of graduating from drug court
9	July 2003	Process evaluation of 99 participants admitted to the program as of July 15, 2003	21% of participants admitted to program arrested while enrolled; 8% of 36 graduates arrested after graduation		December 2000 – July 2003
10	June 1, 2003	N/A	-30.5% had violated sentences within 2 years of being placed on probation.	N/A	N/A

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
11	May 2003	Process and outcome evaluation of 57 DUI drug court participants and 42 control group randomly assigned defendants with similar characteristics whose cases were processed in the traditional process	.01 offenses for DUI Drug Court participants compared with .03 for control group also: number of positive drug tests: - DUI drug court participants: 4% (6.1 average taken per month) - Control group: 18% (1 average taken per month)	n/a	18 months
12	April 18, 2003	Obtained re-arrest data for each of 2,357 participants in 4 drug courts studied for 12 months following discharge from program	Overall: - 9% rearrests for graduates; rearrests took average of 6.6 mos; - 41% rearrest for unsuccessful terminations; rearrests took average of 5.6 mos. Specific Programs: (p.9-4) -Bakersfield, Cal: 13%-grads; 53% terminated; St. Mary Parish, La.: 6%-graduates; 22%-terminated; Jackson Co., Mo.: 7%: grads; Creek Co., Okl: 20%	N/A	N/A
13	April 15, 2003	Review of rearrests for participants and graduates: 1994 – 2002	Participants: total rearrests were 140 (10.14%) of 1,380 participants	28 (7.11% of 394 graduates were convicted of offenses following graduation	N/A
14	March 2003	N/A	Felony -avg. 5.9% (0-12%) Misdemeanor -avg 10.1% (0-14.3 %) Recidivism defined as re-arrest.	N/A	N/A

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			Re-Arrests	Convictions	Time Followed
15	March 2003	Using six different comparison groups, measured recidivism rates (criminal convictions for new offenses) of drug court; pooled smaller counties (Kitsap, Skagit, Spokane and Thurston) and analyzed King and Pierce separately because they were larger		In all counties except King Co., drug court reduced felony recidivism rates by 13%; 8 year felony reconviction rate is 45.8% for nondrug court participants and 39.9% for drug court participants. King Co. didn't reduce recidivism, with high rate of terminations for 1998-1999. Also found that this 13% reduction in recidivism was consistent with recidivism reductions reported in 30 drug court evaluations reviewed for other jurisdictions.	Maximum of eight years
16	February 7, 2003	Studied arrest rates, compiled from 17 counties for 1,945 participants who completed one of 3 drug courts in state	Declined by 85% in first two years after admission compared to two years prior to entry	Declined by 77% in two years following admission compared to two years prior to entry	Two years following entry
17	January 6, 2003	Statistical data on convictions of graduates after leaving program		Conviction rate for graduates was 11%	N/A

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
18	January 2003	Ph. I: case studies to document program dev, policies and procedures, lessons learned; and impact evaluation using survival analysis to measure recidivism Ph. II: program retention model using logistic regression to predict program status, and survival analysis to predict length of stay; and descriptive analyses (Escambia County) using court records and interviews re participant perceptions	(definition of recidivism as rearrests implied from discussion) <u>Escambia Co.</u> : drug court participation reduced recidivism for new felonies from roughly 40% to nearly 12% within two year follow-up period. (less impact if <u>any</u> rearrest is considered)- drug court reduced recidivism for felonies but not new misdemeanor arrests; males had higher probability of recidivism than females; blacks had higher probability of recidivism than whites; recidivism rates decreased with age; offenders more likely to recidivate if they had more serious criminal records; timing of recidivism not affected by drug court participation <u>Jackson County</u> : probability for recidivism fell and time to rearrest increased with drug court participation; drug court participation reduced recidivism from approximately 50% to 35% for both felonies and misdemeanors; probability of eventually recidivating fell with drug court participation and time to rearrest increased. Participation reduced recidivism for new felonies or misdemeanors from 65% to 45%.; recidivism rates same for men and women but higher for blacks than for whites; recidivism rates dropped as age increased and rose for offenders with more serious criminal r records		24 months (implied from date of arrest)

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
19	May 5, 2002	Obtained rearrest data for group of drug court participants at each site from date of program inception through 1998 and rearrest data for comparison group of defendants	<p>Portland: 1991-97 Dr. Ct. partics: 37.4% rearrest at 1 year, compared with non drug court defendants group A (never appeared at first hearing) 53.3% and B (appeared at first hearing but not at treatment) 50.8%; 46.4% of drug ct partics rearrested after 2 yrs compared with 57.8% and 59% of comparison groups; 49.9% of drug ct partics rearrested after 3 years compared with 60.1% and 60.3% of nondrug court defs.</p> <p>Las Vegas: 1993-97: -52% drug court partics compared with 65% of compare group rearrested after one year; 62% of drug court partics vs. 74% of nondrug court arrested after 2 years; 65% of drug court partics vs. 79% of nondrug court defs rearrested after 3 years.</p>		3 years
20	March 2002		<p>A substantial number of drug court participants (approximately 3,0090) completed drug court during the study period; participants who completed drug court as compared to aggregate of all entering participants during study period, had very low rearrest, conviction and incarceration rates for the two years after admission to drug court.</p> <p>Arrest rate for participants who completed drug court is 85% less during the two years after admission than arrest rate for those entering program during the two year prior to entry</p>	Conviction rate for participants who competed drug court is 77% less during two years after admission than conviction rate of those entering program during the two years prior to entry;	2 years following drug court admission

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21	October 2001	Studied client files, local jail and prison data; NCIC data, child support collections, traffic accidents, mental health service utilization, employment data and random interviews of drug court graduates and terminators		12 months following graduation, graduates less likely to have had felony or misdemeanor conviction, or been in prison or jail; graduates had significantly more days to first misdemeanor charge but significantly fewer days to first felony charge than other groups (terminators and nonentry defendants)	12 months after graduation or termination
22	October 2000	Individuals were tracked with rap sheets in order to produce results.	6 months -6% DC -7% Comp. 12 months -9% DC -21% Comp. 18 months -10% DC -26% Comp. 24 months -11% DC -27% Comp. = 11% recidivism rate Recidivism was defined as any contact with the law.	N/A	At 6,12,18, and 24 months after release

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23	May 1999	Tracked drug court cases filed between August 1, 1997 0- December 31, 1997 and predrug court comparison group for 9 month period; compiled data on offender characteristics, prior conviction history; length of case; reoffenses; and nature of drug addiction (for drug court participants only)	Drug court and predrug court defendants had similar recidivism rates	Drug court and predrug court defendants had similar recidivism rates	9 months following case filing
24	October 2000	Research compared DTC and non-DTC drug offenders	12 months -18% graduates -41% non-graduates -44% comp.	N/A	12 months after graduation
25	October 2000	N/A	6 months: -6% DC; -6% comp. 12 months: -10% DC; -14% comp. 18 months: -11% DC; -22% comp. 24 months: -14% DC; -22% comp. Recidivism was defined as re-arrest	N/A	N/A
25	October 2000	N/A	Those Refusing Drug Court: - 19.91% Those Who Withdrew From Drug Court: - 25.2% Successful Probationers: - 15.9% 1998 average for DC graduates: - 10.6%	N/A	N/A

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
27	January 2001	Tracked information re drug court participants and comparison group members re recidivism; completion rates; justice system and treatment costs	(recidivism not defined): drug court graduates had lower total post program recidivism than comparison groups	Post program recidivism rate for graduates after 416 days follow up was 28%, with only one of the 15 convictions a felony; 85% of the new convictions were for misdemeanors; 40% drug court clients were convicted of crimes post program; 62% of the men entering the drug court were convicted of new crimes while only 33% of the women were convicted;)	n/a
28	July 2001	Conducted interviews of program officials and tracked data on participants at each site; divided subjects into five outcome groups: ineligible; opt outs; did not finish; graduates; and active cases	Graduates have fewer re-arrests than any of the other outcome groups	Offenders who graduate from drug court less likely than offenders in any other group to be reconvicted in the three years following referral to drug court	Three years following referral to drug court
29	December 2004		Of 647 graduates of adult drug courts, 103 have been rearrested for felony offenses after graduation (15.9% recidivism rate); 59 graduates had misdemeanor arrests (9.1% recidivism rate; Of 2,056 nongraduates, 303 were arrested for felony offenses after leaving drug court (33% recidivism rate) and 72 were arrested for misdemeanors (7.8%). Felony recidivism rate of drug offenders studied by Va. Criminal Sentencing Commission (VCSC) in 1999, was 50% -- significantly higher than felony recidivism rate for graduates or nongraduates	n/a	n/a

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30	October 2003	Used combination of interviews, surveys of program officials, and review of data maintained by the drug court coordinator	One of the 14 graduates has had arrest/conviction for new offense (7%)	One of the 14 graduates has had arrest/conviction for new offense (7%)	Not indicated
31	July 2002	Quasi-experimental matched comparison group design to estimate impact of drug courts on future criminal involvement; evaluated 3 distinct groups of participants: those in Common Pleas Court; Municipal Court; and Juvenile Drug Courts	32% of <u>Common Pleas</u> participants rearrested vs. 44% of comparison group (Offenders with prior record, less than High school education, unemployed and nondrug court participation more likely to be rearrested; <u>Municipal</u> drug court participants significantly less likely to be rearrested than comparison group members for new offense and for multiple times; 41% of Municipal drug court participants rearrested vs. 49% of comparison group; factors predicting rearrest were race, education, employment, time at risk; and drug court participation; offenders who were nonwhite , had less than high school education, unemployed, a risk the longest were significantly more likely to be rearrested;; - completion of drug court was a significant predictor of new arrests; probability of rearrests for those offenders who completed a drug court program was 32% vs 55.5% for comparison group		

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32	2001	Reviewed automated data collected by Bernalillo Co. Metropolitan Court; comparison data drawn from automated records maintained by court	<p>Within six mos graduation: 3.6% (6) vs. 14 (9%) for successful probation and 15 (9.7%) of unsuccessful probation</p> <p>Within 7-12 mos graduation: 9 (5.4%) vs. 14 (9%) successful probation vs 9 (5.8%) of unsuccessful probation</p> <p>After one year: 11 (6.5%) vs. 14 (9%) of successful probation vs. 20 (13%) unsuccessful probation</p> <p>For DWI offenses: 21 (12.5%) vs. 26 (16.7%) for successful probation vs. 32 (20.8%) for unsuccessful probation</p> <p>for Violent Offense: 4 (2.4%) vs. 12 (7.7%) for successful probation vs 9 (5.8%) for unsuccessful probation</p> <p>Total Recidivism: 26 (15.5%) vs. 42 (27%) for successful probation vs. 44 (28.5%) for unsuccessful probation</p>		

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33	February 2005	Reviewed 27 evaluation reports of 39 adult drug court programs that met criteria for methodological soundness and other attributes	<ul style="list-style-type: none"> - Lower percentage of drug court participants than comparison group members rearrested or reconvicted; - Program participants had fewer recidivism events than comparison group members - Recidivism reductions occurred for participants who had committed different types of offenses - Inconclusive evidence that specific drug court components, such as. Behavior of judge or amount of treatment received, affected participants' recidivism while in program -recidivism reductions also occurred for some period of time after participants completed drug court program in most of programs reporting these data 		n/a

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34	April 2005	Studied every person who opted into one of the courts even if only stayed brief time; data base included 154 defendants who participated in programs (32 graduated; 63 active and 59 terminated without graduation; comparison group derived from case coordinators and observation in court; data derived from court case files and therapeutic courts data base		<p><u>Drug Court:</u> Both graduates and active participants had significantly fewer convictions during 2 years after opting into the program; those not in program had slightly more convictions during the two years after while those who opted out (were terminated) had fewer convictions during the two years after.</p> <p><u>DUI Court:</u> graduates and those active had fewer convictions during period after opting into the program than they had in the preceding two years; for those active in the program, the difference was significant; those who opted out of the program and those who were not in the program also had fewer convictions</p> <p><u>Bethel Therapeutic Court:</u> all groups saw reduction in convictions during the 2 years after the plea/opt in date. Reduction was statistically significant for those active in the program and for those who dropped out/opted out of the program.</p>	Two years following drug court participation (compared with two years prior to drug court entry)

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35	April 2003	Used quasi-experimental matched control group design to estimate impact of drug court involvement on future criminal behavior- reviewed info on drug court participants and comparison group selected by each drug court using court maintained and self reported data	<ul style="list-style-type: none"> - PARTICIPANTS: <u>Kootenai Co.</u>: drug court participants less likely (41%) than comparison group (53%) to be rearrested - majority of arrests for drug related offense (46% for drug court group and 55% for comparison group; 55% of drug court arrests vs. 46% of comparison arrests were for felonies - -10% of drug court participants arrested multiple times during follow up period vs. 24% of comparison group members arrested multiple times; 15% of drug court participants arrested at least twice in follow up period vs. 29% of comparison members - <u>Ada Co.</u>: - - Fewer (38%) of drug court participants arrested vs. comparison group (63%). And fewer arrested for drug charge; - 22% of drug court vs 51% of comparison group arrested multiple times - GRADUATES: <u>Kootenai Co.</u>: 41 graduates: 7 (20%) arrested for new offense during follow up period of 1006 days (115 days post graduation) vs. 60% arrest rate for non graduates and 53% arrest rate for comparison group - <u>Ada Co.</u>: 17 of 91 graduates (19%) arrested following graduation vs. 77% for nongraduates and 63% for comparison group; 29% of graduates arrested for felony vs. 85% of nongraduates and 81% of comparison group; 		<p>Kootenai Co: 1006 days (115 days post program)</p> <p>Ada Co.: participants: 851 days (2 yrs 4 mos) for drug court group and 660 days (1 year 8 months) for comparison group; graduates: 1084 days 1003 (terminated); 660 days for comparison group – graduates followed 5502 days (1 yr and 4 months) post graduation</p>

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36	July 2000	Quasi-experimental matched control group study to assess program outcomes among drug court participants compared to similar group of drug addicted adults who did not participate in the drug court; data obtained through the following pretrial data and court docket info: (1) Pretrial Services: demographic, current offense, disposition and criminal history info; (2) treatment needs and participation from ADAPT program; (3) court reported violations, fees, community service and recidivism data from Probation Department; (4) recidivism data compiled by court.	<ul style="list-style-type: none"> - 13% of participants arrested for new charge; - offenders in treatment group less likely (29% [sic]) to be rearrested than comparison group (39%) – new charge frequently drug charge for both groups <p>Graduates: Overall: 31% of graduates rearrested during 18 month follow up period : 23% of July 1996 graduates vs. 31% of participants rearrested; 35% of the October 1996 graduates; 63% of the March 1997 graduates; 29% of the June 1997 graduates and 31% of the November 1997 graduates have been rearrested since graduating;</p> <p><u>Other:</u></p> <p>majority of participants in all classes not arrested more than once during follow up period rear rest by gender generally similar</p>	significantly more drug court participants were convicted of the offense for which they were arrested than the comparison group	
37	March 2005	n/a		<ul style="list-style-type: none"> -Drug court graduates 74% less likely to return to prison than successful standard probation offenders; - Drug court graduates more than four times (316%) less likely to recidivate than released prison inmates [<u>Note:</u> recidivism not defined but assume refers to convictions because of reference to “return to prison”] 	n/a

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38	July 2001	Quasi-experimental matched comparison group design to estimate impact of drug court on future criminal involvement; comparison group of participants that had reported substance abuse problem and were eligible for the drug court; comparison group screened between November 1997 and April 2000	40% of drug court treatment group rearrested during follow up period vs. 52% of comparison group;; significantly more individuals in control group arrested on felony charge;		n/a
39	May 2003	Random assignment of eligible offenders to an experimental group that entered the Co. DUI/Drug Court and a control group processes through traditional cjs processing.	Control group committed 3 times as many offenses as DUI drug court participants each month		n/a

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40	2005	Tracked 452 participants in probation track of drug court for any contact with cjs system following discharge (successful or unsuccessful) from program.	<p>Drug court participants had total of 1,726 contacts with cjs after discharge, resulting in over 4,000 charges. (1/4 of participants had a violent criminal charge)</p> <p><u>One year after discharge:</u> (1) failed clients significantly more likely to have made some contact with cjs and have been arrested for felony crime than graduates; (2) four times as many of the failed clients had been incarcerated within the 12-month period than had program graduates</p> <p><u>Three years after discharge:</u> similar findings; 80% of participants who failed program had some period of incarceration vs. 1/3 of the clients who graduated.</p> <p>Rates of overall arrests and types of charges didn't differ by graduation status at either 12 month or 36 month period.</p> <p>Participants with violent criminal history: significantly more likely to recidivate with serious offenses during program participation than persons with nonviolent criminal history; at 12 month e=period, offenders with history of violent criminal offending significantly more likely to have any contact with cjs (67%) than participants with no previous violent criminal history (42%).</p> <p>Violent offenders, compared with nonviolent offenders, recidivate more and with more serious types of offenses during active program participation and after program discharge. However, violent offenders who graduated were significantly less likely to recidivate than their violent counterparts who didn't complete the program.</p>		Generally 12 months and 36 months but ranged from 5 months to over 6 years, depending upon how much time had elapsed since participant was discharged from program and time study was conducted.

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41	2004	Tracked sources of referrals and demographics, progress and recidivism of enrollees in female and male drug court programs from inception through December 31, 2004	n/a	<p><u>Females:</u> 85% (172) of women who completed program had no subsequent convictions within 3 years of program completion; 15% (30) were convicted of new misdemeanor or felony offenses</p> <p><u>Males:</u> 156 (85%) of graduates had no subsequent convictions within 3 years of program completion; 27 (15%) were convicted of new misdemeanor or felony offense within 3 years of program completion</p>	Females and Males: 3 years following program completion.
42	April 2004	Contacted participants 12 months after recruitment in the study; given two assessment tools; a face-to-face structured interview to collect demographic and other nonsensitive info and a self administered questionnaire, including questions relating to drug use and other sensitive info.	Current information system precluded tracking drug treatment court as well as comparison group participants for recidivism; Self reports from participants in study group of drug court participants indicated: (1) antisocial/illicit behavior reduced from 76.5% prior to admission to 17.5% 12 months after admission; (2) proportion of participants reporting possession, selling or distributing drugs reduced from 55.9% prior to admission to 7.5% after admission; (3) drug court participants showed significantly more improvement than comparison groups in reported illicit/antisocial behavior although there was a marked reduction in antisocial/illicit behaviors among both groups.	Current information system precluded tracking drug treatment court as well as comparison group participants for recidivism	One year after program entry

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43	September 2005 (interim report)	Transactional and Institutional Cost Analysis- (1) determine flow/process; (2) identify transactions; (3) identify agencies involved; (4) determine resources used; (5) identify costs associates; (6) calculate cost results	17% for graduates 29% for all participants 41% for comparison group [- note: -not clear whether recidivism refers to arrests or convictions]		
44	January 2005	Examined participant info through existing administrative data bases (Oregon Drug Court Case Management System; Oregon Judicial Information System and data from treatment provider)	-Average no. or re-arrests for males and female participants in the 24 months following program entry less than corresponding period prior to entry (16% rearrested: 19% of men and 10% of women, compared with 100% arrests during prior 2 year period; - significant reduction in drug related re-arrests during 24 months following program entry; males rearrested for more drug related crimes than females but both genders had fewer drug related arrests	n/a	24 months following program entry
45	January 2005	Examined participant info through existing administrative data bases (Oregon Drug Court Case Management System; Oregon Judicial Information System and data from treatment provider)	13% of all 62 drug court participants were rearrested sometime within the 2 years after drug court entry compared with 27% (more than double) of the comparison group.	n/a	24 months following program entry

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46	July 2003	-Tracked use of court, district attorney, public defender, law enforcement, correctional and probation services by drug court and comparison group; assesses costs overall and by agency; - detailed data collected by tracking drug and drug court-eligible offenders in terms of resources consumed in court sessions, attorney visits, and treatment sessions (using stop watches to time events)	n/a	n/a	n/a
47	March 2004				
48	June 14, 2006	Compared receipt of alcohol and other drug treatment services; probation revocations; recidivism (new arrests and new convictions) and incarceration of drug court participants and comparison group	Drug court participants (graduates and nongraduates) were 13% less likely to be arrested; Drug court participants remained arrest free for 15% longer (410 days vs 356 for comparison group) GRADUATES: were 33% less likely to be arrested; remained arrest free for 25% longer time	Drug court participants had 34% fewer convictions GRADUATES had 47% fewer convictions	One year after entry into drug court

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49	April 2006	Used data from Florida Department of Law Enforcement to obtain recidivism info; Dev. Cost analysis based on treatment costs vs costs of crime	16% (2) of the 12 grads arrested within 12 months for tech viol of prob; 8.3% (1) grad arrested 12 mos after grad. 12% (2) of 12 grads charged within 12 mos for tech violation of probation (83 % had no arrests for 12 mos).		One year following program termination (successful or unsuccessful)
50	Spring 2006	Experimental design using random assignment of 235 drug court-eligible defendants assigned to drug court and traditional adjudication during 1997 and 1998	78.4% of drug court participants rearrested during 3 year period compared with 87.3% for comparison group; <u>average no. Of new arrests</u> : 2.3 for drug court participants; 3.4 for comparison group <u>new violent or sex charge</u> : 14.4% for drug court participants; 24.7% for comparison group <u>new drug charge</u> : 55.5% for drug court participant; 68.4% for comparison group	58.3% drug court participants vs. 64.4% nondrug court participants average no. of convictions: 1.2 for drug court participants; 1.3 for comparison group	Three years following program entry

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51	April 2005	Selected nine adult drug courts, based on “drug court maturity” and data collection capabilities and diversity of demographic and geographic representation.; used longitudinal data collection approach to track study participants over 4-year period; conducted “transactional and Institutional Cost Analysis (TICA) entailing: 1. Document drug court and nondrug court processes; 2. Identify transactions occurring within each process; 3. Identify agencies involved in each transaction; 4. Determine resources used in each transaction; 5. Isolate cost of the resources; and 6. Calculate overall costs.	<u>El Monte</u> : 90 vs. 1.96 (-3%) <u>Monterey</u> : 3.65 vs. 3.05 (20% increase) <u>Orange Co.-Laguna Niguel</u> : 1.65 vs. 3.25: 30% decrease <u>Orange Co-Santa Ana</u> : 2.74 per drug court vs. 2.65 comparison group (3% greater) <u>San Joaquin Co.</u> : 3.27 vs. 4.54 (28% reduction) <u>Stanislaus Co.</u> : 1.89 vs. 2.53 (25% reduction)	n/a	Four years from time of program entry
52	August 2001	Initially used experimental design; then selected “post hoc comparison group of presumptively eligible defendants” after public defender objected to original design	Participants showed lowest rear rest rate: (21%) in a 6- month period Participants showed lowest rate of felony arrests Participants rearrested for drug offenses less often (17%) than defendants who declined treatment and 27% over a year period	n/a	Six and 12 months following arraignment

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53	July 2005	<u>Outcome:</u> Used existing databases on criminal activity, treatment utilization to determine participants' arrest histories prior to and following program entry <u>Cost:</u> used Or. Dr Ct Case Mgt Sys, and data from treatment provider	Drug court participation reduced recidivism; average number of rearrests for males and females during 24 month period following program entry less than rate prior to program entry; Reduction in rearrests greater for females who had more arrests prior to program entry than males	n/a	Up to 24 months following program entry (minimum of 12 months)
54	September 2006	Identified sample of participants entering drug court between January 2002 – December 2003 and developed comparison group of persons eligible but failed to participate; used data from multiple sources, including observations, team meetings, interviews, agency budgets, and other financial data bases and agency files.	Drug court participants significantly less likely to be rearrested than offenders eligible for drug court but not participating; -females rearrested more than males during first few months of program but significantly less likely to be rearrested in 2 years following program entry	n/a	24 months following program entry

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55	September 2006	Identified sample of participants entering drug court from time of implementation in 2001 through July 1, 2004 and developed comparison group of persons eligible but (1) couldn't enter in 2001 because of program's incapacity; and (2) eligible subsequently but did not participate	All Drug court participants (graduates and terminated) significantly less likely to be rearrested than comparison group; Drug court participants rearrested less than half as often as comparison group members ; -graduates rearrested approximately one third as often as comparison groups and overall were rearrested very rarely - for first 21 months after program entry drug court graduates did not commit any new offenses - 4% of graduates and 26% of all participants were rearrested in 24 months following program entry compared with 50% of comparison group	n/a	24 months after program entry
56	March 2004	Compiled statistical data on drug court participants' demographics, criminal history and progress in drug court and comparable data for comparison group	-Drug court participants/graduates generally had lower recidivism rates than drug court failures and traditionally adjudicated offenders; - participants/graduates had a lower likelihood of arrest or conviction for failure to appear, a lower likelihood of arrest or conviction for a new felony offense and a lower likelihood of being incarcerated for a new crime. -Participants/graduates more likely than traditionally adjudicated offenders to be arrested for or convicted of a misdemeanor but less likely to be convicted of a felony	(see "re-arrests")	12 months following program entry

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57	November 2001	Sample of drug court participants from January 5, 1998 – April 30, 2000 in two groups: 77 successful completers between February 23, 1999 and 285 dropouts and 78 matched control group	<p><u>Overall:</u> Graduates had lowest rearrest rate (15.6%); dropouts' rearrest was 30.7%; control group had highest rearrests (48.7%)</p> <p><u>Drug Charges:</u> Graduates had lowest rearrest rates for drug charges (9.1%) vs dropouts *(15.8%) and control group had highest (24.4%)</p> <p><u>Length of Stay:</u> Participants who remained in program had .96 rearrests; participants who remained in 91-270 days had .42 arrests and participants who remained in treatment 270 or more days had .38 rearrests</p>		27 months; overall recidivism 12 months following discharge for drug arrests
58	January 2003	Tracked 501 participants in drug courts in Dallas, Jefferson and Travis Counties between 1998-1999 and 285 offenders eligible but not participating in drug courts	Drug court graduates had 28.5% recidivism rates vs 65.1% for noncompleters and 56.8% for comparison group; rearrest for all drug court participants was 40.5%		Three years
59	October 2003	Tracks progress of 64 participants in Douglas County, Neb. Drug Court	Drug court participants who complete residential treatment component have lower rearrest rates		12 months following program entry
60	December 2004	Tracks progress of 116 participants in Douglas County, Neb. Drug Court	Completion of residential treatment is associated with significant reductions in general arrests as well as post-treatment drug use		24 months of program operation
61	March 31, 2004	Tracks cost benefits resulting from approximately 300 participants in Douglas County drug court	Drug court participants had 132 fewer misdemeanor and 60 fewer felony arrests than comparison group	--	24 months

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62	February 2007	Compiled new arrests and convictions from the Alaska Department of Public Safety for each of the offenders who participated in the Anchorage DUI Court, the Anchorage Felony Drug Court and the Bethel Therapeutic Court for at least a one year period following program termination and, for comparison group, following service of sentence and any custody	<p>13% of graduates rearrested within one year after completion vs. 32% rearrest rate for comparison offenders and 38% rearrest rate of offenders charged with felonies in 1999</p> <p>Participants in the Anchorage Felony DUI Court less likely to be rearrested than those in the Anchorage Felony Drug Court and Bethel Therapeutic Court</p>	<p>No participants who were reconvicted within the first year were convicted of an offense at a more serious level than the one on which they entered the therapeutic courts vs. 3% of the comparison offenders and 15% for 1999 offenders</p> <p>No participant was convicted of a drug or sexual offense</p>	One year following program termination
63	October 2006	Compiled “recidivism” data for first 146 SITC participants arrested from March 2002 – June 2005; obtained “recidivism” data through December 2005, resulting in all participants being tracked for at least months; 123 participants tracked for 1-year and 102 participants tracked for 18 months.; tracked comparison group for felony drug charges only; used NY State Div. of Criminal Justice Services (DCJS) arrest and conviction data but results are presented in terms of re-arrests.	<p>SITC produced substantial reduction in recidivism at both 1-year and 18-month periods.</p> <ul style="list-style-type: none"> - After 1 year, 26% of drug court participants vs. 48% of comparison group were rearrested; - after 18 months, 41% of SITC participants vs. 55% of comparison group were rearrested <p>drug court participants averaged .63 rearrests over 18month period vs. 1.19 for comparison group.</p> <p>Drug court also appeared to delay onset of recidivism for those that weren’t arrested during the first year.</p>	-18 month reconviction rate was 23% for drug court participants and 451% for comparison group – drug court therefore reduced reconviction rate by 44%	6 months, 12 months and 18 months after arrest for drug court charge

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64	2007	Tenn. Office of Crim Just Programs, Dept. of Finance and Admin., compiled data from 45 operating drug courts regarding performance standards identified for measurement	-Of 1,614 participants, 9% (146) arrested during FY 2005/2006; of the 5,958 participants served since inception, -413 arrested while in the program (7%) in all 37 programs responding. - 56 of the 188 (30%) graduates in 2004/2005 in 22 programs reporting were rearrested within one year of graduation. 2004-4: 61 (35%) graduates of the 174 total graduates (17 programs) rearrested within 2 years of graduation. [four juvenile drug courts reported overall 30% one year post graduation recidivism and 13% 2-year post graduation recidivism.		
65	2007	Compiled data from existing adult (and juvenile—reported separately) programs	Rearrested: 27.9% vs. graduates: 13.7%		January 1 – June 30, 2005
66	April 2007	Tracked data from 11,000 cases through various administrative data systems; focus of analysis was on overall impact of drug court on target population over time; cost analysis based on transactional method and overall investment of taxpayer money compared to benefits derived	Recidivism reduced for drug court participants up to 14 years after drug court entry compared with those who didn't participate; rearrests reduced by almost 30%; Recidivism reductions continued to be evidenced for up to 14 years after the petition hearing.		At least 5 years and, for some, up to 15 years following drug court entry

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67	April 2007	Na	All graduates had substantially lower re-arrest rates and, at 4 of the 5 programs, all participants ha significantly lower re-arrest rates. - # 1: 10% grads, 30% all partics, 39% compare. - # 2: 18%, 43%, 41% - # 3: 7%; 20%; 39% - # 4: 12%; 18%; 34% - # 5: 11%; 17%; 33%		Two years after program entry
68	Fall 2005	Conducted interviews with 99 participants selected to participate who were in different stages of treatment: 34 in motivation; 39 in intensive phase; 18 in maintenance phase; and 89 in post treatment phase	NA	NA	Nine months
69	Spring 2008	Review of data compiled in 2005 study and interviews with participants randomly assigned to drug court and alternative program 3 years following program participation	NA	NA	3 years following program participation
70	January 2008	Review of information compiled in data collection system; interviews with staff	Na	Na	na

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71	August 1, 2006	Review of program operations of five adult drug court, including referrals, acceptances, time to program entry, sanctions, drug testing, etc.	Adult drug court participants less likely than comparison group to be rearrested on felony charges and less likely to commit violent crimes 17.5% recidivism among drug court participants vs. 33.1% in comparison group	n/a	12 months post program
72	August 2007	203 individual records of drug court participants who both successfully completed (79) as well as failed (50) the drug court program compared with control group (74)	St. Louis Co.: completers arrested less than half as often as control group; Dodge County: no arrests of any completers; Streams Co.: drug court completers arrested less than one fourth as frequently as control group; estimate drug court saved 133.7 arrests and 47.2 convictions during period	Convictions: Similar findings as for arrests	2 years post program
73	September 2008	Utilized web-based tool for self evaluation re costs and benefits developed for earlier phases of study; focus on measuring costs of events in drug court process, including court appearances and drug tests; number of group and individual sessions; number of days in residential treatment; number of jail days as sanction; outcome benefits measured in terms of rearrests, number of days on probation or in prison due to recidivism; number of new court cases, etc.	43% rearrest rate for graduates; 57% rearrest rate for all drug court participants; vs. 67% rearrest rate for comparison group	n/a	Two years following termination

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74	January 1, 2004	Part of Maine's ongoing review of drug court operations; analysis of offender characteristics and data associated with drug court performance; also interviews with judges, probation staff and others	N/a – see nos. 68 and 71 for follow up studies	N/a – see nos. 68 and 71 for follow up studies	N/a – see nos. 68 and 71 for follow up studies
75	March 2009	Analyzed drug court data collected by drug court case managers, including demographic data, treatment data, data on court proceedings and also gathered feedback from drug court staff	One graduate charged with new crime	N/A	First three years of program operation: focus primarily on program operations and period of participation

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76	January 2009	Examined drug court processes to determine how well 10 key components were implemented; compared program practices to national data; collected info from staff interviews, drug court participant focus groups; observations and program documents, including handbook; Outcome analysis based on cohort of drug court participants who entered program been January 1, 2004 – July 31, 2007 and comparison group; tracked participants and comparison groups through criminal justice and treatment databases for up to 36 months post drug court entry.; Cost evaluation: used NPC's Transactional and Institutional Cost Analysis approach (TICA), looking at transactions in which individual utilizes resources contributed from multiple agencies; also used a "cost to-taxpayer" approach	<p>23% of graduates and 61% of all participants were rearrested following entry into drug court vs. 84% of comparison group members.</p> <p>Drug court participants (including graduates) had: (1) 3 times fewer drug charges in the 3 years following program entry; (2) 3 times fewer violent charges; (3) nearly half as many re-arrests; and (4) significantly reduced drug use over time</p>		36 months following program entry

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77	April 2008	Extracted data from three nationally representative sources (National Survey on Drug Use and Health (NSDUH), Arrestee Drug Abuse Monitoring (ADAM) and Drug abuse Treatment Outcome Study (DATOS) to develop a “synthetic dataset” from which cost benefit predictions could be made re various policy options to offer/expand drug court services	n/a	n/a	n/a
78	March 2008	Data were abstracted from several sources including site visits, the Criminal History Records (CHR) database maintained by the Michigan State Police and the Michigan Judicial Warehouse (JDW). All of these data were entered into a database created in Microsoft Access.	DUI court participants were re-arrested significantly less often than comparison group offenders who were sentenced to traditional probation. In the example from one DUI court site shown in Figure A, the comparison offenders on traditional probation were re-arrested nearly six times more often in the first year after starting probation for the DUI charge than the DUI court participants and were re-arrested four times more often in the second year.	N/A	Minimum 1 year

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79	April 2008	Both the participant and comparison groups were examined through existing administrative databases for a period up to 24 months from the date of drug court entry. The two groups were matched on age, sex, race, prior drug use history and criminal history (including total prior arrests and total prior drug arrests). The methods used to gather this information from each source are described in detail in the main report	HCADC program participants were significantly less likely to be re-arrested than offenders Who were eligible for the program but did not participate. Figure A shows the average number of re-arrests for 24 months after entering the drug court program for HCADC graduates, all HCADC participants, and the comparison group. Drug court participants, regardless of graduation status, were re-arrested significantly less often than were the comparison group members.	n/a	24 months maximum, 6 months minimum

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80	March 2008	For each drug court, NPC Research identified program samples of participants who enrolled in the adult drug court programs over a specified time period (at least 2 years). These were generally elected using the drug court program database. NPC also identified a sample of individuals eligible for drug court but who did not participate ² and received traditional court processing. Both groups were examined through existing administrative databases for a period of at least 24 months post drug court entry.	n/a	n/a	24 months post drug court entry

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81	April 2007	<p>Data on intermediate and long-term outcomes were gathered on each offender, with a particular emphasis on criminal recidivism (re-arrest) as a primary outcomes measure. The outcome data were drawn in late 2005 and early 2006, allowing a minimum of 5 years of follow-up on all cohorts and over 10 years on many cohorts. (For some individuals, over 14 years of follow-up data were available). Data on internal measures of Drug Court participation, internal changes in the Drug Court over the years and external changes in the criminal justice, court and substance abuse treatment systems were also gathered for the same period. Data on costs were gathered using a modified Transactional Cost Analysis Approach to allow us to conduct a cost-benefit analysis. Costs were calculated from a previous study on this program that involved intensive tracking of 155 individuals that entered the Multnomah County Court</p>	<p>Overall, for the entire population of eligible offenders, the Drug Court significantly reduced the incidence and frequency of criminal recidivism for participants compared to offenders who did not participate. Including all offenders who were eligible for the Drug Court during the total 10-year period, over 5 years from the Drug Court petition hearing, the incidence of re-arrest was reduced by nearly 30%. The Drug Court reduces the incidence of drug crimes substantially for up to 14 years after the petition hearing. The effect is statistically significant after controlling for age, gender, race, and 2 years of prior criminal history for all but year 14, where the number of cases available for the analysis drops to only 317</p>	NA	Ten years

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82	March 2007	Information was acquired for this evaluation from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, and data collection from administrative databases used by the GADC program, Probation, and the Court.	GADC program participants were significantly less likely to come through the court system again than offenders who were eligible for the program but did not participate. Figure 2 provides the average number of new criminal court cases per year for GADC graduates, all participants, and the comparison group over a 3-year period. The differences between the groups are significant at all three time periods. Guam Adult Drug Court participants (regardless of whether they graduated from the program) came back through the court system 4 times less often than comparison group members who were eligible for drug court but did not attend. Graduates recidivated 15 times less often than the comparison group.	N/A	12 months
83	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records. The methods used to gather this information are described in detail in the main report	The MCDTC reduced recidivism. MCDTC participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate	N/A	24 months

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84	November 2006	A Transactional Institutional Costs Analysis (TICA) approach was used, allowing researchers to calculate costs based on every individual's transactions within the drug court or the traditional criminal justice system. This methodology also allows the calculation of costs and benefits by agency (e.g., Public Defender's office, court, District Attorney).	On average, drug court participants had a recidivism rate 12% lower than similar offenders who did not participate in the drug court program. The comparison groups of those who did not participate in drug court programs were more than twice as likely as drug court graduates to be re-arrested. This provides evidence that drug courts are successfully reaching their goal of reducing recidivism in drug-addicted offenders.	N/A	The drug court cohorts were selected from participants who entered the drug court programs between January 1998 and December 1999, which provided at least four years of outcome data.
85	September 2006	Information was acquired for this evaluation from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, agency budgets and other financial documents. Data was also gathered from BCADC and other agency files and databases.	BCADC program participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate. Barry County Adult Drug Court participants (regardless of whether they graduate from the program) were re-arrested less than half as often as comparison group members who were eligible for drug court but did not attend. Graduates were re-arrested approximately a third as often as the comparison group, and overall were re-arrested very rarely.	N/A	24 months

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			Re-Arrests	Convictions	Time Followed
86	February 2006	To make this determination, NPC obtained a dataset of juvenile drug court participants through the cooperation of the Department of Juvenile Services (DJS). This dataset provided records of all formal adjudicated charges that juvenile drug court participants accrued both before and after their experience in drug court.	In the year following their release from drug court, only 29% of these juveniles had any adjudicated charges added to their records. This result means that 70% of the juveniles had no adjudicated charges added to their records in the year after their release.	n/a	1year

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
87	July 2005	The cost study followed the pre-post program design started in the outcome evaluation due to difficulties in finding the data necessary to select an appropriate comparison group. Costs were determined using NPC Research's Transactional and Institutional Cost Analysis (TICA) methodology, which views offenders' interactions with the criminal justice system (e.g., court hearings, treatment sessions) as transactions during which system resources are consumed	Overall, it appeared that participation in S.A.F.E. Court was beneficial to participants and to the criminal justice system. The average number of re-arrests for males and females combined in the 24-month period following entry into the program is less than the corresponding period prior to their entry into the program. That is, S.A.F.E. Court participants are re-arrested less often after entering the program. (This difference is statistically significant at 6, 12, and 18 months.) This was particularly true for females who have, on average, more arrests prior to S.A.F.E. Court than the males but were re-arrested far fewer times after entry into the program than males.	n/a	24 months pre and post Safe court

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			Re-Arrests	Convictions	Time Followed
88	July 2003	The overall research design was to collect highly detailed data on a small, randomly selected sample of individuals who were eligible for drug court. These individuals (some of whom participated in drug court and some who received traditional court processing) would be tracked intensively through both the criminal justice and drug court treatment system for the purpose of collecting more detailed data than is generally available in administrative datasets. These highly detailed data would then be used to augment administrative data collected at an individual level on a much larger sample of drug court and non-drug court participants. The detailed data were collected by tracking drug court eligible offenders into court sessions, attorney visits and treatment sessions	N/A-	N/A	30 months after program

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
89	February 2004	The research strategy used by NPC Research for this outcome evaluation was to identify a sample of participants who entered Drug Court and a matched historical comparison sample of individuals who were eligible for Drug Court but who received traditional court processing before the CCJDC program was implemented. Because this drug court is both small and relatively new (beginning late in 2001), the Drug Court sample consisted of the entire Drug Court participant population except for those who had entered the Drug Court less than 6 months from the time of the outcome data collection. Both groups were examined through existing administrative databases from the date of the initial contact with the Drug Court program (or the equivalent) through November 2003	Drug Court participants are re-referred much less often than individuals who did not participate in the Program. In the first three months, Drug Court participants are re-referred more than twice as often as the comparison group members.	N/A	18 months

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
90	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records	The VCDRDC reduced recidivism as participants were significantly less likely to be rearrested than offenders who were eligible for the program but did not participate. As Figure A illustrates, VCDRDC participants were re-arrested less often than comparison group members who were eligible for drug court but did not attend. The 24-month recidivism rate for drug court was 29.5% while the comparison group rate was 39.2%. Thus, drug court participants (regardless of graduation status) were 33% less likely to have had any arrests in the 24-month follow-up period relative to the comparison group (regardless of graduation status).	N/A	24 months
91	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records	The VCDC reduced recidivism as participants were significantly less likely to be rearrested than the comparison group. As Figure A illustrates, VCDC participants were re-arrested less often than comparison group members. The 24-month recidivism rate for drug court was 19.7% while the comparison group rate was 39.2%. Thus, drug court participants (regardless of graduation status) were 99% less likely to have had any arrests in the 24-month follow-up period relative to the comparison group. Even after excluding individuals with alcohol as their drug of choice from the VCDC (leaving mainly methamphetamine users), the number of re-arrests over 24 months was lower than for the comparison group.	N/A	24 months

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
92	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, Court Substance Abuse Program (CSAP) records which includes drug court data, plus arrest records.	The SJCDC significantly reduced recidivism. Participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate. As Figure A illustrates, St. Joseph County Drug Court Program participants were re-arrested less often than comparison group members who were eligible for drug court but did not attend. The 24-month recidivism rate for drug court was 18.2% while the comparison group rate was 33.6%. Thus, drug court participants (regardless of graduation status) were 54% less likely to have had any arrests in the 24 months following drug court entry than the comparison group.	N/A	24 months
93	November 2009	Residents were tracked and interviewed using court databases and personal interviews.	As of now only ten people in the program have recidivated/	N/A	One year Post graduate

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PART THREE

#	Publication Date	Bibliographic Information	System Impact/Cost Savings	Other Findings
1	2004	<i>Phase II Douglas County [Nebraska] Drug Court Evaluation Report.</i> Thomas J. Martin, Cassia C. Spohn, R.K. Piper, and Jill Robinson	Drug court results in average savings of over \$ 4,000 per felony drug-related case compared with traditional adjudication and sentencing; savings mainly attributable to reduced jail confinement, prison incarceration costs, and county and district court processing costs (e.g., police overtime costs for court testimony);	
2	September 2004	<i>Participation in Drug Treatment Court and Time to Rearrest.</i> Duren Banks and Denise C. Gottfredson. <i>Justice Quarterly</i> . Vol. 21, no. 3, September 2004. Academy of Criminal Justice Sciences	None noted	None noted
3	January 29, 2004	<i>Cost Analysis of Anne Arundel County, Maryland Drug Court.</i> <i>Prepared by: NPC Research, Inc., Portland, Oregon</i>	\$ 2,571,894 less in Drug Treatment Court criminal justice system costs than comparison group for all participants studied, or 32.4% return on investment; Average cost per participant was \$ 2,109; average savings resulting from criminal justice system savings, victimization costs and income tax payment experience of participants was \$ 3,651; savings represent a \$ 1.74 return for every dollar spent for the program.	
4	January 29, 2004	<i>Cost Analysis of Baltimore City, Maryland Drug Treatment Court: Includes Outcome Findings, Cost Analysis, and Summary and Conclusions, Only;</i> <i>Prepared by NPC Research, Inc., Portland, Oregon</i>	Average of \$ 3,393 (24.2%) per person less in criminal justice system costs per participant than comparison group (30.9% less costs for Circuit Court participants); projected for all 758 drug court participants during the study period resulted in a savings of \$ 2,721, 894 total costs for criminal justice system expenses over 3 year study period; \$ 9,817 average savings in victimization costs than for comparison group; projected for all 758 drug court participants results in \$ 7,442,044 savings in victimization costs for 3 year period; \$ 3,000 less per person in criminal justice system costs by	

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			end of first year than for comparison group; \$ 3,791 saved for each participant (\$ 14,271 cost for traditional process - \$ 10,480 cost for drug court), or 136.2% "return" on investment	
5	January 2004	<i>Kalamazoo County 9th Judicial Circuit Court Office of Drug Treatment Court Programs: Statistical Report: 2003. Prepared January 2004</i>	<p>During CY 2003:</p> <p>FEMALES:</p> <ul style="list-style-type: none"> - restitution paid to victims totaled \$ 7,215.25 - urine screen fees totaled \$ 8,020 - drug treatment court fees totaled \$ 5,150 <p>MALES:</p> <ul style="list-style-type: none"> - paid restitution to victims of \$ 4,891.15 - paid urine screen fees totaling \$ 10,080 - paid drug treatment court fees totaling \$ 13,410. 	<p>Women:</p> <p>187 of 543 women successfully completed program 24 women still active in Phase I; 23 completed Phase I and in Phases 2 and 3 12 women on bench warrants; 36 women opted out of program 261 terminated for failure to perform of the 1887 who completed program, all were employed or attending school full time upon completion</p> <p>16% (29) of 187 women who completed program were rearrested on new misdemeanor or felony charge within 3 years of program completion;; 84% (158) have had no subsequent convictions within 3 years of program completion</p> <p>Male:</p> <p>160 of 506 men have successfully completed program 48 active in Phase I; 42 active in Phases 2-3 8 men on bench warrant status 33 men opted out of program 215 men terminated for failure to perform</p> <p>15% (24) of 160 men graduates convicted of new misdemeanor or felony within 3 years of program completion; 85% (136) had no subsequent convictions within 3 years of program completion.</p>
6	January 2004	<i>Oklahoma Drug Courts: Fiscal Years 2002 and 200. Prepared by The Oklahoma Criminal Justice Resource Center.</i>	<p>(1) If all 1,666 drug court participants studied would have served prison sentence, overall 4-year cost savings vs drug court vs prison was: \$ 45,552,798;</p> <p>(2) if all 1,666 drug court participants would have served standard probation sentences, 4-year costs of drug court were \$ 4,334,599 more than costs for standard probation</p>	<p>For Graduates: (1) 75.1% decrease in unemployment (reduced from 30.4% to 7.5%) (2) 50.4% increase in monthly income (from \$ 949.14 to \$ 1,426.55) (3) 13.6% decrease in percent of graduates without high school diploma (from 30.8% to 26.6%) (4) 19.1% increase in no. of graduates who had children living with them (from 120 (41.4%) to 143 (49.3%)) (5) improvement in each of 7 components of ASI: - Medical: 56.3% decrease</p>

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				<ul style="list-style-type: none"> - Employment/Support: 71.4% decrease - Alcohol: 65.5% decrease - Drug: 65.5% decrease - Legal: 73.2% decrease - Family/Social: 68.6% decrease - psychiatric; 85% decrease
7	October 2003	<i>The New York State Adult Drug Court Evaluation: Policies, Participants and Impacts.</i> Center for Court Innovation. New York, New York.	<ul style="list-style-type: none"> -Graduates significantly more likely to be employed at time of program completion -graduates in 5 of 9 programs significantly more likely to be attending school at time of program completion -some graduates of each court regained custody or visitation rights with their children; -some graduates of each court were volunteering in community at time of graduation, although no court mandated 	<p><u>General:</u></p> <ul style="list-style-type: none"> -Positive long-term impact persisted beyond period of active judicial supervision; -Drug court graduates were FAR less likely than comparison defendants to recidivate in all six courts; however drug court failures were as likely, if not more so, as comparison defendants to recidivate in four of the six courts; therefore, benefits of drug court participation largely accrue to those who successfully graduate; <p><u>Predictors of recidivism:</u></p> <ul style="list-style-type: none"> -those with prior misdemeanor convictions and of younger age generally more likely than others to recidivate; - graduation less likely if primary drug was heroin (2 of 3 courts studied); - participants with property charges somewhat more likely to recidivate than those with drug charges - immediate engagement in treatment strongly predicted graduation - drug court graduation is key predictor of success (rather than length of time in treatment, etc.) - retention rates exceed national standard of 60% for 8 of 11 drug courts <p>more than half of participants in 8 of 11 NY courts retained for at least 2 years (e.g., still participating or graduated)</p>
8	August 1, 2003	<i>Drug Court More Beneficial for Women:</i> [author not provided]	N/A	<p>Monthly income of female drug-court graduates increased 130%. Monthly income of male drug-court graduates increased 31% despite prior higher income and rate of employment. Oklahoma sends more women to prison than any other state in the nation.</p>
9	July 2003	<i>16th Judicial District of Tennessee (Rutherford Co.) Drug Court Program 2003 Process Evaluation.</i>		<ul style="list-style-type: none"> • 20% of participants who did not have GED obtained GED while in drug court • four babies born drug free • 8% of 36 graduates employed at graduation

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		<i>Dana K. Fuller, Ph.D. July 2003</i>		
10	June 1, 2003	<i>Recidivism Among Federal Probationers</i> Minor, Kevin; Wells, James; Sims, Crissy.	N/A	Individuals who were not ordered to community service or individuals who underwent mental health treatment were more likely to violate their sentences. Over 56% had 1 violation. Over 80% had no more than 2 violations.
11	May 2003	<i>Coconino County DUI/DRUG Court Evaluation.</i> Prepared by: Frederic I. Solop, Nancy A. Wonders, et. Al. Social Research Laboratory, Northern Arizona University	Average DUI drug court participant costs county approximately \$ 534/mo; average cost for traditional cjs processing is \$ 758/mo. (difference in cost primarily due to increased likelihood of control group members spending time in jail (\$80/day) or prison (\$ 53/day); total program costs were \$ 6,408 for DUI drug court (completed in 12 months) vs. \$ 22,740 for traditional process(requiring 2-3 years)	DUI Drug court participants averaged 6.7 treatment days/mo (compared with 1.2 for control group); worked more hours (32.1 hrs vs 29.8 hrs)/mo; and attended school more frequently (1.3 hrs/week vs. 0 hrs. for control group); and paid more money to the court each month (\$ 28.86vs. 7.34)
12	April 18, 2003	<i>Assessing the Efficacy of Treatment Modalities in the Context of Adult Drug Courts.</i> Donald F. Anspach, Ph.D. and Andrew S. Ferguson.	NA	<ul style="list-style-type: none"> - program completion is most consistent variable associated with post program recidivism; (both in terms of frequency of and time to rearrest); - other factors associated with post program recidivism included: treatment attendance (partics with low attendance at treatment had greater likelihood of being arrested); race/ethnicity, with race and ethnic minorities more likely than white non-Hispanics to be arrested; and age at first arrest (participants with prior arrests at younger ages more likely to be rearrested); gender (males more likely to be rearrested); [numerous other findings re non-recidivism issues]
13	April 15, 2003	<i>Bibb County Special Drug Court Program: Eight-Year Annual Report. April 15, 2003.</i> Prepared by Chief Judge Tommy Day Wilcox, Superior Courts, Macon Judicial Circuit and Jacqueline Duncan, Program Administrator	Estimated cost savings from jail time saved, both pre and post entry; other savings for law enforcement and defense (see “Cost Savings Memo”).	Other information relating to employment, and other program impacts
14	March 2003	<i>Summary Report of</i>	Program saved \$5,487,330 in avoided incarceration for	Recidivism rates for the individual drug courts are shown.

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		<i>Virginia's Drug Court Programs.</i> Office of the Supreme Court of Virginia and Virginia Department of Criminal Justice Services.	303 graduates. Program saved \$33,000,000 in the birth of 44 drug-free babies. Cost benefits of individual courts are shown.	The specifics of the recidivism rates are also shown.
15	March 2003	<i>Washington State's Drug Courts for Adult Defendants: Outcome Evaluation and Cost-Benefit Analysis.</i> Washington State Institute for Public Policy	Drug courts are more expensive to operate than regular criminal courts (e.g., \$ 3,891 more per participant); overall, drug courts produce more benefits than costs..."We found that the five adult drug courts generate \$ 1.74 in benefits for each dollar of costs.	Not studied
16	February 7, 2003	<i>Judicial Council of California. Administrative Office of the Courts. Report. Collaborative Justice Courts Advisory Committee. Progress Report</i>	Avoided criminal justice costs averaged approximately \$ 200,000 annually per court for each 100 participants; with 90 adult drug courts operating statewide as of 2002, and drug court caseloads conservatively estimated at 100 participants per year, annual statewide cost savings for adult drug courts suggested by data to be \$ 18 million per year; cost offset and cost avoidance estimated at \$ 43 million predominately due to avoided jail and prison costs; with \$ 1 million in cost offset due to collection of fees/fines.	Social outcome data, compiled from 28 counties for 2,892 participants, indicated that 70% of participants were employed upon completion of drug court compared with 62% unemployed at entry; 96% of drug tests were negative; 96% of babies born to program participants (132 babies) were born drug free;
17	January 6, 2003	<i>Evaluating the Effectiveness of Drug Courts in Idaho: Report to Governor Dirk Kempthorne and the First Regular Session of the 57th Idaho Legislature.</i> Idaho Supreme Court	N/A	86% of participants gained or maintained employment 23% of graduates returned to school for GED or college average hourly wage rate increase of graduates was: \$ 4.89 average annual wage increase for graduates was: \$ 10,748.84
18	January	<i>Evaluating Treatment</i>	NA	As of September 2001, 28% of Jackson Co participants and 49% of Escambia Co.

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	2003	<i>Drug Courts in Kansas City, Missouri and Pensacola, Florida: Final Reports for Phase I and Phase II.</i> Abt Associates. Linda Truitt; Wm. Rhodes; N.G. Hoffman; Amy Maizell Seeherman; Sarah Kuck Jalbert; Michael Kane; Cassie P. Bacani; Kyla M. Carrigan; Peter Finn Carrigan; Peter Finn.		participants entering drug court between October 1999 and October 2000 had successfully completed and graduated the drug court; participants required up to 22 months to complete program but median length of stay for graduates was 13 months (Jackson Co. (and 12 months (Escambia Co); median length of stay for terminations was 7.5 months (Jackson Co.) and 8 months (Escambia Co.); 17% of participants (Jackson Co.) and 11% (Escambia Co.) absconded; median length of stay for absconders was 6 months (Jackson Co.) and 4 months (Escambia Co.); <u>Predictors of program success:</u> Jackson Co.: Probability of program success increased with age, education and employment. Males, blacks and participants who owned or rented homes more likely to be unsuccessful. Participants who injected drugs was only AOD use variable correlated with unsuccessful program completion. Participants with emotional problems or prior treatment experience had higher probability of success; participants who scored low on problem recognition factor of treatment motivation had higher probability of success; Escambia Co.: similar findings except males and participants who owned or rented homes had higher probability of success; males nearly 3 x more likely to graduate or remain active than females; participants who had previously been in detox or rehab and participants with high levels of drug dependency more likely to be unsuccessful. Three of the four treatment motivation factors (problem recognition, treatment readiness, and external pressures) associated with higher probability of successful program participation.
19	May 5, 2002	<i>From Whether to How Drug Courts Work: Retrospective Evaluation of Drug Courts in Clark County (Las Vegas) and Multnomah County (Portland), [Oregon].</i> John S. Goldkamp; Michael D. White; Jennifer B. Robinson.	NA	Extensive discussion of various possible factors, both internal and external to the drug court program that might impact recidivism rates.
20	March 2002	<i>Drug Court Partnership Act of 1998, Chapter 1007, Statutes of 1998. Final Report.</i> Prepared by	Total of 425,014 jail days avoided with an averted cost of approximately \$ 26 million; total of 227,894 prison days avoided, with an averted cost of approximately \$ 16 million; participants who completed paid almost \$ 1	Participants had long histories of drug use and multiple incarceration as well as serious social difficulties including homelessness, unemployment and limited education; more than 70% used drugs for 5 or more years with more than 40% using drugs for more than 10 years prior to entering drug court; 52% had a high

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		The California Department of Alcohol and Drug Programs and the Judicial Council of California, Administrative Office of the Courts.	<p>million in fees and fines imposed by the court</p> <p>Fourteen million dollars in DCP program funds, combined with other funds supporting the programs, allowed cost offset and avoidance of approximately \$ 43 million.</p>	<p>school diploma or its equivalent and 13% had any college education; 62% were unemployed; on average each participant had been arrested twice and had one incident of conviction and incarceration in the two years prior to entering drug court; 70% of graduates employed at graduation; 11% obtained GED/high school diploma; 8% obtained vocational certificate and 1% of graduates completed college</p> <p>12% of graduates transitioned from homelessness to housing</p> <p>20% of graduates obtained drivers licenses and car insurance; 28% of graduates retained/regained custody of their children; 7% gained child visitation rights and 8% became current in child support payments; 31% were reunited with families; 95% of all babies born while mothers participated in drug court were drug-free;</p> <p>Incarceration rates for participants who completed drug court is 83% less during two years after admission than incarceration rate of those entering program during two years prior to entry</p> <p>While in drug court, participants engaged in low levels of drug use as indicated by high rates of negative urinalysis in comparison to prior drug use histories;</p> <p>Participants who successfully completed program improved substantially in all areas, showed decreased drug use and rearrests as well as improvement in employment and education; other areas of social functioning also improved including acquisition of stable housing and increased family involvement;</p>
21	October 2001	<i>Kentucky Drug Court Outcome Evaluation: Behaviors, Costs, and Avoided Costs to Society. Prepared by TK Logan, William Hoyt and Carl Leukefeld. Center on Drug and Alcohol Research. University of Kentucky</i>	<ul style="list-style-type: none"> • Annual cost of a drug court graduate (\$ 2,642 accounting cost and \$ 4,140 accounting and opportunity (e.g., judge, police, jail, etc.) costs is much less than the annual cost of housing an individual in jail (\$ 9,600) or prison (\$ 14,691) and not much higher than the annual cost of supervising an individual on probation (\$ 1,237) in Kentucky; total avoided costs of “benefits” for graduates is estimated to be \$ 4,364,114 when earnings are considered, and \$ 2,584,562 without the earnings for a one year period... • For every dollar spent on a drug court graduate, 	Results for terminators were less pronounced than for the graduates. However, for most outcome measures, there does seem to be a gain...reductions in undesirable behavior and increases in desirable behavior, except for time in prison and child support deficits.

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			<p>there was an avoided cost savings of \$ 3.30 to \$ 5.58 per graduate in a one yea period when only accounting costs were considered, and a cost savings of \$ 2.11 to \$ 3.546 per graduate in a one yea period when opportunity costs were included.;</p> <ul style="list-style-type: none"> • When both graduates and terminators were included there is an estimated savings of \$ 6,199 per client when earnings were included, and a savings of \$3,059 in a one year period without the earnings per client using accounting costs. When the opportunity costs for Drug Court program graduates and terminators combined were used, there was an estimated savings of \$ 4,826 per participant when earnings were included, and a savings of \$ 1,686 per participant without the earnings in a one year period. • For every dollar spent on a drug court • participant (graduates and terminators) there was an avoided cost savings of \$ 2.26 to \$ 3.56 per participant in a one year period when only accounting costs were considered, and a cost savings of \$ 1.44 to \$ 2.27 per participant in a one yea period when opportunity costs were included. 	
22	October 2000	<i>Tulsa County Adult Drug Court: Phase II Analysis.</i> Wright, David. O'Connell, Paul. Clymer, Bob. Simpson, Debbie.	N/A	Re-arrest rates overestimate the actual level of criminality, while re-conviction rates underestimate the level of criminal activity.
23	May 1999	<i>Evaluation of the Hennepin County [Minneapolis] Drug Court. Minnesota Citizens Council on Crime and Justice (R. Ericson; S. Welter and Thomas L.</i>	Drug court handled 31% of all felony cases filed in 1997 in Hennepin Co, with primarily one judicial officer and various clerical staff; previously, this workload had been spread across all judges of the Court; Given the increase in case processing speed achieved by the Drug court, the increase in judicial efficiency is readily apparent	Efficiencies in case processing achieved: average number of appearances was 3 (roughly half of the previous average); treatment completion rates were higher than other clients (54.5% vs. ;47.3%);as

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		<i>Johnson</i>		
24	October 2000	<i>North Carolina Drug Treatment Court Evaluation Final Report.</i> Craddock, Amy.	N/A	Most important predictor of recidivism is DTC graduation. Most common drug used is cocaine. 98.6% of participants are chemically dependent.
25	October 2000	<i>Evaluation of Oklahoma Drug Courts, 1997-2000.</i> O'Connell, Paul. Wright, David. Clymer, Bob.	NA	Drug court participants are more likely to be successful if they are older, Caucasian, better educated, employed, and less criminally active. Drug court participants are less likely to be successful if they are relatively young, African American, less educated, unemployed, and more criminally active.
26	October 2000	<i>1998 Drug Court Recidivism Report Update.</i> Administrative Office of the Courts, Dade County (Miami), Florida	NA	Other data that supports finding that drug court reduces recidivism
27	January 2001	<i>Final Report on the Polk County Adult Drug Court: Executive Summary and Summary of Findings.</i> Iowa Dept. of Human Rights. Division of Criminal and Juvenile Justice Planning. Statistical Analysis Center.	Total correction system costs for drug court clients (\$26,021.59) was less than for comparison group(\$29,427.80) or referred group (\$ 39,776.75).; treatment costs were \$ 5,149 per client compared to \$ 3,949 for referred group;	Of the 134 drug court client sin the study, 44% graduated; graduation rate has risen during program's first 2 years to 50%; most of terminations due to noncompliance rather than new arrests; Graduation rates for white and nonwhite clients are disparate; nonwhite clients have achieved very low rates of completion of the drug court; graduation rate for methamphetamine addicts was markedly higher than for participants using marijuana or cocaine
28	July 2001	<i>NW HIDTA/DASA Washington State Drug Court Evaluation Project.</i>	n/a	Graduates show systematic and substantial increases in income, with some tail-off in the third year; graduates were only group to show this improvement; rates for using vocation services b drug courts are very low (2% in King and Pierce Cos; 4%

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		<i>G. Cox, L. Brown, C. Morgan, M. Hansten. Alcohol and Drug Abuse Institute. University of Washington, Seattle, Wash.</i>		in Spokane Co.) Graduates had highest rate of use of Medicaid;
29	December 2004	<i>Evaluation of Virginia's Drug Treatment Court Programs. Office of the Executive Secretary, Supreme Court of Virginia</i>	n/a	Virginia adult drug courts have treatment retention rate (active participants plus graduates) of 62.25%; Virginia's adult drug court participants are chronic offenders prior to drug court entry; averaging 6.8 felony arrests and 5.6 misdemeanor arrests.
30	October 2003	<i>South Central Judicial District Adult Drug Court Program (Bismarck, N.K). Process Evaluation – Final Report. October 2003. Jeffrey A. Bouffard. North Dakota State University. Department of Criminal Justice and Political Science.</i>	✓ Program decreased incarceration time for nonviolent offenders by at least 75% and may be up to 88%	<p>✓ No difference in program completion rates for:</p> <ul style="list-style-type: none"> - men vs. women - felony vs. misdemeanor participants - DUI vs. drug-related offenders - participants of different racial/ethnic groups - those who received jail as a sanction and those who did not receive any jail time as a program sanction <p>✓ There was no difference in rearrest rates for participants with different primary drugs of choice</p> <p>✓ The program did not lower LSI (Level of Supervision Inventory risk scores of participants by 40% between time of program entry and program completion but did result in 32% declines in LSI scores for 14 program graduates by time of graduation</p> <p>✓ The program maintained offenders in treatment and other maintenance programs for at least 12 months</p> <p>✓ There was a large difference between average time to sentence for drug court participants (60.9 days average) vs. nonparticipants (168.8 days)</p> <p>✓ Average time from arrest to program entry was not less than 42 days rather than 30 days as planned</p> <p>✓ Program decreased incarceration time for nonviolent offenders by at least 75% and may be up to 88%</p> <p>✓ Revocation of time for 8 terminated participants is 17% lower for drug court participants vs. average revocation rate of 32% for nondrug court participants in ND</p>

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31	July 2002	<i>Outcome Evaluation of Ohio's Drug Court Efforts. Final Report. By Edward J. Latessa, Ph.D.; Deborah Koetzle Shaffer; Christopher Lowenkamp. Center for Criminal Justice Research. University of Cincinnati.</i>	n/a	<p>Ø Graduation:</p> <ul style="list-style-type: none"> - Common Pleas graduated 31% of participants - Municipal drug courts graduated 44% of participants overall, 40% of participants graduated
32	2001	<i>Evaluation of the Bernalillo County Metropolitan DWI/Drug Court</i>	<p>Total Cost Savings:</p> <p>Jail Days: Graduates: Jail days 914 days vs. 3,366 days = 2,451 days saved for 2,757 days saved (\$ 184,719) CCP days: 1,483 days vs. 3,103 days – 1,902 days saved (\$ 62,291; total cost savings - \$ 247,010 over 4 year period.</p> <p>Graduates spent 915 days in jail, costing \$ 61,305 in jail time (\$ 67/day); average is 5.45 days per graduate (\$ 365.15 per participant); graduates spent 1,483 days in Community Custody (\$ 32.75 per day) cost \$ 48,568 or 8.83 days average per participant or \$ 289.18 per participant.</p>	<p>Ø <u>Demographic characteristics:</u></p> <ul style="list-style-type: none"> - mean age at intake: 36.5 yrs - Ethnicity: 58.4% Hispanic; 22.7% White non-Hispanic; 16.9% Native American (Native Americans and Hispanics overrepresented in Drug Court compared with population for Bernalillo Co.) - gender: 84% males 16% females - education: 12 yrs for all clients (women have slightly less educ than men) - dependents: ½ have children - marital status: less than ¼ married at time of intake - employment status: 74.2% employed full time or part time - Primary drug: alcohol (93.8%) - prior misd convictions: 4.7 average for 304 participants; - prior DWI convictions: 2.7 mean (3.7% had no prior DWI convictions) - age at first use: 17.2 years - years of substance use: 12.7 yrs average (30% using over 15 years) - average stay: 282 days - reason for discharge: graduated: 56%; absconded: 17%; terminated: 17%; voluntarily terminated: 3.6% Other:6% - treatment and related services: graduates had average of 58.7% group sessions per client; 38 nongraduates attended an average of 33 group sessions per client; ½ graduates participated in indiv counseling (3.7 sessions each); 91.4% of clients had at least one acupuncture treatment; 63.7 urine screens average per client - sanctions: 1/3 of graduates spent time in jail during program (average 1.7 times; 1/3 of nongrads jailed average of 2.1 times

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33	February 2005	<i>Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes. U.S Government Accountability Office. February 2005</i>	Four of seven adult drug court program evaluations provided sufficient cost and benefit data to estimate net benefits. Although cost of six of the programs was greater than costs to provide criminal justice services to comparison group., all seven programs yielded positive net benefits, primarily from reductions in recidivism affecting judicial system costs and avoided costs to potential victims. Financial cost savings for the criminal justice system (taking into account recidivism reductions) were found in two of the seven programs.	<ul style="list-style-type: none"> Ø evidence about the effectiveness of adult drug courts in reducing participants' Substance use relapse limited to data from 8 drug courts; evaluations of these 8 drug courts reported mixed results on substance use relapse; drug test results generally showed significant reductions in use during participation in the program while self reported results generally showed no significant reductions in use. Ø Completion rates ranged from 27 – 66%. Other than compliance with drug \ court program procedures, no other program factor consistently predicted participants' completion
34	April 2005	<i>Evaluation of the Outcomes in Three Therapeutic Courts: Anchorage Felony Drug Court; Anchorage felony DUI Court; Bethel Therapeutic Court. Alaska Judicial Council.</i>	<p>Overall: significant cost benefits including reductions in days of incarceration to graduates compared with comparison groups; also greater family stability, better education and employment;</p> <p>Specific impact(s) reported:-16% of graduates and 6% of active participants appeared to have improved child support situations – either able to pay more support to their children or were receiving more child support;</p> <p>-one graduate and one active participant reported birth of drug/alcohol-free babies</p> <p>-6% of graduates and 3% of active participants regained custody of their children</p> <p>-81% of graduates and 32% of active in the program had more stable family situations during or after program</p> <p>-9% of graduates and 13%\$ of active participants reported reduced domestic violence after program participation</p> <p>-63% of graduates and 46% of active participants holding steady job after program participation</p> <p>-41% of graduates and 21% of active participants had</p>	<ul style="list-style-type: none"> Ø Overall, defendants who graduates from program and who were active had fewer days of incarceration, fewer remands to custody and fewer convictions after beginning program than in 2 years preceding Ø Defendants in comparison groups had significantly more mean days of incarceration after convictions for the evaluated offense than they did in the two years before Ø Graduates from each of the courts spent an average of 452 days (15 months) in court before graduating (43 hearings for graduates; and average of 29 hearings for defendants who opted out)

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			improved educational status after program participation -41% of graduates and 15% of active participants reported less debt after program participation	
35	April 2004	<i>The Kootenai and Ada County [Idaho] Drug Courts: Outcome Evaluation Findings. Final Report</i>	NA	Factors associated with recidivism: <u>Kootenai County</u> : gender ,prior record and time at risk (males with prior record and at risk longer more likely to be rearrested; graduates less likely to be arrested for felony charge; none of graduates arrested more than once during follow up period vs. 30% of nongraduates and 24% of comparison group was; <u>Ada Co</u> : gender; employment and time
36	July 2000	<i>The Hamilton County [Ohio] Drug Court: Outcome Evaluation Findings. Shelley Johnson and Edward Latessa. University of Cincinnati.</i>	NA	<ul style="list-style-type: none"> Ø Majority of drug court participants began treatment in the residential phase of the program and progressed to the outpatient phase Ø 75% of participants completed the first phase and 84% [sic] completed the second phase Ø typical offender had 3 status review hearings while in program but 30% had more than 5 Ø factors associated with recidivism were race (African Americans) prior record, age (younger) and time at risk
37	March 2005	<i>Analysis of Oklahoma Drug Courts: Fiscal Years 2002-2004. Oklahoma Department of Mental Health and Substance Abuse Services</i>	If all 2,307 offenders would have serviced their sentence in prison, overall 4-year cost savings of drug court vs. prison is \$ 64,805,293; ODMHSAS requested funding to increase drug court capacity in state from 1,575 by 3,229 to total 4,804 drug court slots and projects cumulative cost savings of \$ 314,250,347 over 4 years; [annual cost per drug court participant = \$ 2,325; annual cost for prison = \$ 16,842;	<ul style="list-style-type: none"> Ø retention rate for period was 83.1% <u>for graduates</u>, Ø reduction in unemployment of 82.4%; Ø 53.3% increase in income; Ø 23.9% decrease in number without high school diploma; Ø 20.8% increase in number of participants who had children living with them
38	July 2001	<i>The Akron Municipal Drug Court: Outcome Evaluation Findings. S. Listwam, D.K. Shaffer, and Edward J. Latessa. Center for Criminal Justice Research, University of Cincinnati</i>	n/a	<u>Completion Status:</u> <ul style="list-style-type: none"> Ø graduated: 129 (42.7%) Ø terminated: 100 (33.1%) Ø absconded: 62 (20.5%) Ø other: 10 (3.3%) Ø “expiration of term”: 1 (.3%)

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39	May 2003	<i>Coconino County DUI/Drug Court Evaluation. Frederic I. Solop, Nancy A. Wonders, K.K. Hagen, K McCarrier. Social Research Laboratory, Northern Arizona University.</i>	Average DUI drug court participant costs Coconino Co \$ 6,408 vs. \$ 22,740 for traditional cjs processing; DUI participant paid average of \$ 28.86 monthly to court vs. \$ 7.34 by control group; therefore traditional cjs process is 3.5 times more costly than Co. Dui Drug Court.	DUI drug court participants make more positive contributions to society during an average month, working more hours each week (32.1 vs. 29.8) and spending more time in school (1.3 vs. 0) than offenders processed through the traditional process
40	2005	<i>Recidivism of Violent Offenders in a Delaware Drug Court Program for Probation Violators. Christine A. Saum, Ph.D. Univ. of Delaware.</i>	n/a	n/a
41	2004	<i>Kalamazoo County 9th Judicial Circuit Court Drug Treatment Court Programs. Statistical Report. 2004</i>	Females: restitution paid to victims totaled \$ 9,023.72; urine screen fees paid totaled \$ 10,935.50; drug treatment court fees paid totaled: \$ 7,620 <u>Males:</u> restitution paid totaled \$ 10,254.15 Urine screen fees totaled \$ 24,005.75 Drug treatment court fees totaled \$ 13,74.800	<u>Females:</u> 202 (36%) of female enrollees successfully completed the program; 38 opted out of the program; 276 (49%) were discharged due to repeated noncompliance; 47 (17%) were discharged due to new charges; average length of drug use was 10.5 years; youngest initial drug use was 7 yrs; oldest initial use was 46 years; 100% of women who completed the program and physically able were employed or attending school full time at time of program completion; 52.7% (298) had never received formal treatment services prior to enrolling in the drug court <u>Males:</u> 183 (31%) successfully completed the program; 34 men opted out of the program; 259 (45%) were discharged due to repeated non-compliance with program rules; 35 (13.5%) were discharged due to new charges; 100% of men who were physically able were employed or attending school full time upon program completion; 55% (325) had never received formal substance abuse treatment prior to engaging in the drug court
42	April 2005	<i>Puerto Rico Drug Court Program: Outcome Evaluation Center for Addiction Studies, School of Medicine, Universidad Central del Caribe</i>	n/a	(1) drug court participants showed marked and statistically significant improvements found in reduction in drug use (from 86.5% to 33.5%) and participation in treatment (97.5% received treatment) and in reduction of antisocial and illegal behaviors among drug court participants; (2) percent of drug court participants considered <i>drug dependent</i> decreased from 41.4% prior to admission to 8% 12 months after admission, and, for alcohol dependence, from 9.5% to 2.5% (3) no statistically significant improvements found in other domains (employment and education, residential stability and family roles; physical and mental health

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				<u>Recommendations:</u> (1)only 40% of drug court participants studied appeared to be drug <u>dependent</u> at time of program entry –therefore need to review eligibility criteria and recruitment strategies to focus on those who are drug <u>dependent</u> (not simply drug using); (2) need to intensify efforts to assist participant in improving other domains, particularly: education; employment; familial roles; and mental health problems; 3) Need to register participants in drug court (and other diversion programs) in Department of Justice’s management information system to permit tracking of recidivism.																																																																								
43	September 2005 (interim)	<i>California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II Study Results. NPC Research, Shannon M. Carey, Michael W. Finigan, David Crumpton, Mark Waller, Francine Byrne</i>	<div>(1) Investment costs per participant not always much more than traditional court processing</div> <table><tr><th>CJ</th><th>Invstmt/DC partic</th><th>Invstmnt/nonDC</th><th>Cost Ben</th></tr><tr><td>Arrest</td><td>192.91</td><td>192.91</td><td>0</td></tr><tr><td>Booking</td><td>284.34</td><td>284.34</td><td>0</td></tr><tr><td>Court</td><td>681.54</td><td>678.50</td><td>+ \$3</td></tr><tr><td>Treatment</td><td>2,713.32</td><td>2,009.18</td><td>+704</td></tr><tr><td>Jail</td><td>1,610.89</td><td>2,782.55</td><td>-1,171</td></tr><tr><td>Probation:</td><td>513.64</td><td>1,421.84</td><td>- 908</td></tr><tr><td>Total cost</td><td>5,927.80</td><td>7,369.32</td><td>-1,442</td></tr></table> <div>(2) average net investment cost per participant: \$ 1392</div> <table><tr><th>agency</th><th>invst/per partic</th><th>range</th></tr><tr><td>sup ct</td><td>464</td><td>(79) –(898)</td></tr><tr><td>DA</td><td>235</td><td>103-(523)</td></tr><tr><td>Pub D</td><td>279</td><td>(76) –(448)</td></tr><tr><td>Prob</td><td>697</td><td>2,143-(632)</td></tr></table>	CJ	Invstmt/DC partic	Invstmnt/nonDC	Cost Ben	Arrest	192.91	192.91	0	Booking	284.34	284.34	0	Court	681.54	678.50	+ \$3	Treatment	2,713.32	2,009.18	+704	Jail	1,610.89	2,782.55	-1,171	Probation:	513.64	1,421.84	- 908	Total cost	5,927.80	7,369.32	-1,442	agency	invst/per partic	range	sup ct	464	(79) –(898)	DA	235	103-(523)	Pub D	279	(76) –(448)	Prob	697	2,143-(632)	<div><u>Promising Practices:</u> O single or overseeing treatment provider High drug court team attendance at 227staffing Court sessions start 1 every 2-3 weeks Treatment 2-3 times per eek (start) Drug tests 3 times per week (start) Judges voluntary with no fixed term (or at least 2 years) Minimum 6 months clean before graduation</div> <div><u>FTE’s</u><table><tr><th></th><th>Monterey</th><th>Or Co./Laguna Nig</th><th>Or Co/Santa Ana</th><th>Stanisl. Co.</th></tr><tr><td>DA; .</td><td>28</td><td>0</td><td>1.00</td><td>.20</td></tr><tr><td>Pub Def</td><td>.08</td><td>.4</td><td>1.00</td><td>.25</td></tr><tr><td>Law Enf.: .00</td><td></td><td>.50</td><td>.00</td><td>.00</td></tr><tr><td>Prob.: 1.00</td><td></td><td>1.5</td><td>4.00</td><td>3.00</td></tr></table></div>		Monterey	Or Co./Laguna Nig	Or Co/Santa Ana	Stanisl. Co.	DA; .	28	0	1.00	.20	Pub Def	.08	.4	1.00	.25	Law Enf.: .00		.50	.00	.00	Prob.: 1.00		1.5	4.00	3.00
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			Treat 1918 706-3808 La Enf 44 1060-(1033) Corrs. 0 0 (2) Net outcome benefits: \$ 11,000 per participant (\$ 3200 – 15,200 range) <u>agency avg net outc benef/partic range</u> Sup. Ct (46) 342-(277) DA (12) 148-(106) Pub Def (19) 171 – (103) Prob (53) 474 – (650) Trmt 637 336- (59) Law Enf (1,525) 620 – (3,619) Corrects (3,292) (541) – (5377) - overall benefits combined for all 9 sites: 9,032,626	
44	January 2005	<i>Malheur Co. Adult [gender specific Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey and Gwen Marchand.</i>	n/a	Factors associated with success: no correlation between success and age, marital status, race or years of education; small correlation between sex and success (females slightly more likely than males to be terminated); graduates more likely to report alcohol as primary drug of choice than other drug; over 60% of terminated participants were meth users vs. 41% of graduates; higher number of drug treatment (group and individual) sessions associated with lower number of re-arrests; lower rearrest rates for males associated with treatment readiness; females rarely rearrested regardless of whether they graduated or were terminated
45	January 2005	<i>Marion Co. (Oregon), Adult Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey, Gwen Marchand.</i>	NA	-Program retention rate is 71% (44 graduated or currently participating vs. 18 terminated or withdrew -Predictors of Success: Factors with no correlation: age, marital status, race, insurance source, employment status, number of arrests prior to entry; years of education; significant correlation between gender and success : females much less likely to graduate than males - nearly 78% of terminated clients were meth users vs 47% of graduates - terminated clients more likely to have at least one dependent child - readiness for treatment correlated with greater likelihood of graduating and less likelihood to recidivate - small negative correlation between days spent in aftercare and rearrests, particularly drug related rearrests – longer time spent in aftercare, reduced likelihood of being rearrested

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46	July 2003	<i>A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research, Inc. Shannon Carey, Michael Finigan</i>	<ul style="list-style-type: none"> - Total investment cost per client in drug court was less (\$ 1,441.52) than investment cost per client in business as usual process. - money saved in outcome costs (\$ 2,328.89 per participant) although savings not spread equally among agencies; - total savings over 30 –month period, including victimization costs, averaged 4 4,788.88 per drug court participant 	<p>(1) does it cost more for drug court than business as usual? No: total investment in drug court averaged \$ 5,927.80 per participant compared with 7,369.32 for business as usual. Business as usual offender cost \$ 1,441.52 more than drug court</p> <p>(2) do agencies save money upfront from drug court vs businesses usual/ Yes. Law enf /corrections and public defender receive immediate savings. All agencies saved money in outcomes.</p> <p>(3) Are there cost savings in outcomes due to drug court processing? Yes. When outcomes costs for drug court participants compared with outcome costs for business as usual offenders, drug court saved an average of \$ 2,328.89 per year per participant. With victimization costs added, average savings were \$ 3,596.92 per participant</p> <p>(4) What are total cost savings (investment and outcomes) attributed to drug court process? Combining outcome cost savings with investment savings over 30-month period, drug court saved average of 4 4,788.88 per participant including victimization costs. Multiplied by 300 participants who enter each year, this is \$ 1,434,000 in cost savings for local tax payers –which is the “bottom line” difference in cost to the system of drug court participants vs cost for nondrug court participants</p>
47	March 2004	<i>State of California Department of Alcohol and Drug Programs. Comprehensive Drug Court Implementation Act of 1999: Interim Report to the Legislature. Kathryn P. Jett, Director</i>	<ul style="list-style-type: none"> - 3,563 participants completed adult drug courts avoiding a total of 948,299 prison days, resulted in an averted cost of approximately \$ 34,233,593 to the state; - ratio of prison costs averted by participants to amount invested for the counties reporting was 1.53 to 1 	<ul style="list-style-type: none"> - 618 adult criminals reported making child support payments regularly - 39% (7,790) of adult criminal participants obtained employment while in the program, thus contributing to California’s economy - 12% (966) new adult participants admitted to the program were homeless; 785 of them (81%) obtained housing during the study period - 990 adult criminal participants either enrolled or completed parenting classes - 1,358 adult criminal participants were reunified with family members - almost all participants (96%) had negative urinalysis while participating the

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				<ul style="list-style-type: none"> program - adult and juvenile drug court participants completed 42, 788 hours of community service - 93% of females who gave birth during the period of program participation gave birth to drug free babies
48	June 14, 2006	<i>Suffolk Co. (Mass) Drug Court Evaluation.</i> Abt Associates. Wm. Rhodes, Ryan Kling and M. Shiveley		<ul style="list-style-type: none"> - “the best evidence at our disposal indicates that the four drug courts in Suffolk Co. have increased the receipt of substance abuse treatment and reduced criminal recidivism for a population of otherwise recalcitrant, drug-involved offenders. ... Graduates of these drug courts are 33% less likely to be arrested than matched persons on traditional probation, have 47% fewer convictions, and are 70% less likely to be incarcerated.” - Drug court participants 24% less likely to be incarcerated; had 35% fewer incidents of incarceration; and 36% fewer suspensions and revocations - Drug court GRADUATES: were 70% less likely to be incarcerated; had 66% fewer incidents of incarceration and had 54% fewer suspensions and revocations TREATMENT: <ul style="list-style-type: none"> - participants had 35% higher probability of receiving S.A. treatment - graduates were neither more or less likely to enter treatment than nondrug court probationers
49	May 20, 2006	<i>Outcome Evaluation of the Jackson County, Florida Drug Court.</i> Williams Consulting. Silver Spring, Md.	Program Costs: (1) treatment: \$ 28,200 for 12 graduates; urinalysis was \$ 16,200; total treatment costs were \$ 44,400 for 12 graduates; comparison group: cost of 18 months incarceration was \$ 38/day x 18 months = \$ 20,710 = 248,520 == Total cost savings if comparison group was enrolled in drug court would be \$ 204,120.00 (248,520-44,400) = 204,120.	<ul style="list-style-type: none"> - Demographics of population studied: Gender: male: 73%; female: 37% Employed fulltime at entry: 38% Education: 45% HS Grads; 19% GED; 29% hs drop outs Prior treatment: 47% Children under 18: 62% (98 children of 51 parents) Medical problems: 95% none; 15% had ADHD diabetes, depression, back and neck pain, hepatitis, high blood pressure, migraines -GRADUATES: average age of 12 graduates studied was 33, all were male and employed; one was Afr. Am; the other 11 were white; 59% single; 25% divorced;; average prior arrests as 5 - NON GRADS: (16): average age was 28; 57% male;38% employed; 53% unemployed;12% AM; 88% White;; most nongrads received sentences of 10-15 years
50	Spring 2006	<i>Long-Term effects of participation in the Baltimore City drug</i>		<ul style="list-style-type: none"> - Quantity of drug treatment services received was related to lower recidivism rates - Treatment had sustained effect on recidivism reduction, even after serves were

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		<i>treatment court: Results from an experimental study.</i> Denise C. Gottfredson et al. U. of Maryland.		<p>delivered</p> <ul style="list-style-type: none"> - Recidivism lowest among participants who participate at higher levels of certified drug treatment, status hearings, and drug testing
51	April 2006	<i>California Drug Courts: A Methodology for Determining Costs and Benefits: Phase II: Testing the Methodology.</i> NPC Research. Shannon Carey, Dave Crumpton, Michael Finigan and Mark Waller. (See No. 43 for interim report)	<p>Eight of the nine sites show outcome cost benefits ranging from \$ 3,200 to over \$ 20,000 saved per participant; Monterey: showed no cost benefit over time; “actually loses money on drug court participants”.</p> <p>Stanislaus and El Monte produce very high returns on investment (1: 16 and 1:36) in part because of low investment costs. San Joaquin saves money immediately by having lower investment costs than standard court processing. Only Monterey has no positive return on investment because drug court did not produce positive outcome results, likely due to operational problems.</p> <p>Specific Findings: Average cost per participant</p> <p><u>El Monte:</u> \$ 5,542.37 (\$ 2,275.50 for treatment, jail sanction next) vs \$ 5,283.51 traditional case process</p> <p><u>Monterey:</u> \$ 8,173.93 (largest cost is treatment, then jail day sanctions) vs. \$ 5,340.27</p> <p><u>Orange Co.-Laguna Niguel:</u> \$ 19,799.59 (jail days pre or post DC, then case management highest costs) vs. \$ 13,195.62- every dollar invested yields \$ 1.50 return</p> <p><u>Orange Co. – Santa Ana:</u> \$ 15,613.12 vs. 15,173.10; each \$ invested produced \$ 7.30 savings (in correctional costs)</p> <p><u>San Joaquin Co.:</u> \$ 12,214.76 vs. 12,701.34. (72% of cost is jail days)- drug court approach produces 25% reduction in standard case processing);\$4,801,427 saved each year at rate of 307 new participants annually)</p> <p>Stanislaus Co.: \$ 5,455.20 (treatment is largest cost) vs. \$ 4,518.24 (court costs and jail costs); greatest savings were in probation costs (-77%), victimization costs (-63%), bookings (-44%) and jail days (-42%); every \$ spent produced savings of \$ 16.00</p>	<ol style="list-style-type: none"> 1. No two drug courts function in the same manner; each operates in a different context, serves a different population and involves multiple agencies contributing varying levels of resources; each drug court has unique practices, policies and requirements. 2. Wide range in investment between jurisdictions and counties, and within counties, both in drug court process (\$ 5,000 – 19,000) per participant and traditional court process (just under \$ 5,000 to over \$ 15,000 per participant (differences largely attributable to jail costs) 3. Promising practices identified: <ol style="list-style-type: none"> a. Those drug courts where more agency staff attended drug court meetings and court session tended to have more positive outcomes b. The courts that start participants at one court session every 2 or 3 weeks, 1 to 3 group treatment sessions per week and individual treatment sessions “as needed” appear to have the best outcomes c. Sites with either a single provider or with multiple referral options but a single overseeing provider had the most positive outcomes. d. Judges on voluntary assignment to drug court, with either no fixed term or a term of at least two years, help produce the most beneficial outcomes. e. The sites that required participants to be “clean” for at least six months had lower costs and higher net benefits. f. Drug test frequency greater than 3 x per week didn’t appear to have added benefit; however lower frequencies were associated with less positive benefits. <p>Graduation Rates:</p> <p><u>Butte Co:</u> 68% (n=156)</p> <p><u>Los Angeles Co. – Central:</u> 36% (n=115)</p> <p><u>Los Angeles Co. El Monte:</u> 82% (n=127)- 60% overall (n=700)</p> <p><u>Monterey Co.:</u> 26% (n= 213) graduation rate (resulting from required \$ 14 fee for drug tests and many terminated for failure to test (39% overall – n=721)</p> <p><u>San Diego-East:</u> 65% (n=178)</p> <p><u>Orange Co.-Laguna Niguel:</u> 68% (n=124) (64% overall – n=343)</p> <p><u>Orange Co.: Santa Ana:</u> 45% (n=289) (overall 41% - n = 932)</p> <p><u>San Joaquin Co.:</u> 29% (n=202) (31% overall – n = 2,010)</p>

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				<u>Stanislaus Co.:</u> 49% (n=399) (32% overall – n=1,320+)
52	August 2001	<i>The Philadelphia Treatment Court, Its Development and Impact: The Second Phase (1998-2000). John S. Goldkamp et al. Crime and Justice Research Institute</i>		<p>40% of defendants referred for assessment were “no shows”; 47% found to be in need of treatment</p> <p>the 383 candidates actually entering Treatment Court represented 20% of the defendants referred ;</p> <p>Race/Ethnicity: 58% were Afr.Amer; 28% Hispanic and 13% while;</p> <p>Median age we 23</p> <p>83% male</p> <p>53% unemployed</p> <p>96% charged with drug felony</p> <p>46% had prior arrests; 16 had prior court convictions</p> <p>205 had at least one arrest as a juvenile</p> <p>42% didn’t complete Phase I of treatment</p> <p>9% of enrolled terminated for noncompliance</p> <p>participants averaged 9.28 days incarcerated</p>
53	July 2005	<i>Malheur County, Oregon Adult Drug Court (S.A.F.E. Court) Cost Evaluation: Final Report</i>	<p>Relatively low cost per participant compared with other programs (\$ 6,275) – 6,102 for males; 6,585 for females) compared with recidivism costs 9165.61-arrest; 10.00-booking; and 49.20-jail bed day.</p> <p>- females show decrease in costs after starting program while males (except for grads) show increase in costs due to more time spent in jail for new offenses</p> <p>-Average costs for females 2 years prior to drug court were \$ 2,312.34 compared with \$ 1,679.30 two years following drug court entry;</p> <p>-average costs for ALL male participants two years prior to entry were lower (1,205.36 vs 2,612.84) than following program entry but mainly due to terminated participants and jail costs entailed. Costs for male graduates were reduced from \$ 643.08 2 years prior to program entry to \$ 261.80 2 years following program entry.</p>	<p>-Level of substance abuse was reduced, based on both UR results and rearrests</p> <p>-Retention rate for both men and women is better than most standard (non-criminal justice related) treatment programs</p> <p>Factors associated with fewer rearrests were (1) greater number of treatment sessions;</p> <p>-graduates tended to have fewer arrest prior to program entry; were slightly more likely to be male, were less likely to use methamphetamine, were more likely to have had treatment prior to drug court, and more likely to score high on the “readiness-for-treatment scale”.</p> <p>-terminated participants were more likely to use methamphetamine, less likely to use alcohol or marijuana, attend fewer treatment sessions and scored lower on the readiness for treatment testing.</p>
54	September 2006	<i>Kalamazoo County, Michigan Adult Drug</i>	Substantial cost savings/avoided costs resulting from fewer re-arrests, less probation time and fewer new court	- drug use decreased over a 12 month period for both females and males

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		<i>Treatment Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	cases. - combined programs saved total of \$ 593,154 over a two year period for persons entering the program during two year study period (2002-3); savings can be anticipated to accrue over additional years.	
55	September 2006	<i>Barry County, Michigan Adult Drug Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	Cost savings for drug court participants of over \$ 3,000 per participant over 2 year period as a result of fewer re-arrests, less probation time and fewer new court cases. - multiplying cost savings by 108 participants since program implementation, total savings have been \$ 353,160. For foist two years sine program entry. - Can expect cost savings to continue following 2 year study period.	All participants (graduates and terminated) consistently showed less drug use than comparison group; for some time period, no positive drug tests for participants during same time period when positive drug tests for comparison group were might higher.
56	March 2004	<i>The Douglas County (Nebraska) Drug Court: Characteristics of Participants, Case Outcomes and Recidivisms. Cassia Spohn and R.K. Piker. Final Report. March 2004</i>		Males significant less likely than females to graduate; Drug court success also affected by age at which offender first used drug and by number of positive drug tests during first six months of prog4ram
57	November 2001	<i>Dallas County DIVERT Court Outcome Evaluation. Monica Turley and Ashley Sibley.</i>	--	Program retention predicted by age; average age of graduates was greater than dropouts; older participants (average of 35 years) more likely to successfully complete treatment than younger participants.
58	January 2003	<i>Initial Process and Outcome Evaluation of Drug Courts in Texas. Criminal Justice Policy Council.</i>	--	Drug court graduates had 3.4% incarceration rate 3 years following program entry vs. 21.4% for noncompleters and 26.6% for comparison group; incarceration rate for all drug court participants was 12%; Frequency of positive drug tests was 9% - 11% for drug court participants compared with 50% for ADAM tested offenders. The effectiveness of drug courts in reducing recidivism merits considering strategies to expand drug courts in Texas.

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59	October 2003	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 1 Evaluation Report. ISED Solutions.</i>	--	<p>Older participants experience lower rates of post-treatment drug use generally and fare better with respect to new arrests</p> <p>Participants with at least a high school education fare better than clients without in terms of being arrested after treatment</p> <p>Gender is not associated with differences in treatment outcomes</p> <p>Race/ethnicity is associated with few differences in outcomes and, where it does, differences exist for Hispanic clients who are more likely to have problems with FTA's and rearrests so may need additional services, particularly for those with limited language skills</p>
60	December 2004	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 2 Evaluation Report. ISED Solutions.</i>	-	<p>Men and women have same treatment completion rate (60%)</p> <p>Caucasians fare better in treatment than African Americans (75% vs. 53% retention)</p> <p>Completion of residential treatment associated with significant reductions in post-treatment drug use, general arrests and failure to appear</p> <p>Participants who successfully complete treatment more likely to graduate than those who don't (44% vs. 8%)</p> <p>Older participants and those with high school education have lower risk of failing to complete program</p>
61	March 31, 2004	<i>Cost Benefit Analysis of the Douglas County, Nebraska Drug Court. R.K.Piper and Cassia Spohn</i>	<p>Average investment cost for drug court participants is \$ 4,803 vs \$ 9,224 for traditionally adjudicated offenders, resulting in cost benefit of \$ 4421 less for each drug court participants;</p> <p>Annual investment cost savings for drug court participants vs traditionally adjudicated offenders is \$ 1,326,414; greatest cost savings were for jail confinement \$ 622,098 and prison (\$1,125,642)</p> <p>Lesser 'up front' investment cost savings of \$ 125,703 for district Court and other agencies involved with prosecuting and processing drug offenders; additional savings of \$ 51,234 realized for County (Lower) courts and agencies at county court level;</p>	

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			<p>Reduced misdemeanor arrests resulted in outcome savings of \$ 346,129 and fewer felony arrests resulted in savings of \$ 533,468, with total annual outcome cost savings of \$ 899,597.</p> <p>Average annual outcome cost savings per drug court participant was \$ 2,999; total annual investment and outcome savings was \$ 2,226,011.</p> <p>Victimization costs (lost wages, medical and mental health care, etc.) savings resulting from reduced recidivism was \$ 1,120,886 for violent crimes reduction and \$ 64,823 for property crimes reduction, or total victimization cost savings of \$ 1,174,809</p>	
62	February 2007	<i>Recidivism in Alaska's Felony Therapeutic Courts.</i> Alaska Judicial Council		<p>-The longer participants stayed in the program, the less likely they were to recidivate even if they did not graduate</p> <p>-54% of participants in the programs graduated</p> <p>- participants who were discharged or left voluntarily had same rate of recidivism as offenders charged with felonies in 1999 who didn't enter these programs</p> <p>- older participants less likely to be rearrested than younger participants (43% of graduates were 40+ ; 33% of terminated participants were 40+</p> <p>- participants in Anchorage Felony DUI Court less likely to be rearrested than those in Anchorage Felony Drug Court and Bethel Therapeutic Court</p> <p>- native participants responded as well to therapeutic court programs as Caucasian participants; Blacks and other ethnicities did not do as well as Caucasian participants</p>
63	October 2006	<i>The Staten Island Treatment Court Evaluation: Planning, Implementation, and Impacts.</i> Kelly O'Keefe and Michael Rempel. Center for Court Innovation.	SITC successful in reducing the between arrest and initial plea date. (2,1 mos. Vs 4,2 av.; 1.5 med mos. Vs. 2.7 moss for comparison group).	Drug court failures significantly more likely to be sentenced to jail or prison than comparison group (96% vs. 27%) and averaged significantly more time sentenced to jail or prison (208 days vs. 39 days). "Therefore, there is some legal risk involved in entering the drug court." Graduating means the complete avoidance of a criminal record since cases are dismissed; but failing involves a longer average sentence than what would have, on average, been imposed had the case been processed using conventional methods.
64	2007	<i>2005/2006 Tennessee Drug Court Annual</i>	n/a	<p>-Drug testing: 82,950 drug screens in FY 2006-2006; 2, 917 positive (3.5%)</p> <p>-overall retention rate of 56% for fiscal year (range between 31% and 82%)</p>

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		<i>Report. Office of Criminal Justice Programs. Dept. of Finance and Administration.</i>		-1,713 graduates and 1,289 participants terminated since inception of reporting programs; graduation rate is 57%.
65	2007	<i>Wyoming Drug Court Performance Measures Project. National Center for State Courts.</i>	n/a	<ul style="list-style-type: none"> -Drug Use Reported: Alcohol: (87.5%); marijuana (65.3%); meth (51.5%); cocaine (8.8%); hallucinogen (3.7%); prescript drug (2.7%); heroin (1%); crack (.3%) -Offenses: drug pos (43.4%); DUI (37%); prob rev (12.5%); property (9.1%); person (7.4%); drug sales (5.7%); Other (11%) -status of admissions: graduated: 48.1%; terminated 16.7%; active: 15.7%; absconded: 10.2%; withdrawn 9.3%) -retention rates: mean days in program: graduates : 402; terminated: 249 -sobriety: Percent positive drug test: 86 (2.1%) -gender: male 76%; average age: 29 years at time of admission -average days in program: 439 Caucasian; 90%) GED/HS degree: 58% Employed: 65%; Single: 4% Prior record: no more than 2 prior arrests in past year: 63%
66	April 2007	<i>Multnomah County, Oregon: The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs. NPC Research</i>	<ul style="list-style-type: none"> Investment costs in drug court were \$ 1,392 less than for ‘business as usual’ processing; savings due to reduced recidivism for drug court participants totaled more than \$ 79 million over 10 year period; - investment cost per participant was \$ 5,16 vs. \$ 6,560 for nondrug court participant -greatest cost benefit due to less use of jail days. 	<ul style="list-style-type: none"> -drug court judges who worked longer with the drug court had better participant outcomes - judges who rotated into drug court twice had better participant outcomes the second time - drug court was effective continuously except for two “rough periods” –(1) first 2 years of the program, during initial implementation period; and (2) in 1996 when drug court moved outside of the courthouse; -during “target Cities” period, comparison group (nondrug court participants) did better than in other periods -some judges showed greater reductions in recidivism than others (range was 4% to 42%) - no difference in recidivism when single court judge or multiple judges were presiding; - early drug court judges did not have as positive outcomes as judges who came later-perhaps attributed to formalization of procedures and training
67	April 2007	<i>Indiana Drug Courts: A Summary of Evaluation Findings in Five Adult</i>	All 5 programs showed cost savings due to reduced recidivism; average cost savings for 2-year follow up period to local agencies and the state ranged between \$	<ul style="list-style-type: none"> -Program participant characteristics varied from program to program except for age (31-33 years) -Wide range of drugs used

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		<i>Programs. NPC Research</i>	314 and \$ 7,040 per participant, based on fewer rearrests; fewer court cases; less probation time; less jail time and less prison time; doesn't count number of drug-free babies born; decrease in health care expenses and drug court participants' taxes resulting from employment. Overall: five courts resulted in savings of over \$ 7 million for the two years. Over time, return to tax payer for investment can be up to \$ 5.35 for every \$ 1.00 invested	-similar graduation rates (50-56%) despite differences in populations
68	Fall 2005	<i>An Evaluation of Treatment in the Maine Adult Drug Courts. Faye S. Taxman, April Pattavina and Jeffrey Bouffard.</i>		58% of participants had some negative behavior resulting in a sanction; sanctions most frequently were incarceration, increased reporting or termination; few sanctions relied on treatment or intensification of treatment, written assignments, etc.; offenders given these sanctions more likely to be expelled than those who received treatment sanctions. Participants involved with DSAT program had reductions in depression, hostility and risk-taking behavior, could identify personal progress and had good relations with staff DSAT curriculum engages many of the participants and reflects a sound treatment approach Control sanctions (e.g. increased reporting, etc., can undermine the treatment program; treatment based sanctions may reinforce the drug court Judiciary should receive education in use of treatment based sanctions and value to the treatment court; Should also use different assessment tools to determine offenders that are less engaged in treatment and less committed to conformity.
69	Spring 2008	<i>Substance Use, Drug Treatment, and Crime: An Examination of Intra-Individual Variation in a Drug Court population. Denise C. Gottfredson, Brook W. Kearley, Shawn D. Bushway.</i>	NA	<ol style="list-style-type: none"> (1) persons who had any treatment last month had 11% probability of using alcohol this month compared with 17.3% for those who didn't receive treatment. (2) substance use is related to increased levels of crime but no correlation between use of alcohol and whether subsequent crime was violent or income generating
70	January 2008	<i>Strafford County [NH] Drug Treatment Court: Performance Evaluation 2. New Hampshire Center</i>	Client load of 37 individuals costs \$ 43 per client per day for treatment, case management, court and administrative services: includes: \$ 15/day for case managers/coordinators; \$ 17/day for treatment and \$ 3/day	<ol style="list-style-type: none"> (1) median days for completion of LADC assessment decreased from 37 to 28 days [goal is 14 days]; overall time from referral to lea decreased from 57 to 53 days. So further work needed in this area (2) continued work to develop standards for termination to improve

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		<i>for Public Policy Studies.</i>	for probation supervision; clients pay \$ 2 per day	<p>consistency and fairness</p> <p>(3) continued opportunity for female-only treatment groups now held on a weekly basis</p> <p>(4) other needed improvements now identified including: (a) clarifying procedures for clients who are not actively participating in group sessions, not fully prepared for treatment, or are under the influence of alcohol or drugs while in attendance; (b) enhanced use of Motivational Enhancement Therapy</p> <p>(5) 137 offenders referred to program of which 67 admitted; reasons for nonadmission most frequently were “can’t meet requirements or comply with rules (30%) or “pursing other program” (25%).</p> <p>(6) Program is 46% [sic female and 51% male; 16% had prior mental health diagnosis and treatment</p> <p>(7) 14 (21%) of all participants admitted have graduated; 13 have moved to final phase; 16 (24% have been terminated.</p> <p>(8) Now using database (enhancement of probation database) developed for program to monitor future operations; info entered by drug court coordinators and case managers and includes demographic data, treatment data and data on court proceedings</p>
71	August 1, 2006	<i>A Process and Site-Specific Outcome Evaluation of Maine’s Adult Drug Treatment Court Programs. Andrew Ferguson et. Al. Dep’t. Of Sociology., University of Southern Maine</i>	<p>(1) Adult drug court has generated net correctional savings of \$ 11,243,726 in cost savings based on incarceration costs that would have been incurred (for 169 participants)</p> <p>(2) For every dollar spent in drug court, overall net correctional savings of \$ 3.30</p>	<p>(1) number of referrals and new admissions to the five adult drug court has declined by 27 % (referrals) and 24% (new admissions)</p> <p>(2) overall graduation rates are 60^ compared with national rate of 48%</p> <p>(3) average length of time from initial referral to admission is 85 days (same as previous year)</p> <p>(4) greater consistency in sanctioning of participants with similar infractions across sites using jail sanctions; 87% of sanctions for first positive test was 7 days or less</p> <p>(5) most drug court participants (57%(able to access an array of ancillary services</p> <p>(6) observations indicated no consistency among the five drug courts in how they interact with participants in the courtroom</p>

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				<p>(7) results of analysis on DSAT clinical pre/post treatment measures indicates many significant improvements in attitudes, coping behaviors and confidence in participants in ability to refrain from drug and alcohol use</p> <p>(8) Androscoggin Co.: older participants (over 27) three times ore likely to graduate than younger ones; first time offenders more likely to graduate and participants who receive “rewards” are nearly 10 times more likely to graduate</p> <p>(9) Penobscot Col: females with no high school education 10 times less likely to graduate</p>
72	August 2007	<i>Benefit-cost calculations for three adult drug courts in Minnesota. August 2007. Paul A. Anton. Wilder Research</i>	Estimate that the rug courts in Stearns, Dodge and St. Louis Counties generated \$ 5.08 of benefit for every dollar of cost.; total benefits were 4.8 million vs costs of 1.3 million for study period; savings based on costs of initial offense; cots of subsequent arrests; and costs of subsequent convictions (used \$ 1,522 cost per case produced by Washington State Institute of Public Policy in 2006; used \$85/day average for prison costs; incarceration costs saved for each program completer are over \$ 46,000; used Washington State Institute for Public Policy study figures of \$ 5,370 arrest costs for drug offenses and other nonviolent crimes and \$ 6,438 for violent crimes	n/a
73	September 2008	<i>California Drug Courts: Costs and Benefits: Superior Court of San Francisco County. Shannon M. Carey et al. NPC Research</i>	Average cost for drug court participant: \$ 9,757; average cost per Drug court graduate: \$ 18,295; vs average cost for traditional case process per person: \$ 16,378 (also provides breakdown in average costs per agency) and differential; net savings is \$ 6,622 per participant; also provides costs per person associated with recidivism, broken down by transaction:\$ 15,647 for graduates and 24,394 for participants vs 31,967 for comparison group; provides similar information broken down by agency	(1) average time in program was 7.2 months
74	January 31, 2004	<i>Evaluation of Maine’s Statewide Adult Drug Treatment Court Program. Interim Report. Donald Anspach, Ph.D. U. of Southern Maine</i>	N/A (but see Nos. 68 and 71 for follow up studies)	<p>1.Statewide graduation rate (50%)</p> <p>2. 20% increase in new admissions over past year</p> <p>3. participants who are tested more frequently more likely to graduate</p> <p>Participants who receive jail sanction 7 times LESS likely to graduate</p> <p>Length of time between referral and final admission increased form 71 days in 2002 to 78 days in 2003</p>

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75	March 2009	<i>Strafford County (New Hampshire): Drug Treatment Court: Final Performance Evaluation. New Hamp Center for Public Policy Studies</i>	N/A	<p>-32 (54%) of participants admitted in first two years graduated from the program;</p> <p>-27 (46%) of participants admitted in first two years terminated and sentenced to incarceration (9 committed new offense while in program- shows most participants don't recidivate while in program</p> <p>-program enhancements of age-specific treatment groups; allowing clients tardy for treatment to participate, and access to transitional housing were important</p> <p>- continuing challenges: (1) length of time offenders wait to enter program (goal is 14 days for initial assessment: referral to plea is actually 2 months – further delays resulting from reduced availability of judge; (2) mental health needs of participants; data problems resulting from small number of participants; (3) smaller number of participants than planned (anticipated 60 clients; as of October 31, 2008 have 33 active participants plus 11 on second year of probation supervision; since January 2006: 221 offenders referred and 102 (46%) admitted. (34% for not being able to comply with rules or requirements)</p>
76	January 2009	<i>Vermont Drug Courts: Rutland County Adult Drug Court Cost Evaluation. Final Report. NPC Research</i>	<p>Program investment cost was \$ 19,405 per drug court participant; cost due to recidivism (rearrests, new court cases, probation, incarceration and victimizations) over 3 years was \$ 48,277 per rug court participant vs. \$ 64,251 per comparison group member, with savings of \$ 15,977 per participant.</p> <p>Total criminal justice system cost per participant during the program is \$ 5,809 less than traditional court processing (\$ 9,749 if victimizations are included)</p> <p>If the program continues to enroll a cohort of 26 new participants annually, savings per participants over 3 years will be \$ 138,441 per cohort; after 5 years, the accumulated savings will be over \$ 2,000,000.</p> <p>Summary: \$ criminal justice system cost savings of \$ 15,977'</p> <p>Criminal justice system costs 59% less during program</p>	<p>As of May 2008, 111 people entered program; 21-25 active participants at any one time; 32 graduated; 59 withdrew or were terminated, and 20 still active</p> <p>Average age of participants was 27 Years, 55% female</p> <p>95% white;</p> <p>Most common drug of choice was heroin (50%), followed by prescription drugs (23%) which reportedly increased significantly in prior year, and cocaine (11%), as well as alcohol.</p>

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			<p>participation compared with costs for nondrug court participants</p> <p>Projected 150% return on investment after 5 years;</p> <p>Projected 300% return on investment after 10 years.</p>	
77	April 2008	<p><i>To Treat or Not to Treat: Evidence on the Prospects of Expanding Treatment to Drug-Involved Offenders.</i></p> <p>Urban Institute. [Avinash Singh Bhati, John K. Roman,</p>	<p>(1) Under current policy regime (which for the most part limits access to treatment for the population we are studying to drug courts) there are about 55,000 individuals treated annually, about 32,000 are at risk of dependence, and 23,500 are at risk of drug abuse. (2) estimate that about \$ 515 million dollars is spent annually to treat those drug court clients and that this yields a reduction in offending which creates more than \$ 1 billion dollars in annual savings.</p> <p>(3) estimate that the current adult drug court treatment regime produces about \$ 2.21 in benefit for every \$ 1 in costs, for a net benefit to society of about \$ 624 million.</p> <p>(4) benefit-cost ratio is higher for those at risk of abuse (2.71) as compared to those at risk of dependence (1.84), even though the abuse group is less prevalent in the drug court population.</p> <p>(5) estimate that there are about twice as many arrestees eligible for drug court (109,922) than there are available drug court treatment slots (55,365). We simulate the effects of treating all of these currently eligible in the four treatment modalities studied by DATOS [Drug Abuse Treatment Outcome Study] and find that the costs of treating these additional clients about doubles, to slightly more than \$ 1 billion. We find that the expansion of drug treatment to this larger population remains cost-effective, although the benefit-cost ratio is fractionally reduced to 2.14 from 2.21. In total, this expansion of treatment yields a benefit to society of more than \$ 1.17 billion dollars....</p> <p>[Re potential value of expanding drug treatment courts]</p> <p>(7) estimate that expanding treatment access to those</p>	<p>(1) for those at risk of drug dependence, longterm residential reduces recidivism by 34%, short term inpatient by 19%, outpatient methadone by 20%, and outpatient drug free by 30%.</p> <p>(2) For those at risk of drug abuse, recidivism reductions are large (27%); outpatient drug free is the most effective modality, reducing recidivism by 33%; long term inpatient reduces recidivism by 27%, short term inpatient by 20% and outpatient methadone by 16.%</p> <p>(3) Small or no reductions in crime observed for the most serious crimes. .</p>

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			<p>with a pending case is cost beneficial, with about \$ 1.65 billion in total benefits. In particular, allowing those with a pending case who are at risk of drug dependence is especially beneficial, with a benefit to cost ratio of 4.13:1.</p> <p>(8) allowing participants with past violence into court supervised treatment is as cost-0beneficial as current practice, with a benefit to cost ratio of 2.15.</p> <p>(9) While the addition of those at risk of abuse with prior violence is cost beneficial (3.14:1), adding those at risk of drug dependence with prior violence is much less cost beneficial (1.38:1).</p> <p>(10) Expanding the program to include those with a history of failed treatment is also cost-beneficial (2.09:1), especially for those at risk of drug abuse (2.29:1)</p> <p>(11) Allowing those with co-occurring alcohol problems into court supervised treatment is cost –beneficial for the entire group treated (1.783:1). For those at risk of dependence, the results are better, with the newly added group estimated to have a benefit to cost ratio of 1.43:1. However, adding those with co-occurring alcohol problems who are at risk of drug dependence is not cost-effective (.70:1).</p> <p>(12) Treating all at risk arrestees would cost more than \$ 13.7 billion and return benefits of about \$ 46 billion. We find that this approach would be cost-effective, with a benefit of \$ 3.36 for every dollar in cost.....”</p>	
78	March 2008	<i>Carey, S. M., Fuller, B. E., & Kissick, K. (Oct. 2007). Michigan DUI Courts Outcome Evaluation: Final Report. NPC Research:</i>	Time enrolled in the program was higher for DUI court participants compared to time spent on probation in the comparison group also in two out of the three programs. Longer time spent in the program predicts success both in completing the program and in reducing recidivism. Overall, these results demonstrate that the DUI court is effective in reducing recidivism and reducing drug and	DUI court participants were re-arrested significantly less often than comparison group offenders who were sentenced to traditional probation. In the example from one DUI court site shown in Figure A, the comparison offenders on traditional probation were re-arrested nearly six times more often in the first year after starting probation for the DUI charge than the DUI court

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		<i>Portland, OR.</i>	alcohol use while using less criminal justice system resources to accomplish these goals.	<p>participants and were re-arrested four times more often in the second year (2) Percent of positive drug tests were measured in three month intervals for DUI court participants. The example in Figure C shows that participants in the DUI Court significantly decreased the percent of positive drug tests over time ($F = 5.340$; $p = .001$). This provides support that the DUI Court was instrumental in reducing the amount of illegal drug use during the first year participants spend in the program</p> <p>In all three DUI courts showed that the rates for DUI court graduation and retention ranged from 54% to 84%. The program retention and completion rates are comparable or higher than the rates for programs following the drug court model in the nation. For example, a study of nine drug courts in California showed an average retention rate of 56% (Carey et al., 2005).¹</p> <p>Data for all of the participants in the DUI Court program were examined to determine what characteristics predicted recidivism. Results showed that those with fewer dependents, lower numbers of previous misdemeanors and felonies, fewer days in treatment, higher number of jail days prior to program start, a higher number of sanctions and being male were more likely to be re-arrested</p>
79	April 2008	<i>Harford County, Maryland Adult District Drug Court Process Evaluation. A report to the Maryland Judiciary, Office of Problem-Solving Courts Crumpton, D., Mackin, J. R., Weller, J. M., Linhares, R., Carey, S. M., & Finigan, M. W. (July 2007).</i>	The total criminal justice system cost savings per participant after 2 years was \$2,767 per drug court participant, regardless of whether or not they graduated. When this figure is multiplied by the 4001 participants who have entered the drug court since its inception, it results in a total savings of \$1,106,800 . If savings continue for each participant at the same rate (which has been shown to occur in other studies, e.g., Finigan, Carey, & Cox, 2007), after 10 years, the savings for these 400 participants will total over \$5.5 million (\$5,534,000)	HCADC participants had consistently fewer drug-related re-arrests following entrance into drug court. HCADC program participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate

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80	March 2008	<p>Carey, S. M., Finigan, M. W., & Pukstas, K. (March 2008). <i>Exploring the Key Components of Drug Courts: A Comparative Study of 18 Adult Drug Courts on Practices, Outcomes and Costs.</i> NPC Research: Portland, OR</p>	<p>The drug court has a single treatment provider (that can make referrals to other treatment as needed). The treatment representative is expected to attend all drug court sessions. Factors that reduce costs The prosecution is expected to attend all drug court team meetings (participant progress meetings). The prosecution is expected to attend all drug court sessions. The defense attorney is expected to attend drug court team meetings (participant progress meetings). The drug court allows non-drug charges. The drug court expects 20 days or less to pass from a participant's arrest to drug court entry. The drug court maintains a caseload of less than 150 clients. The drug court program is expected to take one year or more for participants to complete. Drug court has guidelines on the frequency of group treatment sessions that a participant must receive. Drug court has guidelines on the frequency of individual treatment sessions that a participant must receive. In the first phase of drug court, tests are collected at least 2 times per week. Drug court staff generally has drug test results within 48 hours. The drug court requires participants to have greater than 90 days "clean" before graduation. The drug court decreases the frequency of future treatment sessions as a reward. Only the judge can provide clients with tangible rewards. The judge is assigned to drug court for a term greater than 2 years (or indefinitely). In the first phase of drug court, participants appear before the judge in court once every 2 weeks or less. In the final phase of drug court, the clients appear before the judge in court at least once per month.</p>	<p>Our analysis revealed that despite the availability of benchmarks through the National Association of Drug Court Professionals, drug courts still have a lot of discretion in how they implement the 10 Key Components. Under each of the 10 components, there were both similarities and differences in how drug courts were operated. Differences across drug courts are expected and should not be misinterpreted as negative findings</p>

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			<p>The drug court maintains data critical to monitoring and evaluation in an electronic database (rather than paper files).</p> <p>The drug court collects program statistics and uses them to modify drug court operations.</p> <p>The drug court uses the results of program evaluations to modify drug court operations.</p> <p>The drug court has participated in more than one evaluation conducted by an independent evaluator.</p> <p>Team members received training in preparation for the implementation of the drug court.</p> <p>All new hires to the drug court complete a formal training or orientation.</p> <p>All members of the drug court team are provided with training.</p> <p>The drug court team includes a representative from law enforcement (not including probation)</p>	
81	April 2007	<p><i>Finigan, M. W., Carey, S. M., & Cox, A. A. (2007). The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs: Final Report. NPC Research: Portland, OR.</i></p>	<p>The data from over 10 years of operation show that the Multnomah County Drug Court actually costs less to operate than the cost of “business as usual.” The investment cost per participant for the STOP Program was \$5,168 while the cost per offender for “business as usual” was \$6,560, a difference of \$1,392. These data suggest that the finding in 2003 was not simply relevant to the specific time period. Overall, this means that, independent of avoided system costs accruing from positive outcomes, the Drug Court’s operation itself saved the taxpayer more than \$9 million over the 10-year period. Sources of this investment cost savings include treatment and probation services.</p>	<p>(1) While all judges showed reductions in re-arrests, some judges showed greater reductions than Others. The reductions in re-arrests ranged from 4% to a substantial 42%, demonstrating clear Differences. This suggests that drug court results may vary depending on the judge involved</p> <p>Figure 1 Overall, for the entire population of eligible offenders, the Drug Court significantly reduced the incidence and frequency of criminal recidivism for participants compared to offenders who did not participate. Including all offenders who were eligible for the Drug Court during the total 10-year period, over 5 years from the Drug Court petition hearing, the incidence of re-arrest was reduced by nearly 30%.</p> <p>Figure 1 number of external changes from 1991 to 2001 that might have had an influence on court operations and outcomes were identified. These external changes were categorized</p>

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				as follows: criminal justice system changes, changes in the Multnomah County substance abuse treatment system, and changes in the Oregon managed care system. With one exception, these changes appeared to have no statistically significant impact on subsequent recidivism for this population (drug court and comparison group).
82	March 2007	Carey, S. M., & Waller, M. (March 2007). Guam Adult Drug Court Outcome Evaluation: Final Report. NPC Research: Portland, OR.	N/A	n/a
83	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Monroe County Drug Treatment Court Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for MCDTC drug court participants. The average cost for the MCDTC Program was \$20,067 per participant. This amount is on the highest end of the costs found nationally in other drug courts (\$4,000 to \$20,000) studied by NPC Research (Carey & Finigan, 2004; Carey et al., 2005) and is mainly due to a large amount of resources invested in drug court case management. However, the outcome cost savings indicate that participation in drug court offers a cost-benefit to the Indiana taxpayer due to a low number of subsequent re-arrests and associated incarceration and victimizations.	MCDTC participants consistently showed less drug use as measured by percent positive urine drug screens over 12 months. Figure B illustrates the percent of positive drug tests over time for the drug court group, which includes graduates, terminated participants, and active participants. This figure shows a smaller percentage of positive drug tests for MCDTC participants following program entry. Further, the percent of positive drug tests is extremely small (3% or less) during the course of the program. The areas in which the MCDTC may wish to implement changes to enhance their services are as follows: <ul style="list-style-type: none"> • MCDTC may wish to consider offering more flexibility in the program by adding an additional testing schedule to better accommodate work schedules and school start times. • The drug court team should consider the optimal program dosage and intensity required to maximize accountability and oversight, while promoting successful participation. • Although the MCDTC has developed partnerships with community agencies, they may wish to increase or strengthen these partnerships in order to better meet the needs of participants.

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				<ul style="list-style-type: none"> • The drug court should consider consistently having an independent judge sentence terminated MCDTC participants. • The MCDTC team may want to discuss possible ways to decrease the time interval between participant identification and entry into the drug treatment court. • The hiring of a part-time Spanish interpreter may help the MCDTC reach more of its target population.
84	November 2006	<i>Carey, S. M., Finigan, M. W., Crumpton, D., & Waller, M. S. (2006). California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II in a Statewide Study. Journal of Psychoactive Drugs, 38 (4), 345-356.</i>	Results in the nine sites showed that the majority of agencies save money in processing an offender through drug court. Overall, for these nine study sites, participation in drug court saved the state over \$9 million in criminal justice and treatment costs due to lower recidivism in drug court participants.	Overall, the results of this study demonstrate that drug courts are an effective approach to treating nonviolent drug addicted offenders. The offenders who participated in drug court programs, regardless of whether they completed the programs, had lower recidivism and produced more outcome savings over four years than similar offenders who did not participate. The net benefit, including investment and outcome costs, for the nine drug court programs in this study was over nine million dollars.
85	September 2006	<i>Marchand, G., Waller, M. S., & Carey, S. M. (Oct. 2006). Barry County Adult Drug Court Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Barry County Drug Court participants showed a cost savings of over \$3,000 per participant over a 2-year period. When this per participant savings is multiplied by the 1081 offenders who have participated in the Drug Court Program since implementation (in May 2001), the total Program cost savings (for outcomes over a 24-month period) is \$353,160 .	BCADC participants consistently showed less drug use than the comparison group. Figure 1 illustrates the percent of positive drug tests over time for the Drug Court and comparison Groups. The participant group includes graduates, terminated participants, and active participants. This figure shows a consistently smaller percentage of positive drug tests for BCADC participants following program entry. In fact, for some time periods there are no positive drug tests for BCADC participants at all while positive drug tests for comparison group members remain much higher.
86	February 2006	<i>Pukstas, K., Weller, J. M., Brekhus, J., Crumpton, D., Carey, S. M., Mackin, J. R., & Finigan, M. W. (Feb. 2006). Maryland Drug</i>	Cost analysis of juvenile drug courts and youth centers clearly illustrates the cost savings of working with this population in the community whenever possible. Juvenile drug courts offer specialized intensive services that can result in huge payoffs in terms of future quality of life for participants, their families, and their communities	Preliminary pre-post analysis of juvenile drug court participants in Maryland illustrate substantial reductions in new adjudicated charges, as well as significant reductions in the proportion of youth categorized as chronic offenders (i.e., those youth creating the most serious system and community impacts in terms of cost and public safety).

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		<i>Treatment Courts: Interim Report of the Effectiveness of Juvenile Drug Courts. NPC Research: Portland, OR.</i>		
87	July 2005	<i>Carey, S. M., & Marchand, G. (Jan. 2005). Malheur County Adult Drug Court (S.A.F.E. Court) Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	In general, the S.A.F.E. Court is successfully keeping program costs down while decreasing overall recidivism for its participants. Re-arrests and their associated costs are lower for the majority of participants. Although jail costs increase for many men after S.A.F.E. Court entry, male graduates and all females show a decrease in this taxpayer cost as well. Subsequent evaluation on a larger sample when the S.A.F.E. Court becomes a more mature program is needed to determine the validity of these results	Figure 3 shows that there was a significant reduction in drug-related re-arrests from the pre- S.A.F.E. Court period to 24 months following program entry. Generally, although males were rearrested for drug-related crimes more often than females, both genders had fewer drug-related rearrests after entering the S.A.F.E. Court Program. Females demonstrated the most drastic and significant reduction in drug-related re-arrests. Taken together, these results indicate that participation in the S.A.F.E Court Program achieves the goal of reducing substance use as can be inferred by a reduction in drug-related recidivism
88	July 2003	<i>Carey, S. M. & Finigan, M. W. (July 2003). A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research: Portland, OR.</i>	Does it cost more for drug court than for “business as usual”? A: No. The total investment cost by the agencies involved in drug court2 averaged \$5,927.80 per participant compared to \$7,369.32 for “business as usual.” The “business-as-usual” offenders cost \$1,441.52 more than the drug court participants. Thus, the drug court approach actually saved the taxpayer money in investment costs. This was in a large part due to the use of jail and probation time for “business as-usual” processing, and is also due to significant use of treatment and court resources.	Law enforcement/corrections and the public defender’s office received an immediate savings from the drug court approach. All agencies saved money in outcomes. Data on the utility of a number of less intensive means of gathering costs data showed that in many cases a medium intensity method, generally involving the use of client level administrative data, brought reasonable results
89	February 2004	<i>Carey, S. M. (Feb. 2004). Clackamas County Juvenile Drug Court Outcome Evaluation: Final Report. NPC Research:</i>	N/A	This information, combined with the fact that the number of positive Uas was not correlated with program status (graduation vs. termination), implies that the program response to drug use is successful in guiding participants to reduce use so that they are able to graduate. That is, it is not necessary for participants to have already reduced use at the start of the program in order to graduate.

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		<i>Portland, OR.</i>		The overall trend in outcomes for the CCJDC is consistently positive. The CCJDC program appears to be impacting its youth and families in the intended manner. Further outcome evaluation as the program continues to grow (e.g., through the enhancement grant received from BJA) will allow for a larger sample size and the ability to verify the positive preliminary results achieved in the current evaluation
90	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., & Linhares, R. (April 2007). Indiana Drug Courts: Vanderburgh County Day Reporting Drug Court Evaluation: Final Report. NPC Research: Portland, OR.</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Over a 2-year period, the VCDRDC cost outcomes were \$6,656 per participant compared to \$8,044 per offender that did not participate in Drug Court. When this per participant savings is multiplied by the 203 offenders who have participated in the Drug Court Program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) is \$281,764.	Using the 10 Key Components of Drug Courts (NADCP, 1997) as a framework, NPC examined the practices of the VCDRDC program. The VCDRDC fully satisfies many of the 10 Key Components through its current policies and structure. We found that VCDRDC: <ul style="list-style-type: none"> • Integrates alcohol and other drug treatment services effectively with justice system case processing, • Does an excellent job of using a non-adversarial approach between prosecution and defense counsel, • Provides a very good continuum of treatment services, • Uses frequent alcohol/drug testing to monitor abstinence, • Has a consistent reward and sanction structure for responding to participant compliance, • Graduates participants within VCDRDC's recommended timeframe, • Has had a continuously sitting judge since program implementation, and • Excels at developing partnerships with public and private community agencies and organizations.
91	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Vigo County Drug Court Process,</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Over a 2-year period, the VCDC cost outcomes were \$3,684 per participant compared to \$7,935 per offender that did not participate in drug court.	Using the <i>10 Key Components of Drug Courts</i> (NADCP, 1997) as a framework, NPC examined the practices of the VCDC program. The VCDC satisfies some of the 10 Key Components through its current policies and structures. We found that VCDC: <ul style="list-style-type: none"> • Uses frequent alcohol/drug testing to monitor abstinence, • Has a consistent reward and sanction structure for responding to participant compliance,

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#	Publication Date	Bibliographic Information	System Impact/Cost Savings	Other Findings
		<i>Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	When this per participant savings of \$4,251 is multiplied by the 697 offenders who have participated in the drug court program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) is nearly \$3 million.	<ul style="list-style-type: none"> • Graduates participants within VCDC's recommended time-frame, • Has had a continuously sitting judge since program implementation, and • Excels at developing partnerships with public and private community agencies and organizations.
92	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: St. Joseph County Drug Court Program Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	<p>Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants.</p> <p>Over a 2-year period, the SJCDP cost outcomes were \$3,838 per participant compared to \$7,971 per offender that did not participate in drug court, resulting in a savings of \$4,133 per drug court participant. When the 2-year per participant savings is multiplied by the 465 offenders who have participated in the drug court program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) comes to nearly \$2 million</p>	<p>Using the <i>10 Key Components of Drug Courts</i> (NADCP, 1997) as a framework, NPC examined the practices of the SJCDC program. The SJCDC satisfies many of the 10 Key Components through its current policies and structure. We found that SJCDC:</p> <ul style="list-style-type: none"> • Integrates alcohol and other drug treatment services effectively with justice system case processing, • Does an excellent job of using a non-adversarial approach between prosecution and defense counsel, • Provides a very good continuum of treatment services, • Uses frequent alcohol/drug testing to monitor abstinence, • Has had a continuously sitting Judge since program implementation, • Graduates participants within a recommended time frame, and • The SJCDC program completion and retention rates are high compared to other drug court programs in the U.S. <p>SJCDC participants consistently showed less drug use than the comparison group as measured by percent positive urine drug screens over 12 months. Figure B illustrates the percent of positive drug tests over time for the drug court and comparison group. The participant group includes graduates, terminated participants, and active participants. This figure shows a consistently smaller percentage of positive drug tests for SJCDC participants relative to the comparison group. An important trend over time is the decreasing positive urine screens for the drug court participants. Although the comparison group</p>

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				participants showed a trend of decreasing positive drug tests as well, their overall percentage of positive tests was significantly higher.
93	November 2009	Analysis of the Sisseton-Wahpeton Oyate Tribal Drug Court	Average Sentence for treatment court participants is 5.2 years. Savings are described as obvious no actual hard number	Added benefits of keeping families together Allows participants to keep working and add to the tribal economy.

CICAD Survey Instrument



This publication is being drafted by the Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security of the Organization of American States (OAS); the Justice Programs Office, School of Public Affairs, American University; the Institute for International Research on Criminal Policy (IRCP), Universiteit Gent; the Ministerio Público of Chile (General Prosecutor's Office); and the International Association of Drug Treatment Courts (IADTC). It is being developed in the framework of *the EU-LAC Drug Treatment City Partnerships*, an initiative coordinated by CICAD/OAS and funded by the European Commission. The content of this publication does not necessarily reflect the position of the EU or the OAS.

Establishing Drug Treatment Courts: Strategies, Experiences and Preliminary Outcomes

DTC Program Survey

PART ONE: DTC BACKGROUND INFORMATION

A. Name and contact information for Individual(s) completing this survey form:

Name:

Title

Agency

Address:

Telephone:

Fax:

email:

B. Location(s) of Drug Treatment Court Program:

City:

Country:

C. Drug Court Judge(s):

Name

Court

Address:

Telephone:

Fax:

email:

D. Date DTC Program Began

E. Total Number of Participants:

1. Please provide the most current statistics on your DTC:

- a. total number who have ever enrolled in the DTC program
- b. total number who have successfully completed the program
- c. total number who were terminated unsuccessfully
- d. total number who are currently enrolled

2. Are the number of participants reported above consistent with your expectations regarding program participation when the program was planned? If not, please explain

G. Background Leading Up to Development of the DTC; Goals/Mission of the

Program:

- 1. What was the situation leading to the development of the DTC?
- 2. Were specific goals developed for the program to achieve? If so, what were they?
- 3. To what degree to you feel these goals have been achieved?

PART TWO: DTC PROGRAM DESCRIPTION

A. Summary Program Description:

1. Please briefly describe your DTC and how it differs from the traditional method of dealing with drug involved offenders.
2. Please indicate on the chart below the staff assigned to the DTC:

Position	Number	Full-time	Part-Time
Judge			
Prosecutor			
Defense Attorney			
Substance Abuse Counselor			
Mental Health Counselor			
Social Worker			
Probation Officer			
Nurse			
Psychiatrist			
Other (please describe)			

B. Target Populations; Eligibility Determination

1. What offenders (e.g, "target population") was the DTC established to serve?
2. Have there been any changes in the target population served by the DTC since the DTC began?
If so, please describe the changes and why they were made.
3. DTC Eligibility
 - a. Please summarize the eligibility requirements to participate in your DTC
 - (1) Criminal justice characteristics (i.e. nature of offense, prior criminal history, etc.)
 - (2) Substance Use/Treatment needs (i.e. nature/extent, etc.)
 - (3) Other

- b. Have there been any changes in the eligibility requirements since the DTC began? If so, please describe the changes and why they were made.
4. Referral process and stage in the criminal justice process at which DTC eligibility is determined
 - (1) At what stage of the criminal justice process is DTC eligibility determined?
 - (2) How are potential DTC participants identified?
 - (3) On average, how many days after arrest is DTC eligibility determined?

C. Operational Components

1. What incentives, if any, are offered to offenders to become DTC participants?
2. What role does the DTC judge play in your DTC?
(e.g., Does the drug court judge hold periodic hearings to review the progress of TC participants? If so, how frequently? What role, if any, does the drug court judge play in coordinating the services provided to DTC participants?)
3. Monitoring and Responding to Compliance/Noncompliance with DTC requirements
 - a. What method(s) are used to monitor DTC participants' compliance with DTC program requirements?
 - b. What information do you feel is most useful in assessing compliance with DTC requirements?
 - c. What responses/sanctions are given to noncompliance with DTC requirements?
 - d. Are incentives or other positive reinforcement provided for participants who comply with DTC requirements? If so, please describe.
4. Length of the DTC program
 - a. How long is the required period of participation for your DTC?
 - b. Do you feel this period is too short? Too long?

D. Treatment Services

1. Please indicate whether the following services are available to the majority of DTC participants:

Detox

Outpatient

Residential

Acupuncture

Pharmacological interventions (e.g., methadone, suboxone, etc.)

Other (please explain)

2. Please describe generally the nature and extent of drug addiction among participants in your DTC (i.e., types of drugs used, length of drug use, associated physical and/or mental health conditions, etc.)
3. What types of agencies/organizations provide the treatment services for your DTC program participants? (e.g, NGO's, public health department, local hospital, etc.)
4. Since the inception of the DTC, have any changes been made in the nature and/or frequency of treatment services provided to DTC participants? If so, please describe the changes and the reason(s) they were made.

E. Other Program Services

1. Does your DTC provide other services to DTC participants (e.g., housing, dental/medical, employment, etc.)? If so, please summarize the services provided and the types of agenc(ies) that provide them.
2. Are there any additional services you would like to see provided to improve operations? If so, please describe them
3. Are any services provided to participants once they leave the DTC program? If so, please describe them. Are these services voluntary?

F. Legal Process

1. What changes, if any, have been made to the traditional criminal justice process in order to implement the DTC?
2. What is the legal outcome for cases of DTC participants if they:
 - (a) successfully complete the program?
 - (b) do not successfully complete the program?
3. Was special legislation needed to implement the DTC? If yes, what issues did the legislation address? Please provide a copy of the legislation.

G. Building and Maintaining Inter- and Intra-Agency Consensus and Support

1. What strategies were used to develop buy-in and support for the DTC program
 - From the judiciary?
 - From other criminal justice officials?
 - From attorneys?
 - From public health officials?
 - From community leaders?

- From others whose support was needed?
- 2. What obstacles, if any, were encountered in building support for the DTC? How were these addressed?
- 3. What strategies are used to maintain interagency support for the DTC now that it has been implemented?

H. Planning and Testing Feasibility of the DTC

- 1. Was a pilot project used to test the viability of the DTC? If yes, how was its success determined?
- 2. How much time was devoted to planning the DTC, including any pilot testing conducted?

I. Training

- 1. Has any interdisciplinary training been provided for staff involved in the DTC to enhance understanding of the program? If so, please describe the nature of training provided.
- 2. What training/continuing education do you feel is needed to sustain the DTC, particularly as personnel change?

J. Program Costs

- 1. What additional resources/costs, if any, have been required to plan, implement and operate the DTC program and provide DTC services?
- 2. What source(s) have been used to provide these resources/funds?

K. Criteria for Effectiveness

- 1. What criteria are used to measure the effectiveness of the DTC program?
- 2. Are recidivism rates among participants in the DTC noticeably different than those among offenders processed by traditional criminal justice procedures? If so, please describe.
- 3. Are the costs for sending an offender through the DTC noticeably different than those entailed with the traditional criminal justice process? If so, please describe.
- 4. Have any evaluation reports on the DTC been published? If so, please attach a copy. If they are not available, please briefly summarize the results reported.

L. Broader Impact of the DTC

1. What benefit(s), if any, do you feel the DTC provides to the community?
2. Has your city or municipality been involved with the planning and/ or implementation of the DTC? If so, please describe the involvement.

M. Unanticipated Issues That Have Developed

1. Have any unanticipated issues developed since implementing the DTC? If so, please briefly describe them and indicate how they were addressed.

Other Comments:

Please return completed survey by February 15, 2010 to:

Justice Programs Office, School of Public Affairs
American University
Email: justice@american.edu

Attention: Caroline Cooper

With an electronic copy to: Antonio Lomba at: Alomba@oas.org

Thank you for completing this survey. We will recognize each contributor's response in the publication as well as send you a draft compilation of all of the responses shortly.

THE ORGANIZATION OF AMERICAN STATES

The Organization of American States (OAS) is the world's oldest regional organization, dating back to the First International Conference of American States, held in Washington, D.C., from October 1889 to April 1890. At that meeting the establishment of the International Union of American Republics was approved. The Charter of the OAS was signed in Bogotá in 1948 and entered into force in December 1951. The Charter was subsequently amended by the Protocol of Buenos Aires, signed in 1967, which entered into force in February 1970; by the Protocol of Cartagena de Indias, signed in 1985, which entered into force in November 1988; by the Protocol of Managua, signed in 1993, which entered into force on January 29, 1996; and by the Protocol of Washington, signed in 1992, which entered into force on September 25, 1997. The OAS currently has 35 member states. In addition, the Organization has granted permanent observer status to 63 states, as well as to the European Union.

The essential purposes of the OAS are: to strengthen peace and security in the Hemisphere; to promote and consolidate representative democracy, with due respect for the principle of nonintervention; to prevent possible causes of difficulties and to ensure peaceful settlement of disputes that may arise among the member states; to provide for common action on the part of those states in the event of aggression; to seek the solution of political, juridical, and economic problems that may arise among them; to promote, by cooperative action, their economic, social, and cultural development; and to achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the member states.

The Organization of American States accomplishes its purposes by means of: the General Assembly; the Meeting of Consultation of Ministers of Foreign Affairs; the Councils (the Permanent Council and the Inter-American Council for Integral Development); the Inter-American Juridical Committee; the Inter-American Commission on Human Rights; the General Secretariat; the specialized conferences; the specialized organizations; and other entities established by the General Assembly.

The General Assembly holds a regular session once a year. Under special circumstances it meets in special session. The Meeting of Consultation is convened to consider urgent matters of common interest and to serve as Organ of Consultation under the Inter American Treaty of Reciprocal Assistance (Rio Treaty), the main instrument for joint action in the event of aggression. The Permanent Council takes cognizance of such matters as are entrusted to it by the General Assembly or the Meeting of Consultation and implements the decisions of both organs when their implementation has not been assigned to any other body; it monitors the maintenance of friendly relations among the member states and the observance of the standards governing General Secretariat operations; and it also acts provisionally as Organ of Consultation under the Rio Treaty. The General Secretariat is the central and permanent organ of the OAS. The headquarters of both the Permanent Council and the General Secretariat are in Washington, D.C.

MEMBER STATES: Antigua and Barbuda, Argentina, The Bahamas (Commonwealth of), Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica (Commonwealth of), Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, United States, Uruguay, and Venezuela.



Organization of
American States

Inter-American Drug Abuse Control Commission (CICAD)
Secretariat for Multidimensional Security (SMS)





Organization of
American States

***Establishing Drug Treatment Courts: Strategies, Experiences and
Preliminary Outcomes***

**APPENDIX OF ADDITIONAL SUPPORTING MATERIALS
Volume Two (2010)**

Justice Programs Office, School of Public Affairs, American University

Caroline S. Cooper

Brent Franklin

Tiffany Mease

Prepared for Drugs Summit: European, Latin American and Caribbean Mayors and Cities

April 21 -23, 2010 Lugo, Spain

Inter-American Drug Abuse Control Commission (CICAD)

Secretariat for Multidimensional Security (SMS)



*Establishing Drug Treatment Courts: Strategies, Experiences and
Preliminary Outcomes*

VOLUME TWO:

Appendix of Additional Supporting Materials

April 2010

Justice Programs Office, School of Public Affairs, American University

Caroline S. Cooper

Brent Franklin

Tiffany Mease

Prepared for the

Drugs Summit: European, Latin American and Caribbean Mayors and Cities

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This publication was drafted by the Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security of the Organization of American States (OAS); the Justice Programs Office, School of Public Affairs, American University; the Institute for International Research on Criminal Policy (IRCP), Universiteit Gent; the Ministerio Público of Chile (General Prosecutor's Office); and the International Association of Drug Treatment Courts (IADTC). It was developed in the framework of *the EU-LAC Drug Treatment City Partnerships*, an initiative coordinated by CICAD/SMS/OAS and funded by the European Commission. The content of this publication does not necessarily reflect the position of the EU or the OAS.

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Editorial Committee

From the Justice Programs Office, School of Public Affairs, American University: Caroline S. Cooper. Brent Franklin, and Tiffany Mease; from Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security of the Organization of American States (OAS): Anna McG. Chisman, and Antonio Lomba

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Volume Two: Appendix of Additional Supporting Materials

The materials included in this Volume are organized as follows:

- (1) Legislation and/or regulations enacted to implement the Drug Treatment Court program;
- (2) Program descriptive information provided by the respondents to the CICAD survey; and
- (3) Evaluative information provided by the respondents to the CICAD survey

In view of the growing body of documentation and diversity of materials being developed on global Drug Treatment Courts, reference should be made on an ongoing basis to the various websites on which these materials are posted. A few of them are listed below:

The International Association of Drug Treatment Courts (IADTC):
<http://iadtc.carousel30.com/iadtc-home/>

Drug Court Clearinghouse (American University Justice Programs Office) (includes information on American and international drug courts):
<http://www1.spa.american.edu/justice/project.php?ID=1>

Inter-American Drug Abuse Control Commission (CICAD) Secretariat for Multidimensional Security of the Organization of American States (OAS):
<http://www.cicad.oas.org/>

EU-LAC Drug Treatment City Partnerships:
<http://www.eulacdrugs.org/eulac/>

United Nations Office on Drugs and Crime—Drug courts page (includes many links to national and international drug courts):
<http://www.unodc.org/unodc/en/legal-tools/Drug-Treatment-Courts.html>

Country links:

Australia (New South Wales):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (Queensland):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (South Australia):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (Victoria):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (Western Australia):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Bermuda drug treatment court:

http://www.gov.bm/portal/server.pt?open=512&objID=270&&PageID=1271&mode=2&in_hi_userid=2&cached=true

Canadian Department of Justice drug court program:

<http://www.justice.gc.ca/eng/pi/pb-dgp/prog/dtc-ttt/index.html>

Dublin (Ireland) drug treatment court office (includes contact information and links to other documents):

<http://www.courts.ie/offices.nsf/fd1b5d60ef39f31380256e43003d0107/cfaf3511b9b9639e80256e45005861cf?OpenDocument>

Judges who are interested in developing DTC programs may also find useful the “Solution-Focused Judging Bench Book” by Michael S. King, published by the Australasian Institute of Judicial Administration, Inc. (2009) and available at:

<http://www.aija.org.au/Solution%20Focused%20BB/SFJ%20BB.pdf>

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A. Legislation and Regulations Enacted in Support of Drug Treatment

Courts

Australia:

New South Wales: Drug Court Act 1998 No. 150

Queensland: Drug Court Act 2000

Bermuda

Drug Treatment Programmes: Criminal Code Act 1907. Title 8, Item 31

Jamaica

The Drug Court (Treatment and Rehabilitation of Offenders) Act, 1999

The Drug Court (Treatment and Rehabilitation of Offenders) Regulations, 2000

The Drug Court Act, 1999

Norway

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AUSTRALIA:



New South Wales

Drug Court Act 1998 No 150

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New South Wales

Drug Court Act 1998 No 150

Act No 150, 1998

An Act to provide for the establishment of the Drug Court of New South Wales, for the referral of drug offenders to the Drug Court, and for the supervision of drug programs by the Drug Court; and for other purposes.
[Assented to 8 December 1998]

The Legislature of New South Wales enacts:

Part 1 Preliminary

1 Name of Act

This Act is the *Drug Court Act 1998*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Objects

- (1) The object of this Act is to reduce the level of criminal activity that results from drug dependency.
- (2) This Act achieves that object by establishing a scheme under which drug dependent persons who are charged with criminal offences can be diverted into programs designed to eliminate, or at least reduce, their dependency on drugs.
- (3) Reducing a person's dependency on drugs should reduce the person's need to resort to criminal activity to support that dependency and should also increase the person's ability to function as a law abiding citizen.

4 Definitions

- (1) In this Act:

court includes a Magistrate or Justice.

Drug Court mean the Drug Court of New South Wales constituted by this Act.

drug offender means a person who has been convicted and sentenced by the Drug Court under section 7.

eligible person is defined in section 5.

exercise a function includes perform a duty.

function includes a power, authority or duty.

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eligible person is defined in section 5.

exercise a function includes perform a duty.

function includes a power, authority or duty.

initial sentence, in relation to a person who is convicted and sentenced under section 7, means the sentence imposed on the person under section 7 (2).

Judge means a person appointed to be a Drug Court Judge, as referred to in section 20 (1).

member of staff of the Drug Court means any person appointed as an officer of the Drug Court as referred to in section 28 (1) or whose services are used by the Drug Court as referred to in section 28 (2), and includes any other person prescribed by the regulations.

program, in relation to a person who is convicted and sentenced under section 7, means the program of supervision and control that arises from the conditions accepted by the person and imposed by the Drug Court under section 7 (3) (a).

referring court, in relation to a person who has been referred to the Drug Court under section 6, means the court by which the person has been referred.

registrar means the registrar of the Drug Court.

Senior Judge means the person appointed to be the Senior Judge of the Drug Court, as referred to in section 21 (1).

suspension order, in relation to a person who is convicted and sentenced under section 7, means an order under section 7 (3) (b) by which the person's sentence is suspended for the duration of the person's program.

- (2) In this Act, a reference to the criminal jurisdiction of a Local Court includes a reference to the jurisdiction exercisable by a Magistrate, or by one or more Justices, under the *Justices Act 1902*.

5 Definition of "eligible person"

- (1) A person is an eligible person if:
- (a) the person is charged with an offence, other than an offence referred to in subsection (2), and
 - (b) the facts alleged in connection with the offence, together with the person's antecedents and any other information available to the court, indicate that it is likely that the person will, if convicted, be sentenced to imprisonment, and

- (c) the person has pleaded guilty to, or indicated that he or she intends to plead guilty to, the offence, and
 - (d) the person appears to be dependent on the use of prohibited drugs (within the meaning of the *Drug Misuse and Trafficking Act 1985*) or other drugs prescribed by the regulations, and
 - (e) the person satisfies such other criteria as are prescribed by the regulations.
- (2) A person is not an eligible person if the person is charged with:
- (a) an offence punishable under Division 2 of Part 2 of the *Drug Misuse and Trafficking Act 1985*, not being an offence that (under Part 9A of the *Criminal Procedure Act 1986*) is capable of being dealt with summarily, or
 - (b) an offence involving violent conduct or sexual assault, or
 - (c) any other offence of a kind prescribed by the regulations.

Part 2 Drug Court programs

Division 1 Acceptance into program

6 Courts may refer persons to Drug Court

- (1) This section applies to such courts and proceedings as are prescribed by the regulations.
- (2) It is the duty of a court before which a person is charged with an offence:
 - (a) to ascertain whether the person appears to be an eligible person, and
 - (b) if so, to ascertain whether the person is willing to be referred to the Drug Court to be dealt with for the offence, and
 - (c) if so, to refer the person to the Drug Court to be dealt with for the offence.
- (3) The power conferred on a court by this section is to be exercised as soon as practicable after the person is charged with the offence.

7 Persons accepted into program

- (1) This section applies to a person who has been referred to the Drug Court under section 6.
- (2) The Drug Court may, under this section, convict and sentence a person who has pleaded guilty to the offence for which the person has been referred (whether before the referring court or the Drug Court) if, and only if, it is satisfied as to each of the following matters:
 - (a) that the person is an eligible person,
 - (b) that, having regard to the person's antecedents, it would be appropriate for the person to participate in a program under this Act,
 - (c) that facilities to supervise and control the person's participation in such a program are available, and have been allocated to the person, in accordance with the guidelines prescribed by the regulations,

- (d) that the person accepts the conditions that the Drug Court proposes to impose on the person (whether immediately or at some later date) as a consequence of his or her conviction and sentence under this section,
 - (e) that the person has been informed of the Drug Court's powers under Division 2 and of the respective consequences, as regards the sentence to be imposed under section 12, of the person's compliance or non-compliance with a program.
- (3) On sentencing the person, the Drug Court:
 - (a) must make an order imposing on the person the conditions that the person has accepted as referred to in subsection (2) (d) (the person's *program*), and
 - (b) must make an order suspending execution of the sentence for the duration of the person's program (the person's *suspension order*).
- (4) A person who is convicted and sentenced by the Drug Court under this section with respect to an offence for which the person has been referred to the Drug Court under section 6 may at the same time be convicted and sentenced for any other offence to which he or she has pleaded guilty (other than an offence referred to in section 5 (2)), whether or not the person has been referred to the Drug Court under section 6 in relation to that other offence.
- (5) Nothing in this Act entitles a person to be convicted and sentenced under this section, and no appeal lies against any decision by the Drug Court not to convict or sentence a person under this section.

8 Persons not accepted into program

- (1) This section applies to a person who has been referred to the Drug Court under section 6 but whom the Drug Court has not convicted and sentenced under section 7.
- (2) The Drug Court may, under this section, convict and sentence a person who has pleaded guilty to the offence for which the person has been referred (whether before the referring court or the Drug Court) if, and only if, the person consents to being dealt with under this section.

- (3) If the person does not consent to being dealt with under this section, the Drug Court is to refer the person back to the referring court.
- (4) If the Drug Court refers a person back to the referring court, the proceedings against the person are to be continued before the referring court at a time and place specified in the order, as if:
 - (a) the person had not been referred to the Drug Court, and
 - (b) the proceedings had merely been adjourned to the time and place specified in the order.
- (5) A person who is convicted and sentenced by the Drug Court under this section with respect to an offence for which the person has been referred to the Drug Court under section 6 may at the same time be convicted and sentenced for any other offence to which he or she has pleaded guilty (other than an offence referred to in section 5 (2)), whether or not the person has been referred to the Drug Court under section 6 in relation to that other offence.

Division 2 Administration of program

9 Variation of conditions of program

- (1) The Drug Court may from time to time, in accordance with a drug offender's program, vary the program by adding new conditions to, or varying or revoking existing conditions of, the program.
- (2) No appeal lies against any decision by the Drug Court to vary a drug offender's program under this section.

10 Proceedings for non-compliance with program

- (1) If it is satisfied, on the balance of probabilities, that a drug offender has failed to comply with his or her program, the Drug Court:
 - (a) may, in accordance with the program, impose any one or more of the sanctions specified in the program as sanctions that the Court may impose on the drug offender, or
 - (b) if it is also satisfied that there is no useful purpose to be served in the drug offender's further participation in the program, may decide to terminate the program.

- (2) Without affecting the other circumstances in which a drug offender is taken to have failed to comply with his or her program, a drug offender is taken to have failed to comply with the program if the drug offender is charged before a court with an offence referred to in section 5 (2).
- (3) No appeal lies in relation to any action taken or decision made by the Drug Court under this section.

11 Termination of program

- (1) The Drug Court may terminate a drug offender's program:
 - (a) if the drug offender successfully completes the program, or
 - (b) if the drug offender requests the Drug Court to terminate the program, or
 - (c) if the Drug Court decides to terminate the program as referred to in section 10 (1) (b).
- (2) No appeal lies against the Drug Court's termination of a drug offender's program.

12 Imposition of final sentence

- (1) On terminating a drug offender's program, the Drug Court must reconsider the drug offender's initial sentence.
- (2) In reconsidering a drug offender's initial sentence, the Drug Court must take into consideration:
 - (a) the nature of the drug offender's participation in his or her program, and
 - (b) any sanctions that have been imposed on the drug offender during the program.
- (3) After reconsidering a drug offender's initial sentence, the Drug Court is to determine the drug offender's final sentence:
 - (a) by making an order setting aside the initial sentence and discharging the drug offender, either unconditionally or conditionally on his or her entering into a recognizance to be of good behaviour of the kind referred to in section 556A (1)(b) of the *Crimes Act 1900*, or

- (b) by making an order setting aside the initial sentence, deferring the passing of sentence and releasing the drug offender conditionally on his or her entering into a recognizance to be of good behaviour of the kind referred to in section 558 (1) of the *Crimes Act 1900*, or
 - (c) by making an order setting aside the initial sentence and imposing instead any sentence that it could have imposed for the offence to which the initial sentence related, or
 - (d) by making an order confirming the initial sentence.
- (4) The final sentence determined for a drug offender in relation to an offence is not to be greater than the initial sentence imposed on the drug offender in relation to that offence.
- (5) Part 15 of the *Crimes Act 1900*:
 - (a) applies to a recognizance under subsection (3) (a) in the same way as it applies to a recognizance under section 556A (1) (b) of that Act, and
 - (b) applies to a recognizance under subsection (3) (b) in the same way as it applies to a recognizance under section 558 (1) of that Act.

13 Revocation of suspension order

On sentencing a drug offender under section 12, the Drug Court is to revoke the drug offender's suspension order.

Division 3 Miscellaneous

14 Arrest warrants

- (1) If it suspects that a drug offender may have failed to comply with his or her program, the Drug Court may issue a warrant for the drug offender's arrest.
- (2) A warrant under this section authorises any police officer to arrest the drug offender and to bring the drug offender before the Drug Court to be dealt with under this Act.
- (3) The *Bail Act 1978* does not apply to a drug offender who is arrested on the authority of a warrant under this section.

15 Sentences imposed by Drug Court

- (1) The sentences that may be imposed by the Drug Court under this Part are as follows:

- (a) in the case of an indictable offence (including an indictable offence for which an election to have the offence dealt with on indictment has been duly made under Part 9A of the *Criminal Procedure Act 1986*), any penalty that could have been imposed by the District Court had the offence been dealt with on indictment by the District Court,
 - (b) in the case of a summary offence (including an indictable offence for which an election to have the offence dealt with on indictment has not been duly made under Part 9A of the *Criminal Procedure Act 1986*), any penalty that could have been imposed by a Local Court had the offence been dealt with summarily by a Local Court.
- (2) Except for the purposes of the *Criminal Appeal Act 1912*, a person sentenced by the Drug Court for an offence referred to in subsection (1)(a) is taken to have been convicted of the offence on indictment.

16 Conditions of program

- (1) The conditions of a program may allow the Drug Court to confer the following kinds of rewards on a drug offender who maintains a satisfactory level of compliance with the program:
 - (a) conferral of specified privileges,
 - (b) an appropriate change in the frequency of counselling or other treatment,
 - (c) a decrease in the degree of supervision to which the drug offender is subject,
 - (d) a decrease in the frequency with which the drug offender must undergo testing for drugs,
 - (e) a decrease in the amount of any monetary penalty payable to the Drug Court, as referred to in subsection (2) (e),
 - (f) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which the drug offender is required to attend vocational and social services.
- (2) The conditions of a program may allow the Drug Court to impose the following kinds of sanctions on a drug offender who fails to comply with the program:
 - (a) withdrawal of privileges conferred on the person, as referred to in subsection (1) (a).

- (b) an appropriate change in the frequency of counselling or other treatment,
 - (c) an increase in the degree of supervision to which the drug offender is subject,
 - (d) an increase in the frequency with which the drug offender must undergo testing for drugs,
 - (e) a requirement that the drug offender pay a monetary penalty to the Drug Court,
 - (f) a requirement that the drug offender be subjected to imprisonment in a correctional centre for up to 14 days in respect of any one failure to comply with the requirements of the order,
 - (g) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which the drug offender is required to attend vocational and social services.
- (3) Any monetary penalty payable by a drug offender, as referred to in subsection (2) (e), is recoverable by the registrar of the Drug Court as a debt in any court of competent Jurisdiction.
- (4) This section does not limit the conditions that may form part of a program apart from this section.

17 Immunity from prosecution for certain offences

A person is not liable to prosecution for any offence comprising the unlawful possession or use of drugs:

- (a) as a result of any admission made for the purposes of seeking a referral under Division 1, not being an admission of facts giving rise to an offence referred to in section 5 (2) (a), or
- (b) as a result of any admission made for the purposes of satisfying the Drug Court that the person should be accepted into a program, or
- (c) as a result of any admission made in connection with the Drug Court's supervision of his or her program,

nor may any such admission be admitted as evidence in proceedings for any offence comprising the unlawful possession or use of drugs that are brought as a result of the admission.

18 Application of Criminal Procedure Act 1986

In the application of the *Criminal Procedure Act 1986* to proceedings before the Drug Court:

- (a) the provisions of Part 6 of that Act that enable the Drug Court, when sentencing a person for one offence, to take other offences into account in determining the penalty to impose on the person do not enable the Drug Court to take into account any offence of the kind referred to in section 5 (2), and
- (b) the provisions of Part 9A of that Act are subject to such modifications (if any) as are prescribed by the regulations under this Act.

Part 3 The Drug Court

Division 1 Constitution of Drug Court

19 Constitution of Drug Court

There is constituted by this Act a court of record to be known as the Drug Court of New South Wales.

20 Judges

- (1) The Governor may, by commission under the public seal of the State, appoint as a Drug Court Judge any person who is a Judge of the District Court.
- (2) A person ceases to be a Drug Court Judge on ceasing to be a Judge of the District Court.
- (3) In this section, a reference to a Judge of the District Court includes a reference to an acting Judge of the District Court.

21 Senior Judge

- (1) The Governor may, by a person's commission as a Judge or by a subsequent commission under the public seal of the State, appoint one of the Drug Court Judges to be the Senior Judge of the Drug Court.
- (2) Subject to subsection (3), the Senior Judge holds office as Senior Judge while he or she holds office as Judge.
- (3) With the approval of the Governor, the Senior Judge may resign office as Senior Judge without resigning office as Judge.

22 Acting Senior Judge

- (1) The Minister may appoint a Judge to be acting Senior Judge during any absence from duty or vacancy in office of the Senior Judge.

- (2) An acting Senior Judge has the functions of the Senior Judge and anything done by the acting Senior Judge in the exercise of those functions has effect as if it had been done by the Senior Judge.

Division 2 Procedure of Drug Court

23 Single Judge to constitute Drug Court

All proceedings in the Drug Court, and all matters arising out of any such proceedings, are to be heard and disposed of before a Judge, who constitutes the Court.

24 Jurisdiction of Drug Court

- (1) The Drug Court has the following jurisdiction:
- (a) the criminal jurisdiction of the District Court,
 - (b) the criminal jurisdiction of a Local Court,
 - (c) such other jurisdiction as is vested in the Drug Court by this or any other Act.
- (2) For the purpose of enabling it to exercise its jurisdiction, the Drug Court has the following functions:
- (a) all of the functions of the District Court that are exercisable in relation to its criminal jurisdiction,
 - (b) all of the functions of a Local Court that are exercisable in relation to its criminal jurisdiction, including all the functions exercisable by a Magistrate or Justice under the *Justices Act 1902*,
 - (c) such other functions as are conferred or imposed on it by or under this or any other Act.

25 Sittings

- (1) The Drug Court is to sit at such places and times as the Senior Judge may direct.
- (2) Two or more sittings of the Drug Court may be held at the same time.

26 Court proceedings

- (1) This section applies to proceedings before the Drug Court in the exercise of its jurisdiction under this Act, but does not apply to proceedings before the Drug Court in the exercise of the criminal jurisdiction of the District Court or the criminal jurisdiction of a Local court.

- (2) Proceedings before the Drug Court are to be conducted:
 - (a) in accordance with the directions of the Judge presiding in the proceedings, and
 - (b) subject to paragraph (a), with as little formality and technicality, and with as much expedition, as the requirements of this Act and the regulations and the proper consideration of the matters before the Court permit.
- (3) The Drug Court is not bound by the rules of evidence, but may inform itself on any matter in such manner as it considers appropriate.
- (4) The Drug Court may adjourn its proceedings from time to time.

27 Rules of court

The Senior Judge may make rules of court, not inconsistent with this Act, for or with respect to any matter relating to the practice or procedure of the Drug Court, including:

- (a) any matter for or with respect to which rules may be made under the *District Court Act 1973* in relation to the criminal jurisdiction of the District Court, and
- (b) any matter for or with respect to which rules may be made under the *Justices Act 1902* in relation to the criminal jurisdiction of a Local Court.

Division 3 Administration

28 Court officers

- (1) A registrar and such other officers as are necessary for the proper administration of this Act are to be appointed under Part 2 of the *Public Sector Management Act 1988*.
- (2) Arrangements may be made for the use by the Drug Court of the services of any staff (by secondment or otherwise) or facilities of a Government department.

29 Court business

- (1) The Senior Judge is responsible for the administration of the business of the Drug Court.
- (2) The registrar may exercise:
 - (a) such of the administrative functions of the Court as are conferred or imposed on the registrar by the regulations or the rules of court, and

- (b) such of the functions of a registrar of the District Court as are relevant to the exercise by the Drug Court of the criminal jurisdiction of a District Court, and
- (c) such of the functions of a Clerk of a Local Court as are relevant to the exercise by the Drug Court of the criminal jurisdiction of a Local Court.

30 Delegation

- (1) The Senior Judge may delegate to a Judge any of the Senior Judge's functions, other than this power of delegation.
- (2) The registrar may delegate to any other officer of the Court any of the registrar's functions, other than this power of delegation.

Part 4 Miscellaneous

31 Provision of information to Drug Court

- (1) This section applies to such persons as are prescribed by the regulations for the purposes of this section, being persons who are involved in the administration of, or who provide services in connection with, a drug offender's program.
- (2) It is the duty of a person to whom this section applies:
 - (a) to promptly notify the registrar of any failure by a drug offender to comply with the drug offender's program, and
 - (b) to promptly comply with the requirements of the regulations with respect to the giving of information to the registrar.
- (3) The following provisions apply to and in respect of any information provided for the purposes of this section (*protected information*):
 - (a) the provision of the information does not constitute a breach of professional etiquette or ethics or a departure from accepted standards of professional conduct,
 - (b) no liability for defamation is incurred because of the provision of the information,
 - (c) the provision of the information does not constitute a ground for civil proceedings for malicious prosecution or for conspiracy,
 - (d) the information is not admissible in evidence in any proceedings before a court, tribunal or committee,
 - (e) a person is not compellable in any proceedings before a court, tribunal or committee to disclose the information or to produce any document that contains the information.
- (4) The provisions of subsection (3) (d) and (e) do not apply to or in respect of the provision of protected information:
 - (a) in proceedings before the Drug Court or any court hearing or determining an appeal from a decision of the Drug Court, or
 - (b) in support of, or in answer to, any charge or allegation made in proceedings against a person in relation to the person's exercise of functions under this Act.

- (5) A drug offender is taken to have authorised the communication of protected information:
 - (a) from any person to whom this section applies to the registrar, and
 - (b) from the registrar to any person to whom this section applies, and
 - (c) from any member of staff of the Drug Court to any other member of staff of the Drug Court.
- (6) A provision of any Act or law that prohibits or restricts the disclosure of information does not operate to prevent the provision of information in accordance with this section.

32 Regulations

The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular, for or with respect to:

- (a) the forms to be used for the purposes of this Act,¹ and
- (b) the fees to be charged under this Act, and
- (c) the postponement, waiver or remittal of fees charged under this Act.

33 Amendment of other Acts

Each Act referred to in Schedule 1 is amended as set out in that Schedule.

34 Savings, transitional and other provisions

Schedule 2 has effect.

35 Review of Act

- (1) The Minister is to review this Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.

- (2) The review is to be undertaken as soon as possible after the period of 2 years from the date of assent to this Act.
- (3) A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of 2 years.

Schedule 1 Amendment of other Acts

(Section 33)

1.1 Bail Act 1978 No 161

[1] Section 4 Definitions

Insert after paragraph (c) of the definition of *court* in section 4 (1):

(c1) the Drug Court, or

[2] Section 6 Grant of bail for certain periods

Insert after section 6 (g8):

(g9) the period between a person being referred to the Drug Court under section 6 of the *Drug Court Act 1998* and the person being brought before the Drug Court consequent on the referral.

(g10) the period between a person being referred back to a court under section 8 of the *Drug Court Act 1998* and the person being brought before that court consequent on the referral,

1.2 Children (Criminal Proceedings) Act 1987 No 55

Section 7 Jurisdiction of Children's Court not to be exercised by certain other courts

Insert at the end of the section:

(2) The Drug Court may not hear or determine criminal proceedings that a Children's Court has jurisdiction to hear and determine.

1.3 Criminal Appeal Act 1912 No 16

[1] Section 5AE

Insert after section 5AD:

5AE Appeals from sentences imposed by the Drug Court

- (1) Section 5AA applies to and in respect of a person convicted of an offence by the Drug Court in the exercise of its jurisdiction under Part 2 of the *Drug Court Act 1998* (in relation only to a final sentence determined by the Court under section 12 of that Act) in the same way as it applies to a person referred to in section 5AA (1).
- (2) For the purposes of this section, a reference in section 5AA to the Supreme Court is to be construed as including a reference to the Drug Court.
- (3) The power of the Court of Criminal Appeal to hear and determine an appeal under this section is to be exercised by such single judge of the Supreme Court as the Chief Justice may direct.

[2] Section 10 Time for appealing

Omit "or 5AD" from section 10 (4).

Insert instead ". 5AD or 5AE".

1.4 Criminal Procedure Act 1986 No 209

Section 20 Definitions

Insert after paragraph (d) of the definition of court in section 20 (1):

the Drug Court, or

1.5 Justices Act 1902 No 27

[1] Section 51A Effect of plea of guilty in 'committal proceedings

Insert after section 51A (6) (a):

- (a1) is being dealt with in accordance with Part 2 of the *Drug Court Act 1998*, or

[2] Section 121B No appeal in certain cases

Insert after section 121B (2):

- (3) Despite section 122, there is no appeal to the District Court in relation to any order made on the conviction of a person by the Drug Court under the provisions of the *Drug Court Act 1998*.

1.6 Search Warrants Act 1985 No 37

Section 3 Definitions

Insert "or the registrar of the Drug Court" after "Local Court" in paragraph (b) of the definition of *authorised justice*.

1.7 Victims Compensation Act 1996 No 115

Section 78 Application of Part

Insert "the Drug Court," after "the District Court," in section 78 (1) (b).

Schedule 2 Savings, transitional and other provisions

(Section 34)

Part 1 Preliminary

1 Savings and transitional regulations

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts:

this Act
- (2) Such a provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or a later day.
- (3) To the extent to which such a provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
 - (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of that publication, or
 - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of that publication.

Part 2 Provisions consequent on enactment of Drug Court Act 1998

2 Transitional provision for past offences

Part 2 applies to and in respect of an offence committed before the commencement of that Part in the same way as it applies to and in respect of an offence committed after that commencement, and so applies whether proceedings for the offence were commenced before or after that commencement.

[Minister's second reading speech made in—
Legislative Assembly on 27 October 1998
Legislative Council on 25 November 1998]



Queensland

Drug Court Act 2000

Reprinted as in force on 1 July 2008

Reprint No. 3

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This Act is reprinted as at 1 July 2008. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- use different spelling consistent with current drafting practice (s 26(2))
- use standard punctuation consistent with current drafting practice (s 27)
- use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- when provisions commenced
- editorial changes made in earlier reprints.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

Drug Court Act 2000

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Drug Court Act 2000

[as amended by all amendments that commenced on or before 1 July 2008]

An Act to provide a drug court program for intensive drug rehabilitation of drug dependent offenders

Part 1 Preliminary

1 Short title

This Act may be cited as the *Drug Court Act 2000*.

2 Commencement

This Act commences on a day to be fixed by proclamation.

3 Objects of this Act

(1) The objects of this Act are—

- (a) to reduce the level of drug dependency in the community and the drug dependency of eligible persons; and
- (b) to reduce the level of criminal activity associated with drug dependency; and
- (c) to reduce the health risks associated with drug dependency of eligible persons; and
- (d) to promote the rehabilitation of eligible persons and their re-integration into the community; and
- (e) to reduce pressure on resources in the court and prison systems.

(2) The objects are to be achieved by establishing drug courts.

4 Relationship with Penalties and Sentences Act 1992

- (1) A drug court magistrate—
 - (a) must have regard to the principles stated in the *Penalties and Sentences Act 1992*, section 9;¹ and
 - (b) may exercise the powers and make the orders a magistrate may exercise or make under that Act.
- (2) Subsection (1) applies unless a contrary intention appears.

4A Notes in text

A note in the text of this Act is part of the Act.

Part 2 Definitions and important terms

5 Definitions

The dictionary in the schedule defines particular words used in this Act.

6 Who is an *eligible person*

- (1) A person charged with an offence is an *eligible person* if—
 - (a) the person is not a person who must be dealt with as a child under the *Juvenile Justice Act 1992*; and
 - (b) the person is drug dependent and that dependency contributed to the person committing the offence; and
 - (c) it is likely the person would, if convicted of the offence, be sentenced to imprisonment; and
 - (d) the person satisfies any other criteria prescribed under a regulation.

¹ *Penalties and Sentences Act 1992*, section 9 (Sentencing guidelines)

- (2) Without limiting subsection (1)(d), the regulation may require that the person be someone who resides within a stated locality at the time—
 - (a) the person is referred for an indicative assessment; or
 - (b) the person is referred for an assessment; or
 - (c) an intensive drug rehabilitation order is made for the person.
- (3) The person is not an *eligible person* if—
 - (a) the person is serving a term of imprisonment other than a community term of imprisonment; or
 - (b) the person is the subject of a parole order that is cancelled by a parole board and the person is to serve the unexpired portion of the person's period of imprisonment; or
 - (c) a charge against the person for a disqualifying offence is pending in a court.

Note for subsection (3)(a)—

A person released on parole is taken to be still serving the sentence imposed on the person: *Corrective Services Act 2006*, section 214.

- (4) For the purpose of deciding whether a person ordered to serve a term of imprisonment under a law of another State or the Commonwealth (the *relevant law*) is a person serving a term of imprisonment for subsection (3)(a)—
 - (a) the *Corrective Services Act 2006*, section 214 applies; and
 - (b) a reference in the *Corrective Services Act 2006*, section 214 to parole includes a reference to a release under the relevant law that is similar to parole.
- (5) In this section—

parole order includes a release under a law of another State or the Commonwealth that is similar to a parole order.

7 What is a *disqualifying offence*

- (1) A *disqualifying offence* is—
-

Drug Court Act 2000

- (a) an offence of a sexual nature; or
 - (b) an offence involving violence against another person, other than an offence charged under any of the following provisions of the Criminal Code—
 - section 335
 - section 340(a), but only if the offence is the assault of another with intent to resist or prevent the lawful arrest or detention of the person or of any other person
 - section 340(b)
 - section 413.²
- (2) For section 6(3)(b), a reference in subsection (1) to a provision of the Criminal Code includes a reference to a corresponding provision of a law of another State or the Commonwealth.
- (3) For subsection (1), an offence of a sexual nature does not include an offence by a prostitute in providing prostitution, or in offering or accepting an offer to provide prostitution.
- (4) For subsection (1)(b), an offence involving violence against another person is an offence that involves any allegation of personal violence, whether as an element of the offence or as an act of violence associated with the offence.

Examples of offences involving violence other than as an element of the offence—

- operating a vehicle dangerously involving dragging a person behind the vehicle
- operating a vehicle dangerously involving intentionally colliding with another vehicle or a person
- breaching a domestic violence order involving a wilful injury

² Criminal Code, section 335 (Common assault), 340 (Serious assaults), 413 (Assault with intent to steal)

7A What is a *community term of imprisonment*

- (1) A term of imprisonment in relation to a person is a *community term of imprisonment* if the person is ordered to serve the term of imprisonment—
 - (a) by way of intensive correction in the community under an intensive correction order made under the *Penalties and Sentences Act 1992*, section 112; or
 - (b) in a similar way under an order made under a law of another State or the Commonwealth.
- (2) However, a term of imprisonment is not a *community term of imprisonment* if the order mentioned in subsection (1) was revoked and the person was committed to prison.

8 What is a *relevant offence*

- (1) Each of the following is a *relevant offence*—
 - (a) a simple offence;
 - (b) an indictable offence that may be dealt with summarily;
 - (c) a prescribed drug offence;
 - (d) another offence prescribed under a regulation that is punishable by imprisonment for a term of not more than 7 years.
- (2) A relevant offence does not include a disqualifying offence.

Part 3 Drug courts and drug court magistrates

9 Drug courts

- (1) The Governor in Council, by regulation, may declare 1 or more Magistrates Courts to be drug courts.
 - (2) A court is a drug court under subsection (1) whether or not it is constituted by a drug court magistrate.
-

- (3) However, a power of a drug court magistrate may be exercised only in a drug court.

10 Drug court magistrates

- (1) The Chief Magistrate must allocate the functions of a drug court magistrate to 1 or more magistrates.
- (2) Nothing in this Act prevents a drug court magistrate exercising the jurisdiction of a Magistrates Court at any time.

11 Functions, additional jurisdiction and powers of drug court magistrates

- (1) A drug court magistrate has the functions given by this Act.
- (2) For the performance of a drug court magistrate's functions, a drug court magistrate has jurisdiction to deal with a person appearing before the magistrate charged with a prescribed drug offence.
- (3) A drug court magistrate has power to do all things necessary or convenient to be done for the performance of the magistrate's functions.
- (4) A drug court magistrate must conduct proceedings under this Act quickly and in a way that avoids unnecessary technicalities and facilitates the fair and practical conduct of the proceedings.
- (5) In a proceeding under this Act, the drug court magistrate is not bound by the rules of evidence, but may inform himself or herself in any way the magistrate considers appropriate.

12 Other functions of drug court magistrates

- (1) This Act does not affect the application of the *Magistrates Act 1991* to a drug court magistrate.
 - (2) For example, a drug court magistrate, in addition to exercising functions as a drug court magistrate, must—
 - (a) exercise other functions as a magistrate as directed by the Chief Magistrate; and
-

- (b) comply with reasonable directions given, or requirements made, by the Chief Magistrate.

Part 3A Indicative assessment of drug dependency

12A Application of pt 3A

This part applies if—

- (a) a person charged with a relevant offence appears before a magistrate in a Magistrates Court prescribed under a regulation for this section; and
- (b) the person has pleaded guilty to the offence or has indicated that he or she intends to plead guilty to the offence; and
- (c) the magistrate is satisfied the person may be drug dependent; and
- (d) the person appears, to the magistrate, to be an eligible person; and
- (e) the maximum number of active intensive drug rehabilitation orders prescribed under a regulation has not been exceeded.

12B Referral for indicative assessment

- (1) The magistrate may decide to refer the person for an indicative assessment.
 - (2) If the magistrate decides to refer the person for an indicative assessment, the magistrate may adjourn the proceedings and—
 - (a) remand the person in custody to appear before a drug court magistrate; or
 - (b) release the person on bail to appear before a drug court magistrate.
-

- (3) If the magistrate adjourns the proceedings to refer the person for an indicative assessment, the magistrate must require—
 - (a) the person to attend at the times and places decided by the chief executive (health) for an indicative assessment by an appropriately qualified health professional decided by the chief executive (health); and
 - (b) the chief executive (health) to prepare and submit to a drug court magistrate, within the time allowed by the magistrate, a report (an *indicative assessment report*) containing an indicative assessment of the person by the appropriately qualified health professional.
- (4) The magistrate may require the indicative assessment report to be given orally or in writing.
- (5) If the magistrate remands the person in custody, the chief executive (corrective services) must ensure the person—
 - (a) is assessed by an appropriately qualified health professional decided by the chief executive (health); and
 - (b) appears before a drug court magistrate to be dealt with as required by the drug court magistrate.
- (6) After the indicative assessment report is submitted to a drug court magistrate, the prosecuting authority appearing before the court and the person's legal representatives may make submissions about whether the proceedings should continue in the drug court or the matter should be dealt with by a magistrates court.

12C Indicative assessment reports

- (1) When required to do so by a magistrate, the chief executive (health) must arrange for an appropriately qualified health professional to prepare an indicative assessment report for a drug court magistrate about a stated person remanded or required to appear before the drug court magistrate.
 - (2) The indicative assessment report must be given to the drug court magistrate within the time allowed under section 12B(3) by the magistrate.
 - (3) The drug court magistrate must give a copy of the indicative assessment report to—
-

- (a) the prosecuting authority that appeared before the court when the offender was referred for an indicative assessment; and
 - (b) the person's legal representatives; and
 - (c) the chief executive (corrective services).
- (4) The drug court magistrate must ensure the prosecuting authority and the person's legal representatives have sufficient time before the proceedings to consider and respond to the report.

12D Additional matters for indicative assessment report

- (1) The drug court magistrate may order that the report, or part of the report, not be shown to the person.
- (2) A report purporting to be an indicative assessment report made by an appropriately qualified health professional is evidence of the matters contained in it.
- (3) An objection must not be taken or allowed to the evidence on the ground that it is hearsay.
- (4) To remove any doubt, it is declared that this section does not limit the jurisdiction and powers of the drug court magistrate under section 11.

Part 4 Referral for assessment

13 Application of pt 4

This part applies if—

- (a) a person charged with a relevant offence appears before a drug court magistrate; and
 - (b) there is evidence the person is drug dependent.
-

14 Referral to be decided as soon as practicable

- (1) The powers conferred on a drug court magistrate under this part must be exercised as soon as practicable after the person first comes before the drug court for a relevant offence.
- (2) Despite subsection (1), the powers may be exercised at any time before the court sentences the person or commits the person for trial or sentence for the offence.

15 Deciding whether to refer for assessment

- (1) The drug court magistrate must decide whether the person appears to be an eligible person.
- (2) If the person appears to be an eligible person, the drug court magistrate may decide to refer the person for assessment if satisfied—
 - (a) the person has pleaded guilty to the offence or has indicated that he or she intends to plead guilty to the offence; and
 - (b) the person is willing to be assessed for suitability for rehabilitation and to appear before a drug court magistrate to be dealt with for the offence; and
 - (c) the maximum number of active intensive drug rehabilitation orders prescribed under a regulation has not been exceeded.

16 Referral for assessment

- (1) If the drug court magistrate (the *referring magistrate*) decides to refer the person for assessment, the referring magistrate may adjourn the proceedings and—
 - (a) remand the person in custody to appear before a drug court magistrate; or
 - (b) release the person on bail to appear before a drug court magistrate.
 - (2) If the referring magistrate adjourns the proceedings, the referring magistrate must require the chief executive (corrective services) to prepare and submit to a drug court magistrate, within the time allowed by the referring
-

magistrate, a pre-sentence report under the *Corrective Services Act 2006*, section 344³ that contains—

- (a) an assessment of the person's suitability for rehabilitation; and
 - (b) if the person is suitable, a proposed rehabilitation program.
- (3) Also, if the referring magistrate adjourns the proceedings, the referring magistrate must require the chief executive (health) to prepare and submit to a drug court magistrate, within the time allowed by the referring magistrate, a written report (an *assessment report*) containing an assessment of the person by an appropriately qualified health professional.
- (4) If the referring magistrate releases the person on bail, the grant of bail must be made subject to the condition that, for the purpose of preparing the pre-sentence report and assessment report, the person—
- (a) reports to an authorised corrective services officer within a stated time; and
 - (b) reports to other persons at the times and places directed by an authorised corrective services officer, including to an appropriately qualified health professional decided by the chief executive (health) for assessment.
- (5) If the referring magistrate remands the person in custody, the chief executive (corrective services) must ensure the person—
- (a) is assessed by an appropriately qualified health professional decided by the chief executive (health); and
 - (b) appears before a drug court magistrate to be dealt with as required by the drug court magistrate.

16A Assessment report

- (1) When required to do so under section 16(3) by a referring magistrate, the chief executive (health) must arrange for an appropriately qualified health professional to prepare an assessment report for a drug court magistrate about a stated

³ *Corrective Services Act 2006*, section 344 (Pre-sentence report)

person remanded or required to appear before the drug court magistrate.

- (2) The assessment report must be given to the drug court magistrate within the time allowed by the referring magistrate.
- (3) The drug court magistrate must give a copy of the assessment report to—
 - (a) the prosecuting authority that appeared before the court when the offender was referred for assessment; and
 - (b) the person's legal representatives; and
 - (c) the chief executive (corrective services).
- (4) The drug court magistrate must ensure the prosecuting authority and the person's legal representatives have sufficient time before the proceedings to consider and respond to the assessment report.

16B Additional matters for assessment report

- (1) The drug court magistrate may order that the assessment report, or part of the assessment report, not be shown to the person.
 - (2) A report purporting to be an assessment report made by an appropriately qualified health professional is evidence of the matters contained in it.
 - (3) An objection must not be taken or allowed to the evidence on the ground that it is hearsay.
-

Part 5 Intensive drug rehabilitation orders

Division 1 Preliminary

17 Application of pt 5

- (1) This part applies if a person charged with a relevant offence (the *offender*) appears before a drug court magistrate—
 - (a) on proceedings adjourned under part 4; or
 - (b) if expressly provided in relation to a provision of this part, on other proceedings.
- (2) In deciding whether to make an order under this part, it does not matter whether the offence was committed before or after the commencement of this Act.

Division 2 Making an order

18 Drug court magistrate may make order only if conviction recorded

- (1) A drug court magistrate may make an intensive drug rehabilitation order for the offender for a relevant offence only if the magistrate records a conviction.
- (2) Subsection (1) also applies if the proceedings for the offence are before the magistrate other than on adjournment under part 4.

19 Making of order

A drug court magistrate may make an order (*intensive drug rehabilitation order*) for the offender for an offence if satisfied—

- (a) the offence is a relevant offence; and
 - (b) the offender is an eligible person; and
 - (c) the offender has pleaded guilty to the offence; and
-

- (d) the magistrate would, apart from this Act, sentence the offender to a term of imprisonment; and
 - (e) the offence is—
 - (i) a prescribed drug offence, or an offence against the *Drugs Misuse Act 1986* that may be prosecuted summarily, for which the offender may be adequately punished with imprisonment of not more than 3 years; or
 - (ii) another offence for which the offender may be adequately punished with imprisonment of not more than 4 years; and
 - (f) the offender is not suffering from any mental condition that could prevent the offender's active participation in a rehabilitation program; and
 - (g) the maximum number of active intensive drug rehabilitation orders prescribed under a regulation has not been exceeded; and
 - (h) the facilities to supervise and control the offender's participation in a rehabilitation program are available for allocation to the offender under guidelines prescribed under a regulation; and
 - (i) there are reasonable prospects the offender would satisfactorily comply with an intensive drug rehabilitation order and it would be otherwise appropriate for an intensive drug rehabilitation order to be made, having regard to all relevant matters including, for example—
 - (i) the pre-sentence report and assessment report mentioned in section 16; and
 - (ii) whether a charge for an offence that can not be dealt with under this Act (other than a disqualifying offence) is pending in a court against the offender, and if so, the nature and seriousness of the offence and when the charge is likely to be dealt with.
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20 Contents of order

- (1) If the drug court magistrate decides to make an intensive drug rehabilitation order for the offender, the order must contain—
 - (a) an order—
 - (i) sentencing the offender to serve a term of imprisonment (the *initial sentence*); and
 - (ii) suspending the whole of the term of imprisonment under this Act; and
 - (b) the requirements of the order; and
 - (c) a rehabilitation program decided by the drug court magistrate for the offender.
- (2) For subsection (1)(a)(i), the intensive drug rehabilitation order may contain an order sentencing the offender to serve a term of imprisonment of more than 3 years only if the prosecuting authority appearing before the court and the offender have consented to the offence being prosecuted summarily on the ground that the defendant will be adequately punished on summary conviction.

21 Delaying suspension of sentence

If the drug court magistrate is satisfied sufficient grounds exist, the magistrate may—

- (a) direct that the commencement of the suspension of the sentence be delayed for not more than 15 days; and
- (b) order that the offender be detained in custody in a prison until the earlier of the following days—
 - (i) the day the chief executive (corrective services) is given a release authority in the approved form signed by the clerk of the court of a drug court;
 - (ii) the day the 15 day period ends.

Example—

The drug court magistrate is satisfied the offender requires detoxification but suitable facilities for detoxification are not immediately available.

22 Core conditions of intensive drug rehabilitation order

An intensive drug rehabilitation order is subject to the following core conditions—

- (a) the offender must not commit an offence, in or outside Queensland, during the period of the order;
- (b) the offender must notify an authorised corrective services officer of every change of the offender's place of residence or employment within 2 business days after the change happens;
- (c) the offender must not leave or stay out of Queensland without an authorised corrective services officer's permission;
- (d) the offender must comply with every reasonable direction of an authorised corrective services officer, including a direction to appear before a drug court magistrate at a stated time and place;
- (e) the offender must attend before a drug court magistrate at the times and places stated in the order.

23 Additional requirements of order

- (1) The intensive drug rehabilitation order may also contain requirements that the offender—
 - (a) make restitution, or pay compensation; and
 - (b) satisfactorily perform community service of up to 240 hours for the period stated in the order, as and when directed by an authorised corrective services officer; and
 - (c) do another thing that a drug court magistrate considers may help the offender's rehabilitation.
 - (2) A requirement to make restitution may be made for property—
 - (a) in relation to which an offence was committed; or
 - (b) taken in the course of, or in connection with, the commission of the offence.
 - (3) A requirement to pay compensation may be made—
-

- (a) to a person for any loss or destruction of, damage caused to, or unlawful interference with, property—
 - (i) in relation to which an offence was committed; or
 - (ii) in the course of, or in connection with, the commission of the offence; and
 - (b) for personal injury suffered by a person, whether or not the person is the victim against whom an offence was committed, because of the commission of the offence.
- (4) In deciding whether to require the offender to perform community service under subsection (1)(b), the drug court magistrate must consider the number of hours of community service the offender has outstanding under another order and when the hours must be completed.
- (5) If the drug court magistrate decides to require the offender to perform community service under subsection (1)(b), the drug court magistrate must consider whether the offender is in a residential rehabilitation facility and is able to complete the community service.
- (6) The *Penalties and Sentences Act 1992*, part 3, division 4, does not apply to restitution or compensation under an intensive drug rehabilitation order.
- (7) The *Penalties and Sentences Act 1992*, part 5, divisions 2 and 3, do not apply to community service under an intensive drug rehabilitation order.
- (8) A requirement under subsection (1) is not a sentence within the meaning of the *Penalties and Sentences Act 1992*, section 4.

24 Contents and requirements of rehabilitation program

- (1) The intensive drug rehabilitation order must, as far as practicable, state the details of the rehabilitation program the offender must undertake, including, for example, that the offender must—
 - (a) report to, or receive visits from, an authorised corrective services officer; or
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- (b) report for drug testing to an authorised corrective services officer; or
 - (c) attend vocational education and employment courses; or
 - (d) submit to medical, psychiatric or psychological treatment.
 - (2) As part of the medical, psychiatric or psychological treatment, the offender may be required to remain at a place, and for a time, stated in the program.
 - (3) The offender's rehabilitation program must also state that a drug court magistrate may, at any time, commit the offender to a prison if, in the magistrate's opinion, the committal is necessary to facilitate—
 - (a) detoxification of the offender; or
 - (b) assessment of the offender's participation in the program.
 - (4) However, the offender must not be committed to a prison for detoxification unless the drug court magistrate is satisfied no other suitable facilities are immediately available.
 - (5) If a drug court magistrate commits an offender to prison to facilitate detoxification, the offender is committed to the prison until the earliest of the following—
 - (a) 22 days after the offender is committed to prison for detoxification;
 - (b) the chief executive (corrective services) or chief executive (health) is satisfied the offender is detoxified;
 - (c) a drug court magistrate, on the offender's application, orders the committal of the offender end.
 - (6) If an offender is committed to prison for an assessment of the offender's participation in the program, the committal must not be for more than—
 - (a) if the assessment is because the offender has failed to attend on a person or at a place as stated in the rehabilitation program—30 days; or
 - (b) otherwise—15 days.
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- (7) If a drug court magistrate commits an offender to prison under subsection (5) to facilitate detoxification, the drug court magistrate must order that after the committal ends the person must appear before a drug court magistrate at the time and place stated.
- (8) If a drug court magistrate commits an offender to prison under subsection (6) for assessment, the drug court magistrate must state that after the committal ends the offender must—
 - (a) appear before a drug court magistrate at the times and places stated; or
 - (b) attend at another place at the times stated.

25 Explaining orders

- (1) Before making an intensive drug rehabilitation order, the drug court magistrate must explain, or cause to be explained, to the offender the following matters—
 - (a) that the intensive drug rehabilitation order has 3 parts—
 - (i) the sentence of imprisonment and the suspension of the sentence; and
 - (ii) the core conditions and additional requirements of the order; and
 - (iii) the rehabilitation program;
 - (b) the purpose and effect of the order;
 - (c) what may happen if the offender does not comply with the order;
 - (d) that, subject to divisions 4 and 5, the requirements of the order or the rehabilitation program may be amended or a rehabilitation program terminated on a drug court magistrate's own initiative or on application by—
 - (i) the offender; or
 - (ii) an authorised corrective services officer; or
 - (iii) the commissioner of the police service; or
 - (iv) the director of public prosecutions.
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- (2) If the offender is charged with a prescribed drug offence, the magistrate must also explain—
 - (a) the offender would normally be dealt with in the Supreme Court for the offence; and
 - (b) the magistrate is dealing with the offender on the condition the offender successfully complete the rehabilitation program; and
 - (c) if the offender does not successfully complete the rehabilitation program, the offender will be dealt with in the Supreme Court for the offence.
- (3) The explanation must be made in language, or in a way, likely to be readily understood by the offender.

26 Offender to agree to making or amending of order

- (1) The drug court magistrate may make an intensive drug rehabilitation order for the offender only if the offender agrees to the order being made, including the core conditions, and agrees to comply with it.
- (2) The drug court magistrate may amend the requirements of an intensive drug rehabilitation order or a rehabilitation program only if the offender agrees to the order being amended and agrees to comply with it.

27 Copy of order to offender

- (1) The clerk of the court of the drug court must give the offender a copy of the intensive drug rehabilitation order.
 - (2) A copy of the core conditions must be included in, or attached to, the intensive drug rehabilitation order.
 - (3) The offender must acknowledge receipt of the copy of the intensive drug rehabilitation order in writing.
 - (4) Until subsections (1) and (3) are complied with, the offender must remain in the custody of a police officer.
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28 Multiple offences

- (1) Under section 19,⁴ the drug court magistrate (*magistrate*) may make more than 1 intensive drug rehabilitation order (*order*) for the offender for more than 1 offence.
- (2) If the magistrate makes an order for the offender in proceedings adjourned before the magistrate under part 4, the magistrate may also make an order under section 19 for the offender in relation to another relevant offence even though proceedings for the other offence are before the magistrate other than on adjournment under part 4.
- (3) However, in no case may the magistrate make more than 1 order for the offender for more than 1 offence if the total period of imprisonment for which the offender would be sentenced under section 20(a)(i)⁵ would be more than 4 years.
- (4) The orders may be included in a single form of order that specifies each offence for which an intensive drug rehabilitation order is made.

Division 3 Not making an order**29 Dealing with offenders if no intensive drug rehabilitation order made**

If the drug court magistrate decides not to make an intensive drug rehabilitation order for the offender, the magistrate must exercise the jurisdiction of a Magistrates Court and deal with the offender according to law.

Division 4 Rewards and sanctions**30 Application for reward or sanction**

A reward or sanction under this division may be given or imposed on the application of an authorised corrective

4 Section 19 (Making of order)

5 Section 20 (Contents of order)

services officer or the offender or on the drug court magistrate's own initiative.

31 Rewards

- (1) A drug court magistrate may give the following kinds of rewards to the offender if the magistrate is satisfied on the balance of probabilities the offender is satisfactorily complying with the offender's intensive drug rehabilitation order—
 - (a) stated privileges;
 - (b) a decrease in the amount of any monetary penalty payable, but not yet paid, by the offender under section 32;
 - (c) a decrease in the frequency of drug testing of the offender;
 - (d) a decrease in the level of supervision of the offender by a drug court magistrate or someone else;
 - (e) a change in—
 - (i) the nature of the vocational education and employment courses the offender attends; or
 - (ii) the nature of medical, psychiatric or psychological treatment the offender is undergoing;
 - (f) a decrease in the frequency with which the offender must attend the courses or treatment;
 - (g) a decrease in the amount of community service the offender must perform under the order.
- (2) The magistrate may, if necessary, amend the requirements of the offender's intensive drug rehabilitation order or the offender's rehabilitation program to give the reward.

32 Sanctions

- (1) A drug court magistrate may impose the following kinds of sanctions on the offender if the magistrate is satisfied on the balance of probabilities the offender is not complying with the offender's intensive drug rehabilitation order—
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Drug Court Act 2000

- (a) the withdrawal of stated privileges;
 - (b) the imposition of a monetary penalty payable to the clerk of the court of a drug court;
 - (c) an increase in the level of supervision of the offender by a drug court magistrate or someone else;
 - (d) a change in—
 - (i) the nature of the vocational education and employment courses the offender attends; or
 - (ii) the nature of medical, psychiatric or psychological treatment the offender is undergoing;
 - (e) an increase in the frequency with which the offender must attend the courses or treatment;
 - (f) a term of imprisonment for up to 15 days for each failure to comply with the order, but not so as to impose a term of more than 22 days at any 1 hearing under this section;
 - (g) an increase in the amount of community service the offender must perform, but—
 - (i) not more than 40 hours community service for each failure to comply with the order; and
 - (ii) not so as to impose more than 40 hours community service at any 1 hearing under this section; and
 - (iii) not so as to increase the total number of hours to be performed under this section and under the order to more than 240 hours.
- (2) In deciding whether to increase the amount of community service the offender must perform under subsection (1)(g), the drug court magistrate must consider—
- (a) the number of hours of community service the offender has outstanding under another order and when the hours must be completed; and
 - (b) whether the offender is in a residential rehabilitation facility and is able to complete the community service.
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- (3) The magistrate may, if necessary, amend the requirements of the offender's intensive drug rehabilitation order or the offender's rehabilitation program to give the sanction.
- (4) A monetary penalty imposed under subsection (1)(b) is not a penalty within the meaning of the *Penalties and Sentences Act 1992*, section 4.
- (5) A term of imprisonment imposed under subsection (1)(f) is not a sentence within the meaning of the *Penalties and Sentences Act 1992*, section 4.⁶

Division 5 Amending orders and terminating rehabilitation programs

33 Amending intensive drug rehabilitation orders

- (1) A drug court magistrate may, on application under this division or on the magistrate's own initiative, amend the requirements of an intensive drug rehabilitation order or a rehabilitation program.
- (2) If the magistrate amends the order, the magistrate must give reasons.
- (3) This section is subject to section 26(2).⁷

34 Terminating rehabilitation programs

- (1) A drug court magistrate may, on application under this division or on the magistrate's own initiative, terminate a rehabilitation program decided for the offender if—
 - (a) the offender asks the magistrate to terminate the rehabilitation program; or
 - (b) if the magistrate proposes to amend the order—
 - (i) the offender does not agree to the order being amended; or

⁶ *Penalties and Sentences Act 1992*, section 4 (Definitions)

⁷ Section 26 (Offender to agree to making or amending of order)

- (ii) the offender does not agree to comply with the amended order; or
 - (c) the offender does not attend before a drug court magistrate as required under the offender's intensive drug rehabilitation order or otherwise; or
 - (d) the offender has otherwise failed to comply with the intensive drug rehabilitation order; or
 - (e) the magistrate is satisfied, on the balance of probabilities, there are not reasonable prospects of the offender satisfactorily complying with the offender's intensive drug rehabilitation order.
- (2) If the magistrate terminates the rehabilitation program, the magistrate must give reasons.
- (3) If the magistrate terminates the rehabilitation program and the offence in relation to which the intensive drug rehabilitation order for the offender was made is a prescribed drug offence, the magistrate must—
- (a) revoke the conviction recorded for the offence; and
 - (b) vacate the intensive drug rehabilitation order; and
 - (c) under the *Justices Act 1886*, section 113,⁸ commit the offender to the Supreme Court for sentence, even though the magistrate has not addressed the defendant as required under section 104(2).

35 Process for application to amend intensive drug rehabilitation order or terminate rehabilitation program

- (1) An application under section 33 or 34 may be made by any of the following persons—
- (a) the offender;
 - (b) an authorised corrective services officer;
 - (c) a prosecuting authority.
- (2) The application may be made—

⁸ *Justices Act 1886*, section 113 (Procedure if defendant pleads guilty)

Drug Court Act 2000

- (a) if the offender is before a drug court magistrate—without notice; or
 - (b) if the offender is not before a drug court magistrate—after giving notice in the approved form and as required under subsection (3), (4), (5) or (6).
- (3) If an application is made by the offender, notice must be given by the court to the chief executive (corrective services) and the prosecutor.
 - (4) If an application is made by an authorised corrective services officer, notice must be given to the court, the offender and the prosecutor.
 - (5) If an application is made by a prosecuting authority, notice must be given to the court, the offender and the chief executive (corrective services).
 - (6) Notice under subsection (3), (4) or (5) must be given to the person at least the day before the application is to be heard before the magistrate.
 - (7) In this section—
prosecutor means the prosecuting authority that appeared before the court when the intensive drug rehabilitation order was made.

35A Inclusion of new rehabilitation program

- (1) This section applies when an offender is brought before a drug court magistrate after the offender's rehabilitation program has been terminated by a magistrate in the offender's absence for a reason mentioned in section 34(1)(c) or (d).
 - (2) Unless the offender's intensive drug rehabilitation order has been vacated under section 34(3), the drug court magistrate may amend the intensive drug rehabilitation order to include a new rehabilitation program.
 - (3) The drug court magistrate may amend the intensive drug rehabilitation order to include a new rehabilitation program only if—
 - (a) the drug court magistrate is satisfied of the matters mentioned in section 19 and is satisfied the offender has
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reasonable prospects of successfully completing the new rehabilitation program; and

- (b) the offender agrees to the order being amended and agrees to comply with it.

36 Final sentence to be decided on completion or termination of rehabilitation program

- (1) This section applies when an offender's rehabilitation program ends—
 - (a) if the offence for which the offender's intensive drug rehabilitation order was made was a prescribed drug offence—because the offender has successfully completed the rehabilitation program under the order; or
 - (b) if the offence for which the offender's intensive drug rehabilitation order was made was not a prescribed drug offence—for any reason unless a new rehabilitation program is included in the offender's intensive drug rehabilitation order under section 35A.
- (2) The magistrate must reconsider the offender's initial sentence, vacate the intensive drug rehabilitation order and impose a final sentence.
- (3) When reconsidering the initial sentence, the magistrate must consider the extent to which the offender participated in his or her rehabilitation program, including, for example—
 - (a) whether any rewards or sanctions were given to or imposed on the offender; and
 - (b) if sanctions were imposed on the offender that included the imposition of a term of imprisonment under section 32(1)(f), the number and length of the terms imposed.
- (4) The final sentence may be—
 - (a) for a prescribed drug offence—any sentence that a magistrate could impose for an offence against the *Drugs Misuse Act 1986* on proceedings taken summarily under section 13⁹ of that Act; or

9 *Drugs Misuse Act 1986*, section 13 (Certain offences may be dealt with summarily)

- (b) for any other relevant offence—any sentence that the magistrate could have imposed for the offence.

Note to subsection (4)—

See also the Criminal Code, section 552H(1)(b) for an express extension of a drug court magistrate's power to impose a maximum penalty of 4 years imprisonment on summary conviction under section 552A or 552B of the Code.

- (5) The magistrate must revoke the conviction recorded for the offence—
 - (a) if the *Penalties and Sentences Act 1992*, section 16 or 22¹⁰ applies; or
 - (b) otherwise, if the magistrate has a discretion not to record a conviction and decides not to record a conviction.
- (6) If the magistrate sentences the offender to serve a term of imprisonment with or without suspending the sentence, the term of imprisonment must not be greater than the term imposed in the initial sentence.
- (7) It is declared that in applying the *Penalties and Sentences Act 1992*, section 161,¹¹ to a sentence for a term of imprisonment imposed on an offender under this section, time spent in custody under this Act, other than under section 32(1)(f), is taken to be imprisonment already served under the sentence.

Division 6 General

36A Drug court magistrate must consider views of drug court team

- (1) This section applies if a drug court magistrate is making a decision (a *relevant decision*) about any of the following matters—

10 *Penalties and Sentences Act 1992*, section 16 (Court may make order under this division if it does not record conviction) or 22 (Court may make order under this division if it does not record conviction)

11 Section 161 has been renumbered as section 159A—see the *Corrective Services Act 2006*, section 496 and the *Acts Interpretation Act 1954*, section 14H.

- (a) whether an offender's rehabilitation program should include medical, psychiatric or psychological treatment (*health treatment*);
 - (b) what matters should be included in an offender's rehabilitation program about the offender's health treatment;
 - (c) where the offender should be placed for health treatment, including, for example, in a residential rehabilitation facility, an outpatient facility or with a particular service provider;
 - (d) how often the offender should meet with the persons providing or supervising the offender's rehabilitation program, including health treatment;
 - (e) how often the offender should appear before a drug court magistrate;
 - (f) whether or not to give a reward to, or impose a sanction on, an offender;
 - (g) whether or not an intensive drug rehabilitation order or a rehabilitation program for an offender should be amended;
 - (h) whether or not an intensive drug rehabilitation order for an offender should be terminated.
- (2) The drug court magistrate must consider the views of the members of the offender's drug court team in making the relevant decision.
- (3) In this section—
- drug court team*, for an offender, means the persons who—
- (a) act for an interested entity; and
 - (b) attend a hearing at which a relevant decision is made about the offender.
- interested entity* means any of the following—
- (a) Legal Aid (Queensland);
 - (b) a prosecuting authority;
 - (c) the department in which the *Corrective Services Act 2000* is administered;
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Editor's note—

Corrective Services Act 2000—see the Acts Interpretation Act 1954, section 14H and Corrective Services Act 2006.

- (d) the department in which the *Health Services Act 1991* is administered.

37 Immunity from prosecution

- (1) A person is not liable to be prosecuted for an offence as a result of an admission made by the person—
 - (a) for the purposes of deciding whether the person—
 - (i) is, or appears to be, an eligible person; or
 - (ii) is suitable for rehabilitation; or
 - (b) to someone responsible for the person's supervision or treatment under this Act.
- (1A) To remove any doubt, it is declared that subsection (1) does not prevent a prosecution if there is evidence, other than the admission or evidence obtained as a result of the admission, implicating the accused.
- (2) The admission, and any evidence obtained as a result of the admission, is not admissible against the person in proceedings for an offence.
- (3) However, this section does not apply to—
 - (a) a disqualifying offence; or
 - (b) an indictable offence, other than an indictable offence mentioned in the Criminal Code, section 552B¹² or the *Drugs Misuse Act 1986*, section 13;¹³ or
 - (c) an offence committed in connection with an offence mentioned in paragraph (a) or (b).

12 Criminal Code, section 552B (Charges of indictable offences that may be dealt with summarily)

13 *Drugs Misuse Act 1986*, section 13 (Certain offences may be dealt with summarily)

38 Random drug testing

If a rehabilitation program under an intensive drug rehabilitation order includes a requirement that the offender must report for drug testing and states the frequency for the testing, an authorised corrective services officer—

- (a) may decide when and where the offender is to report; and
- (b) may require the offender to report for further random testing as directed by the officer.

39 Disclosure of compliance and related information

(1) A prescribed person—

- (a) must promptly give the chief executive (corrective services), or a drug court magistrate, any compliance information the prescribed person has about the offender; and
- (b) may enter in the drug court database any compliance information or related information the prescribed person has about the offender.

(2) Subsection (1) applies despite any Act, oath, rule of law or practice that prohibits or restricts the disclosure of information.

(3) In this section—

compliance information means any information about the offender's compliance with, or failure to comply with—

- (a) the requirements of the offender's intensive drug rehabilitation order; or
- (b) the offender's rehabilitation program.

drug court database means a database for the drug court diversion program to which only a prescribed person has access.

information includes a document.

prescribed person means a person involved in the administration of, or who provides services in connection

with, an offender's rehabilitation program who is prescribed under a regulation.

related information means any information, other than compliance information, about the offender obtained in the administration of, or in the provision of services in connection with, the offender's rehabilitation program.

39A Disclosure of relevant information

- (1) A person who is a member of a drug court team for an offender may give another member of the drug court team any relevant information the person has about the offender.
- (2) In this section—

compliance information see section 39.

drug court team, for an offender, means any of the following persons who are responsible for attending the drug court and providing reports to the drug court magistrate about the performance of the offender under the intensive drug rehabilitation order—

- (a) a corrective services officer;
- (b) a police officer;
- (c) a person employed for the purposes of the *Director of Public Prosecutions Act 1984*;
- (d) a health service employee under the *Health Services Act 1991*;
- (e) a Legal Aid employee under the *Legal Aid Queensland Act 1997*.

related information see section 39.

relevant information means—

- (a) compliance information; or
- (b) related information; or
- (c) any other information prescribed under a regulation for this section;

but does not include information to which legal professional privilege attaches.

39B Protection from liability

- (1) This section applies if—
 - (a) a person who is a health professional gives an indicative assessment report to the chief executive (health) or a drug court magistrate; or
 - (b) a person who is a health professional gives an assessment report to the chief executive (health) or a drug court magistrate; or
 - (c) a prescribed person gives the chief executive (corrective services) or a drug court magistrate compliance information under section 39; or
 - (d) a prescribed person enters compliance information or related information in the drug court database under section 39; or
 - (e) a person who is a member of a drug court team for an offender gives another member of the team relevant information under section 39A.
 - (2) The person is not liable, civilly, criminally or under an administrative process, for giving the report, or giving or entering the information, honestly and on reasonable grounds.
 - (3) Also, merely because the person gives the report, or gives or enters the information, the person can not be held to have—
 - (a) breached any code of professional etiquette or ethics; or
 - (b) departed from accepted standards of professional conduct.
 - (4) Without limiting subsections (2) and (3)—
 - (a) in a proceeding for defamation, the person has a defence of absolute privilege for publishing the report or information; and
 - (b) if the person would otherwise be required to maintain confidentiality about the report or information under an Act, oath or rule of law or practice, the person—
 - (i) does not contravene the Act, oath or rule of law or practice by giving the report or giving or entering information; and
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- (ii) is not liable to disciplinary action for giving the report or giving or entering information.

39C Protection of personal information about offenders

- (1) This section applies if a personal information document about an offender is given to a drug court.
- (2) The clerk of the court of a drug court may give a copy of a personal information document to a person, other than the offender to whom the document relates, only if—
 - (a) the person applies to the drug court for a copy of the document; and
 - (b) the court is satisfied the person has a sufficient interest in the document; and
 - (c) the court orders the person is to be given a copy of the document.
- (3) A regulation may provide for the storage of personal information documents to ensure the confidentiality of information in the document.

Example for subsection (3)—

A regulation may provide that a medical report about an offender, kept in the offender's file, is to be stored in a sealed envelope.

- (4) This section applies despite any other Act, including the *Justices Act 1886*, section 154.
- (5) In this section—

personal information document means a document that is prescribed, under a regulation, to be a document to which this section applies.

40 Arrest warrants

- (1) A drug court magistrate may issue a warrant for the offender's arrest if the magistrate—
 - (a) reasonably suspects an offender has failed to comply with his or her rehabilitation program; or
 - (b) terminates the offender's rehabilitation program.
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- (2) The warrant authorises any police officer to arrest the offender and to bring the offender before a drug court magistrate.
- (3) The *Bail Act 1980* does not apply to an offender who is arrested on the authority of a warrant under this section.
- (4) If the drug court magistrate decides to refer the offender for an assessment as to whether the offender should continue with the offender's intensive drug rehabilitation order or to reserve making a decision about terminating the offender's rehabilitation program, the magistrate may remand the offender in custody to appear before a drug court magistrate.
- (5) The period for which an offender may be remanded in custody is as follows—
 - (a) an initial period of not more than 30 days;
 - (b) a further period or periods of not more than 8 days.
- (6) If the drug court magistrate remands the offender in custody, the chief executive (corrective services) must ensure the person appears before a drug court magistrate to be dealt with as required by the drug court magistrate.
- (7) The clerk of the court of a drug court may perform the magistrate's functions under subsection (1).

41 Warrants of commitment

- (1) A drug court magistrate may issue a warrant of commitment for the purposes of section 21 or 32(1)(f).¹⁴
- (2) The clerk of the court of a drug court may perform the magistrate's functions under subsection (1).

42 When no appeal

- (1) An appeal does not lie against—
 - (a) an initial sentence; or
 - (b) a decision to do or not to do any of the following—

¹⁴ Section 21 (Delaying suspension of sentence) or 32 (Sanctions)

- (i) remand a person to appear before a drug court magistrate;
 - (ii) make an intensive drug rehabilitation order for a person;
 - (iii) amend an intensive drug rehabilitation order or terminate a rehabilitation program for an offender;
 - (iv) give a reward to or impose a sanction on an offender.
- (2) Subsection (1) applies despite the *Justices Act 1886*, section 222 and the Criminal Code, chapter 67.¹⁵

42A Application of Penalties and Sentences Act 1992, s 188

To remove any doubt, it is declared that the *Penalties and Sentences Act 1992*, section 188 applies to initial sentences and final sentences imposed under this Act.

Part 6 General

43 Regulation-making power

- (1) The Governor in Council may make regulations under this Act.
- (2) A regulation prescribing the maximum number of active intensive drug rehabilitation orders may prescribe the maximum number of active intensive drug rehabilitation orders applicable for persons who reside within a stated locality.
- (3) A regulation may prescribe guidelines for drug courts or a particular drug court.

¹⁵ *Justices Act 1886*, section 222 (Appeal to a single judge) and Criminal Code, chapter 67 (Appeal—pardon)

- (4) Without limiting subsection (3), a regulation may prescribe guidelines for drug courts or a particular drug court about the following matters—
- (a) the requirements of an intensive drug rehabilitation order;
- Example—*
- the maximum number of attendances ordinarily required before a drug court magistrate during a particular period
- (b) the contents and requirements of a rehabilitation program;
- Example—*
- the maximum number of times an offender must ordinarily report for drug testing during a particular period
- (c) the ordinary requirements for successful completion of a rehabilitation program.
- (5) A regulation may prescribe the minimum frequency with which offenders must be drug tested under the offenders' intensive drug rehabilitation orders.

44 Approved forms

The chief executive may approve forms for this Act.

Part 7 Transitional provisions

Division 1 Transitional provision for Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002

46A Transitional provisions for Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002

- (1) Sections 6 and 19,¹⁶ as in force immediately before the commencement of this subsection, continue to apply in relation to an intensive drug rehabilitation order made before the commencement.
- (2) The release under section 16(1)¹⁷ during the transitional period of a person on bail subject to a condition that the person report to persons at the times and places directed by a community correctional officer is taken instead to have been subject to a condition that the person report to persons at the times and places directed by a corrective services officer.
- (3) In this section—
transitional period means the period beginning on 1 July 2001 and ending immediately before the commencement of subsection (2).

Division 2 Transitional provisions for Drug Legislation Amendment Act 2006

47 Definition for div 2

In this division—

commencement means the commencement of this division.

16 Sections 6 (Who is an *eligible person*) and 19 (Making of order)

17 Section 16 (Referral for assessment)

48 References to Act

In an Act or document, a reference to the *Drug Rehabilitation (Court Diversion) Act 2000* may, if the context permits, be taken as a reference to this Act.

49 Transitional provision for courts

A Magistrate Court that was, immediately before the commencement, declared to be a pilot program court is, on the commencement, taken to be a drug court.

50 Transitional provision for magistrates

A magistrate who, immediately before the commencement, had been allocated the functions of a pilot program magistrate is, on the commencement, taken to have been allocated the functions of a drug court magistrate.

51 Transitional provision for proceedings

If proceedings before a pilot program court had been started but not finished before the commencement, the proceedings may continue as if they had been started after the commencement.

Schedule Dictionary

section 5

active intensive drug rehabilitation order means an intensive drug rehabilitation order other than—

- (a) an intensive drug rehabilitation order, the rehabilitation program for which has been terminated under section 34; or
- (b) an intensive drug rehabilitation order that has been vacated.

appropriately qualified, for a health professional, means having the qualifications or experience to carry out an indicative assessment or assessment of a person.

approved form see section 44.

assessment, of a person, means an assessment of the following to help decide the person's capacity to undertake treatment—

- (a) the person's physical and mental health;
- (b) the person's past and present drug dependency and drug use;
- (c) the treatment options appropriate for the person.

assessment report see section 16(3).

authorised corrective services officer see *Penalties and Sentences Act 1992*, section 4A.¹⁸

chief executive (health) means the chief executive of the department in which the *Health Services Act 1991* is administered.

community service means any activity declared by the chief executive (corrective services) to be community service for

¹⁸ *Penalties and Sentences Act 1992*, section 4A (Meaning of *authorised corrective services officer*)

Schedule (continued)

the *Corrective Services Act 2006* or the *Penalties and Sentences Act 1992*.

community term of imprisonment see section 7A.

core condition, of an intensive drug rehabilitation order, means a condition mentioned in section 22.

corrective services officer see the *Corrective Services Act 2006*.

corresponding provision means a corresponding provision of a law of another State or the Commonwealth.

disqualifying offence see section 7.

drug means—

- (a) a dangerous drug within the meaning given by the *Drugs Misuse Act 1986*; or
- (b) another drug prescribed under a regulation.

drug court means a Magistrates Court declared to be a drug court under section 9.

drug court magistrate means a magistrate to whom functions are allocated under section 10(1).

eligible person see section 6.

health professional has the meaning given by the *Health Services Act 1991*, section 60.

health service facility means a place at which a health service, within the meaning of the *Health Services Act 1991*, section 3, is provided.

indicative assessment, of a person, means an assessment as to whether the person is drug dependent.

indicative assessment report see section 12B.

initial sentence see section 20(a)(i).

intensive drug rehabilitation order see section 19.

offender see section 17.

Schedule (continued)

period of imprisonment means the unbroken duration of imprisonment that an offender is to serve for 2 or more terms of imprisonment, whether—

- (a) ordered to be served concurrently or cumulatively; or
- (b) imposed at the same time or different times;

and includes a term of imprisonment.

prescribed drug offence means an offence under the *Drugs Misuse Act 1986*—

- (a) for which the maximum penalty is 20 years imprisonment; and
- (b) that is prescribed under a regulation.

prison means a prison within the meaning of the *Corrective Services Act 2006*.

prosecuting authority means the commissioner of the police service or the director of public prosecutions.

referring magistrate see section 16(1).

rehabilitation program means a rehabilitation program under an intensive drug rehabilitation order.

relevant offence see section 8.

term of imprisonment means the duration of imprisonment imposed for a single offence.

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2008. Future amendments of the Drug Court Act 2000 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	13 June 2000	7 July 2000
1A	2000 Act No. 46	25 October 2000	8 November 2000
1B	2000 Act No. 58	17 November 2000	27 November 2000

Reprint No.	Amendments included	Effective	Notes
1C	2002 Act No. 23	19 July 2002	
1D	2002 Act No. 41	25 October 2002	
2	2003 Act No. 55	18 September 2003	
2A rv	2004 Act No. 43	3 December 2004	
2B	2006 Act No. 8	3 July 2006	
2C	2006 Act No. 29	28 August 2006	
2D	2007 Act No. 37	28 September 2007	
3	2007 Act No. 37	1 July 2008	

5 List of legislation

Drug Court Act 2000 No. 3 (prev Drug Rehabilitation (Court Diversion) Act 2000)

date of assent 8 March 2000

ss 1–2 commenced on date of assent

remaining provisions commenced 13 June 2000 (2000 SL No. 103)

amending legislation—

Statute Law (Miscellaneous Provisions) Act 2000 No. 46 ss 1, 3 sch

date of assent 25 October 2000

commenced on date of assent

Justice and Other Legislation (Miscellaneous Provisions) Act 2000 No. 58 ss 1–2 sch

date of assent 17 November 2000

s 2 sch amdt 4 commenced on date of assent (amdt could not be given effect)

remaining provisions commenced on date of assent

Criminal Law Amendment Act 2002 No. 23 ss 1, 2(3), pt 5

date of assent 23 May 2002

ss 1–2 commenced on date of assent

remaining provisions commenced 19 July 2002 (2002 SL No. 157)

Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002 No. 41

date of assent 12 September 2002

ss 1–2 commenced on date of assent

remaining provisions commenced 25 October 2002 (2002 SL No. 279)

Evidence (Protection of Children) Amendment Act 2003 No. 55 pts 1, 9A

date of assent 18 September 2003

commenced on date of assent

Justice and Other Legislation Amendment Act 2004 No. 43 pts 1, 9, s 3 sch

date of assent 18 November 2004

ss 1–2 commenced on date of assent

remaining provisions commenced 3 December 2004 (2004 SL No. 263)

Drug Legislation Amendment Act 2006 No. 8 pts 1–2

date of assent 15 March 2006

ss 1–2 commenced on date of assent

remaining provisions commenced 3 July 2006 (2006 SL No. 151)

Corrective Services Act 2006 No. 29 ss 1, 2(2), 518 sch 3

date of assent 1 June 2006

ss 1–2 commenced on date of assent

s 518 sch 3 amds 5, 6 and 8 (to the extent it amds def “corrective services office”)

commenced 28 August 2006 (amds could not be given effect)

remaining provisions commenced 28 August 2006 (2006 SL No. 213)

Justice and Other Legislation Amendment Act 2007 No. 37 pts 1, 11, s 51 sch

date of assent 29 August 2007

ss 1–2 commenced on date of assent

ss 52–61 commenced 1 July 2008 (2008 SL No. 197)

remaining provisions commenced 28 September 2007 (2007 SL No. 241)

6 List of annotations

Title sub 2006 No. 8 s 4**Short title**

s 1 sub 2006 No. 8 s 5

Objects of this Act

s 3 sub 2006 No. 8 s 6

Relationship with Penalties and Sentences Act 1992

s 4 amd 2006 No. 8 s 7

Notes in text

s 4A ins 2002 No. 41 s 4

Who is an “eligible person”

s 6 amd 2002 No. 41 s 5; 2006 No. 8 s 8; 2006 No. 29 s 518 sch 3; 2007 No. 37 s

52

BERMUDA:

DRUG TREATMENT PROGRAMMES

Drug treatment programmes

68 (1) There is established a special magistrates court to be known as the Drug Treatment Court.

(2) The Chief Justice may designate any magistrate as a judge of the Drug Treatment Court.

(3) Where an accused other than a corporation—

(a) pleads guilty to or is found guilty of an offence;

(b) appears to the court to satisfy the eligibility criteria; and

(c) is willing to undergo an assessment by a qualified person to determine his suitability for a drug treatment programme,

the court may by order direct the offender to appear before the Drug Treatment Court.

(4) The Drug Treatment Court on being satisfied—

- (a) that the offender is suitable for enrollment in a drug treatment programme;
- (b) that it is in the best interests of the offender that he be enrolled in such programme; and
- (c) that the offender agrees to be enrolled in such programme,

may, instead of convicting the offender, order that he be enrolled in a drug treatment programme of such description, for such period and subject to such conditions as the Drug Treatment Court may specify in the order.

(5) Where an offender has been enrolled in a drug treatment programme, the Drug Treatment Court shall monitor the progress of the offender throughout the duration of the programme.

(6) Where the offender fails, without reasonable excuse, to comply with the rules of a drug treatment programme or any conditions set out in an order under subsection (4), the Drug Treatment Court may—

- (a) (i) impose any sanction, including, imprisonment for a period not exceeding 20 days, that it could have imposed for the offence in respect of which the order was made; and
- (ii) require the offender to continue in the drug treatment programme; or
- (b) (i) revoke the order,
- (ii) convict the offender of the offence in respect of which the order was made, and
- (iii) impose any sentence that could have been imposed if the offender had been convicted at the time the order was made.

(7) For the avoidance of doubt it is declared that where an accused

- (a) has pleaded guilty to an offence; and
- (b) has been enrolled in a drug treatment programme,

the plea is irrevocable.

(8) For the purposes of the Rehabilitation of Offenders Act 1977 a person shall be deemed to have become a rehabilitated person if he successfully completes a drug treatment programme pursuant to an order under subsection (4).

CRIMINAL CODE ACT 1907

(9) In this section—

- (a) "drug treatment programme" means a drug treatment and rehabilitative programme approved by the Minister of Health and Family Services;
- (b) "eligibility criteria" means eligibility criteria for participation in a drug treatment programme that are approved by the Minister of Health and Family Services and are published in the Gazette;
- (c) "qualified person" means a person approved by the Minister of Health and Family Services as qualified to conduct an assessment under this section.

[Section 68 repealed and substituted by 2001:29 effective 29 October 2001]

JAMAICA:

THE DRUG COURT (TREATMENT AND REHABILITATION OF OFFENDERS) ACT, 1999

The Drug Court (Treatment and Rehabilitation Of Offenders) Regulations, 2000

In exercise of the power conferred upon the Minister by section 18 of the Drug Court Act, 1999, and of every other power hereunto enabling, the following Regulations are hereby made:-

- | | | |
|--|----------|---|
| Citation. | 1. | These Regulations may be cited as the Drug Court (Treatment and Rehabilitation of Offenders) Regulations, 2000. |
| Approval of treatment providers. | 2. | The Minister may in writing, designate any individual or organization as an approved treatment provider if he is satisfied as to the kind of care, treatment or rehabilitation which is to be provided by that individual or organization. |
| Criteria for eligibility. | 3. | A person is an eligible person for the purposes of section 5(c) of the Act if that person -

(a) is at least seventeen years of age; and

(b) is not suffering from any mental condition that could prevent or restrict the person's active participation in a prescribed treatment programme. |
| Procedure for referring persons to Drug Court. | 4. - (1) | For the purposes of section 6 of the Act (procedure after arrest) the person arrested shall be brought before the court on the first sitting of the court following the date of arrest. |
| | (2) | Where , pursuant to section 6 (2) of the Act, a recommendation is made to the court that a person be referred to the Drug Court, the Resident Magistrate shall -

(a) ascertain whether the person is an eligible person;

(b) explain to the person the reasons why he is being referred to the Drug Court and the consequences of such referral; and

(c) require the person to signify in writing ,his consent to being so referred. |
| Procedure in Drug Court. | 5. - (1) | The Drug Court shall, in relation to a person referred to it under section 6 of the Act or brought directly before it under section 7 of the Act –

(a) explain to the person that he will be assessed by an approved treatment provider in order to determine his suitability for participation in a prescribed treatment programme; |

- (b) if the person agrees to undergo such assessment, adjourn the case for a period of two weeks to facilitate the carrying out of the assessment during that period.

(2) Where the approved treatment provider recommends to the Drug Court that a drug offender is suitable to participate in a prescribed treatment programme and furnishes to that Court, a plan of that programme, the Drug Court shall, if satisfied as to the matters specified in section 9 (1) of the Act -

- (a) require the drug offender to signify in writing his consent to such participation;
- (b) require a probation officer to carry out a means test in relation to the drug offender in order to determine the amount of contribution, if any, to be made by that offender in relation to such participation; and
- (c) make an order in relation to that offender in accordance with section 9 (2) of the Act.

(3) Where an assessment is not completed at the end of the period referred to in paragraph (1) (b), the Drug Court shall adjourn the case for such further period as it thinks fit to facilitate the completion of the assessment.

(4) An assessment shall include the following in relation to a drug offender -

- (a) social, economic and family background;
- (b) health profile;
- (c) history of drug use and previous treatment, if any;
- (d) level of education;
- (e) vocational achievements;
- (f) previous convictions, if any.

(5) The provisions of paragraphs (1) (a) and (2) shall apply in relation to a person who is convicted of a relevant offence before a regular sitting.

Conditions. 6. - (1) The conditions which may be imposed by the Drug Court pursuant to section 9 (1) (c) of the Act in relation to a drug offender's participation in a prescribed treatment programme may include the advantages specified in paragraph (2) and the sanctions specified in paragraph (3).

(2) The following advantages may be specified by the Drug Court on the recommendation of the approved treatment provider in relation to a drug offender who maintains a satisfactory level of compliance with the programme -

- (a) specified privileges;
- (b) a change in the frequency of counselling or other treatment;
- (c) a decrease in the degree of supervision to which the drug offender is subject;
- (d) a decrease in the frequency with which the drug offender is required to undergo drug tests;
- (e) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which he is required to attend those services.

(3) The following sanctions may be specified by the Court on the recommendation of the approved treatment provider in relation to a drug offender who fails to comply with the programme -

- (a) withdrawal of privileges referred to in paragraph (2) (a);
- (b) an appropriate change in the frequency of counselling or other treatment;
- (c) an increase in the degree of supervision to which the drug offender is subject;
- (d) an increase in the frequency with which the drug offender is required to undergo drug tests;
- (e) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which he is required to attend those services.

Means test. 7. In carrying out a means test pursuant to regulation 5 (2) (b), the probation officer shall take into account such factors as he considers relevant, including -

- (a) the nature of the offence committed by the drug offender ;
- (b) the drug offender's income and expenses;
- (c) the drug offender's property, if any;
- (d) the ability and willingness of the offender's relatives, friends or employers to make the contribution referred to in regulation 5(2)(b).

Duration of programme. 8. - (1) A prescribed treatment programme shall commence on the date specified by the Court in the order under section 9 (2) of the Act and shall, unless it is sooner terminated pursuant to section 12 (1) (b) or (c) of the Act, be for such period as the Court shall specify in the order.

(2) Before the commencement of the prescribed treatment programme, the approved treatment provider shall conduct an intake interview with the drug offender, in the form of a discussion of the following -

- (a) the goals and objectives for participation, including abstinence from the use of drugs during the period of the programme;
- (b) counselling and education requirements;
- (c) attendance requirements;
- (d) drug testing requirements;
- (e) payment of contribution, if any;
- (f) the place and times for participation;
- (g) reasons for termination of the programme;
- (h) rules which will relate to the drug offender.

(3) The drug offender shall sign the rules referred to in paragraph (2) (h) in duplicate and one copy shall be given to the offender and the other shall be kept in the record of the offender's participation in the programme.

(4) The following documents shall be used for enrollment of a drug offender in the prescribed treatment programme -

- (a) registration form containing the information referred to in paragraph (2) ;
- (b) a form permitting the release of confidential information concerning the drug offender to the Drug Court;
- (c) an agreement to be signed by the drug offender and the approved treatment provider, listing the services to be provided under the programme, the amount of contribution, if any, payable by the offender, attendance requirements and the reasons for termination of the programme.

(5) One copy of the signed agreement shall be given to the drug offender and a copy shall be kept in the record of his participation in the programme.

Reports.	9.	The progress report required under section 11 of the Act shall be submitted to the Drug Court by an approved treatment provider at such intervals as the Court may direct.
Termination of programme.	10. - (1)	Where an approved treatment provider intends to report to the Drug Court that there is no useful purpose to be served by a drug offender's continued participation in a prescribed treatment programme, the treatment provider shall inform the drug offender of that intention.
	(2)	On receipt of a report referred to in paragraph (1), the Drug Court shall permit the drug offender to show cause why the approved treatment programme should not be terminated in accordance with section 12 (1) (c) of the Act.
	(3)	A conditional discharge of a drug offender by the Drug Court upon his successful completion of a prescribed treatment programme shall have effect for such period, not exceeding twelve months, as the Court may specify.
Register.	11.	The register required by section 14 of the Act shall contain the particulars specified in the First schedule.
First Schedule.		
Plan of prescribed treatment programme.	12.	A plan of a prescribed treatment programme shall include the matters specified in the Second Schedule.
Second Schedule.		

FIRST SCHEDULE

(Regulation 11)

Particulars to be entered in register kept pursuant to section 14 of the Act.

1. Name and address of each drug offender.
2. Nature of relevant offence and date and place of arrest.
3. Date of first appearance in regular sitting and date of reference to the Drug Court.
4. Date of appearance in Drug Court and whether the prosecution of the offence is deferred or sentence is deferred after a guilty plea.
5. Name of approved treatment provider making an assessment and recommendation under section 8 (1) of the Act.

6. Date of adjournment for assessment and date of completion of assessment.
7. Whether the drug offender is -
 - (a) considered suitable or unsuitable for participation in an approved treatment programme; or
 - (b) not willing to be dealt with by the Drug Court.
8. Date of trial by the Drug Court of offence specified in section 7 (3) of the Act.
9. Date of order made under section 9 (2) of the Act.
10. Date of commencement and period of prescribed treatment programme.
11. Date of termination of prescribed treatment programme and basis of termination.
12. Where the drug offender failed to complete the prescribed treatment programme -
 - (a) if the prosecution was deferred under section 7 (2) (a) of the Act -
 - (i) the date of the order for trial of the relevant offence and the outcome; or
 - (ii) the date of any order requiring the offender to undergo a new treatment programme and date of commencement and period of that programme;
 - (b) where sentence was deferred under section 7 (2) (b) of the Act, the nature of the sentence imposed;
 - (c) date of confirmation of any sentence, the execution of which was deferred pursuant to section 9 (4) of the Act.
 - (d) where trial was deferred by a regular sitting, the date of reference back to that sitting.
13. Date of warrant of arrest in respect of a person who has failed to comply with specified conditions.
14. Date of notification under section 17 of the Act of a drug offender's failure to comply with the prescribed treatment programme.

SECOND SCHEDULE**(Regulation 12)****Plan of Prescribed Treatment Programme**

The following matters shall be included in a plan of a prescribed treatment programme

Educational Sessions -

- (1) a minimum of 8 weekly educational sessions of at least 60 minutes (excluding time allowed for breaks) for each drug offender.
- (2) Information on -
 - (a) the effects of drug use on the individual, the foetus, the family and society;
 - (b) the physiological and psychological facets of drug use;
 - (c) the nature of addiction;
 - (d) HIV/AIDS, intravenous drug use and sex and sexuality;
 - (e) Alternatives to drug use;
 - (f) Relapse prevention;
 - (g) Stress management;
 - (h) Conflict resolution

Group Counselling Sessions -

- (1) a minimum of 12 weekly group sessions, at times convenient to the programme structure following the initial educational sessions;
- (2) at least 90 minutes in length, excluding time allowed for breaks;
- (3) conducted in such a manner as to -
 - (a) encourage participants to talk and share ideas and information in order to identify and resolve drug related problems;
 - (b) provide an opportunity for participants to examine their own personal attitudes and behaviour;
 - (c) provide support for positive changes in life style to facilitate reduction or elimination of drug use.

One-to-One Sessions -

- (1) a minimum of four separate sessions with each participant.
- (2) Conducted for the purpose of -

- (a) reviewing the participant's progress related to the treatment and recovery plan;
- (b) identifying problems which may be barriers to accomplishing the goals of that plan;
- (c) developing action plans to address the matters specified in (a) and (b);
- (d) evaluating the participant's need for voluntary referral to ancillary services, such as residential or additional non-residential services.

- (3) The frequency of one-to-one sessions shall be increased whenever the approved treatment provider or the participant determines that additional time is required.

Drug Testing -

- (1) Minimum monthly random urinalyses.
- (2) The frequency of testing shall increase whenever the approved treatment provider determines that additional drug tests are necessary
- (3) Positive results will not necessarily exclude a participant from the programme but will be used to arrive at a decision based on evaluation of the participant's progress in the programme and evaluate the participant's level of treatment intensity.

Treatment/Recovery Plan

- 1. Each participant shall have an individual written treatment/ recovery plan based on the information obtained in the process of intake and assessment.
- 2. The treatment/recovery plan shall be developed within 30 days of the date of commencement of the programme.
- 3. The treatment/recovery plan shall be reviewed and updated at least every 60 days
- 4. The treatment/recovery plan shall include the following -
 - (a) statement of problems to be addressed;

- (b) time-limited goals to be achieved which address the problem;
- (c) steps to be taken by the treatment provider and the participant to achieve the goals;
- (d) target date for achievement of steps and goals, and where possible, dates of resolution;
- (e) a description of the type and frequency of counselling services to be provided.

Dated this 28th day of December , 2000.



Minister of National Security and Justice

THE DRUG COURT ACT, 1999

Consent of Drug Offender to Participate in a Prescribed Treatment Programme (Under Regulation 5 (2) (a))

I
of
being a drug offender who *having been referred to the Drug Court/* being brought
before the Drug Court/* being convicted of a relevant offence before a regular sitting,
and the Drug Court has made an order in relation to me under section 9(2) of the Drug
Court Act, 1999, declare that the Resident Magistrate has -

(a) explained to me that I will be required to undergo a treatment programme
and that I will have to comply with the specified conditions imposed by the
Drug Court in relation to my participation in the prescribed treatment
programme; and

(b) informed me of the consequences of my failure to comply with the specified
conditions,

do hereby signify my consent to participate in the prescribed treatment programme and
to comply with the specified conditions, including, if applicable, a condition that I
undergo

drug tests at such times as are specified in the order.

.....
Signature of Offender

.....
Date

.....
Signature of Clerk of the Courts

.....
Date

*Cross out which is inapplicable

THE DRUG COURT (TREATMENT AND
REHABILITATION OF OFFENDERS) ACT

ARRANGEMENT OF SECTIONS

1. Short title.
2. Interpretation.
3. Objects of Act.
4. Declaration and jurisdiction of Drug Court.
5. Eligible persons.
6. Procedure after arrest for relevant offence.
7. Persons who may be brought directly before Drug Court.
8. Assessment of offender and determination of relevant offence.
9. Jurisdiction of Drug Court.
10. Variation of conditions.
11. Reports.
12. Termination of programme.
13. Procedure on termination.
14. Register.
15. Arrest warrant.
16. Immunity from prosecution for certain offences.
17. Provision of information.
18. Regulations.

SCHEDULE.

[The inclusion of this page is authorized by L.N. 112/2002]

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

3

THE DRUG COURT (TREATMENT AND
REHABILITATION OF OFFENDERS) ACT

Act
40 of 1999.

[15th January, 2001.]

Short title

1. This Act may be cited as the Drug Court (Treatment and Rehabilitation of Offenders) Act.

Interpreta-
tion.

2. In this Act, unless the context otherwise requires—

“approved treatment provider” means an individual or organization approved by the Minister to carry out prescribed treatment programmes for the purposes of this Act;

“drug” includes alcohol and any dangerous drug falling within Parts III, IIIA and IV of the Dangerous Drugs Act;

“Drug Court” means the sitting of the Resident Magistrate’s Court declared to be a Drug Court pursuant to section 4;

“drug offender” means a person who is referred to the Drug Court under section 6(2)(b) or brought before the Drug Court pursuant to section 7;

“eligible person” means a person described in section 5;

“regular sitting” means a sitting of the Resident Magistrate’s Court other than the Drug Court;

“prescribed treatment programme” means a programme for treatment and supervision prescribed by the Drug Court pursuant to section 9;

“relevant offence” means any offence triable by a Resident Magistrate.

[The inclusion of this page is authorized by L.N. 112/2002]

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

Objects of
Act.

3. The objects of this Act are to—

- (a) reduce the incidence of drug use and dependence by persons whose criminal activities are found to be linked to such dependence;
- (b) reduce the level of criminal activity that results from drug abuse;
- (c) provide such assistance to those persons as will enable them to function as law abiding citizens.

Declaration
and juris-
diction of
Drug Court.

4.—(1) The Resident Magistrate presiding in each parish shall declare a sitting of the Resident Magistrate's Court to be a Drug Court for the purposes of this Act.

Schedule.

(2) The Drug Court shall be constituted in accordance with the provisions of the Schedule and when so constituted and sitting shall have the jurisdiction and powers conferred upon it by this Act.

Eligible
persons.

5. A person is an eligible person for the purposes of this Act if—

- (a) the person is charged with a relevant offence;
- (b) the person appears to be dependent on the use of drugs; and
- (c) the person satisfies such other criteria as may be prescribed.

Procedure
after arrest
for relevant
offence.

6.—(1) Subject to section 7, where a person is arrested and charged with a relevant offence and the arresting officer has reasonable cause to believe that the person is dependent on any drug, the arresting officer shall include in the police report, a note of the facts giving rise to that belief.

(2) As soon as practicable after the person is charged with the offence, the Clerk of Courts in the parish in which the person is arrested—

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- (a) shall review the police report and the person's criminal record; and
- (b) may, if satisfied that the person is eligible, recommend to the Court that the person be referred to the Drug Court to be dealt with in accordance with section 8.

7.—(1) A person who is arrested and charged with a relevant offence specified in subsection (3) shall be brought before the Drug Court to be dealt with in accordance with section 9.

(2) The Drug Court may, on the recommendation of the prosecution in relation to a person brought before it pursuant to subsection (1)—

- (a) defer prosecution of the offence; or
- (b) defer the imposition of a sentence for the offence after a guilty plea.

(3) The offences referred to in subsection (1) are offences under the Dangerous Drugs Act as follows—

- (a) possession of not more than—
 - (i) one ounce of prepared opium;
 - (ii) eight ounces of ganja;
 - (iii) one-tenth of an ounce of cocaine, heroin or morphine, as the case may be;
- (b) possession of any pipes or other utensils for use in connection with the smoking of opium or ganja, as the case may be, or any utensils used in connection with the preparation of opium for smoking;
- (c) smoking or otherwise using ganja or prepared opium, as the case may be;
- (d) frequenting any place used for the purpose of smoking opium.

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Assessment
of offender
and deter-
mination of
relevant
offence.

8.—(1) A person referred to the Drug Court under section 6 or brought before it pursuant to section 7 shall be assessed by an approved treatment provider who shall make a recommendation to the Drug Court as to the person's suitability for participation in a prescribed treatment programme and shall furnish to the Court, a plan of that programme.

(2) Where—

- (a) based upon an assessment by an approved treatment provider, a person is not considered suitable for participation in a prescribed treatment programme; or
- (b) a person is not willing to be dealt with by the Drug Court,

the relevant offence in relation to that person shall, subject to subsection (3), be heard and determined in a regular sitting.

(3) A relevant offence specified in section 7 (3) shall be heard and determined by the Drug Court.

Jurisdiction
of Drug
Court.

9.—(1) The Drug Court may act in accordance with subsection (2) in relation to a person referred to it under section 6 or brought before it pursuant to section 7 if the Court is satisfied that—

- (a) the person is an eligible person;
- (b) having regard to the person's antecedents, it would be appropriate for the person to participate in a prescribed treatment programme;
- (c) the person accepts the conditions to be imposed by the Drug Court (whether immediately or at some later date) in relation to his participation in a prescribed treatment programme;

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(d) the person has been informed of the Drug Court's powers under this Act and of the respective consequences of the person's compliance or non-compliance with a prescribed treatment programme.

(2) The Drug Court shall make an order—

(a) requiring the drug offender to undergo a prescribed treatment programme and to comply with the conditions imposed by the Court pursuant to paragraph (b);

(b) imposing such conditions as the Court deems fit (hereinafter referred to as specified conditions) in relation to the drug offender's participation in the prescribed treatment programme.

(3) Where the Drug Court makes an order under subsection (2), it shall inform the drug offender of the consequences of any failure to comply with the specified conditions.

(4) The Drug Court may make an order under subsection (2) in relation to an offender who is convicted of a relevant offence before a regular sitting, and in such a case the regular sitting shall defer execution of the sentence during the period for which that order is in force.

(5) Where the Court makes an order under subsection (2), the drug offender to whom it relates shall be required to signify his consent in writing to participate in the prescribed treatment programme, and to comply with the specified conditions, including, where applicable, a condition that the offender undergo drug tests at such times as are specified in the order.

10. The Drug Court may, from time to time, on the recommendation of the approved treatment provider, vary or revoke the conditions imposed pursuant to section 9 (2).

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Reports.

11.—(1) An approved treatment provider shall submit to the Drug Court, at such intervals as may be prescribed, a progress report in respect of each drug offender who participates in a prescribed treatment programme.

(2) A report under subsection (1) shall include, in any case where the drug offender fails to comply with any directions given by the approved treatment provider or any specified condition, the nature of the non-compliance and the effect or likely effect on the offender's successful completion of the prescribed treatment programme.

Termination
of pro-
gramme.

12.—(1) The Drug Court shall terminate a prescribed treatment programme in relation to a drug offender if—

- (a) the offender successfully completes the programme;
- (b) the offender requests the Drug Court to terminate the programme; or
- (c) based on the report of the approved treatment provider, the Drug Court is satisfied that there is no useful purpose to be served by the drug offender's continued participation in the prescribed treatment programme.

(2) Where a prescribed treatment programme is terminated, the records of any tests performed on the person concerned shall not be admissible in evidence in any proceedings against that person.

Procedure
on termina-
tion.

13.—(1) As soon as may be reasonably practicable after the termination of a prescribed treatment programme, the drug offender shall be brought before the Drug Court to be dealt with in accordance with subsection (2) or (3), as the case may require.

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(2) If the offender has successfully completed the prescribed treatment programme, the Drug Court shall discharge the offender in relation to the relevant offence and that discharge may be either absolute or conditional as the Court thinks fit.

(3) If the offender has failed to complete the prescribed treatment programme the Drug Court may—

(a) if the trial was deferred pursuant to section 7(2)(a)—

- (i) hear and determine the relevant offence; or
- (ii) if the Court considers that the circumstances of the case so warrant, make an order requiring the offender to undergo a new prescribed treatment programme for such period and subject to such conditions as the Court may, on the recommendation of an approved treatment provider, specify;

(b) if sentencing was deferred pursuant to section 7(2)(b), impose any sentence which it could have imposed for the relevant offence;

(c) if the execution of a sentence was deferred pursuant to section 9(4), make an order confirming that sentence;

(d) if the trial was deferred by a regular sitting, refer the relevant offence back to the regular sitting to be heard and determined by that sitting, unless it is an offence specified in section 7(3).

(4) Subject to subsection (5), a conviction in respect of a relevant offence shall not form part of the criminal record of any person who successfully completes a prescribed treatment programme.

(5) Subsection (4) shall not apply in any case where

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

a person is convicted of a relevant offence on more than two occasions.

Register.

14. The Clerk of Courts in each parish shall keep a register containing such particulars as may be prescribed in respect of persons who are dealt with by the Drug Court in accordance with this Act.

Arrest
warrant.

15. Where, based upon a report by an approved treatment provider under section 11, the Drug Court is satisfied that a drug offender has failed to comply with the specified conditions, the Court may issue a warrant authorizing a constable to arrest the offender and bring him before the Drug Court to be dealt with under this Act.

Immunity
from
prosecution
for certain
offences.

16.—(1) A person shall not be liable to prosecution for any offence comprising the unlawful possession or use of drugs as a result of any admission made—

- (a) for the purpose of seeking a referral to the Drug Court under this Act;
- (b) for the purpose of satisfying the Drug Court that the person should participate in a prescribed treatment programme;
- (c) in connection with the supervision of the prescribed treatment programme in relation to that person.

(2) An admission referred to in subsection (1) shall not be admissible in evidence against the person making it, in proceedings brought as a result of the admission, for an offence referred to in that subsection.

Provision of
information.

17.—(1) Every approved treatment provider shall forthwith notify the Drug Court of any failure by a drug offender to comply with the prescribed treatment programme.

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(2) The following provisions apply to and in respect of information furnished in accordance with this section (hereinafter referred to as protected information)—

- (a) the provision of the information—
 - (i) does not constitute a breach of professional etiquette or ethics or a departure from accepted standards of professional conduct on the part of the person furnishing it;
 - (ii) shall not give rise to any action for defamation against that person;
 - (iii) shall not constitute a ground for civil proceedings for malicious prosecution or for conspiracy;
- (b) the information shall not be admissible in any proceedings before a court, tribunal or committee;
- (c) a person shall not be compellable in any such proceedings to disclose the information or to produce any document that contains the information.

(3) The provisions of subsection (2) (b) and (c) shall not apply to or in respect of the provision of protected information—

- (a) in proceedings before the Drug Court; or
- (b) in support of, or in answer to, any allegation made in proceedings against a person in relation to the exercise of his functions under this Act.

(4) A drug offender shall be taken to have authorized the provision of protected information—

- (a) by an approved treatment provider to the Drug Court;
- (b) by any member of staff of the Drug Court to any other member of staff.

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Regulations. 18. The Minister may make regulations generally for giving effect to the provisions of this Act.

SCHEDULE

(Section 4)

1. The Minister shall, in each parish, appoint to a special panel of Justices, those Justices whom he may consider to be specially qualified to deal with cases before the Drug Court, and no Justice of the Peace shall be qualified to sit as a member of the Drug Court unless he is a member of such a panel.

2. A Drug Court shall be constituted of a Resident Magistrate as chairman, and two Justices one of whom shall be a woman and both of whom shall be members of the panel referred to in paragraph 1:

Provided that subject to paragraph 3—

- (a) the Court shall be deemed to be fully constituted where the chairman and only one such Justice sit;
- (b) until the panel referred to in paragraph 1 is prepared, the Court shall be constituted of a Resident Magistrate alone.

3. Where a Drug Court conducts a trial to determine guilt or innocence, the Court shall be constituted of a Resident Magistrate alone.

NORWAY:

Regulations relating to a trial scheme for court-controlled drug programmes

Laid down by Royal Decree xxxxx pursuant to the General Civil Penal Code (the Penal Code) no 10 of 22 May 1902 section 53 subsection 6, cf. Act no 92 of 17 June 2005 relating to amendments to the Penal Code sections 53 and 54 (trial scheme for court-controlled drug programmes). Proposed by the Ministry of Justice and the Police.

Section 1 Establishment and objective

A three-year trial scheme for court-controlled drug programmes (drug courts) in the municipalities of Oslo and Bergen will be established with effect from 1 January 2006, cf. section 14.

The objective of the trial scheme is to prevent new crime and to promote the rehabilitation of convicted persons. It is also intended to help improve the practical support and treatment offered to problem drug users covered by the scheme. Completion of the drug programme will require a combined effort from and binding cooperation between different sectors and administrative levels.

Section 2 Scope of the trial scheme

The trial scheme applies to problem drug users convicted of drug-related crimes, where the court has stipulated a condition that the convicted person complete a court-controlled drug programme. The drug user must reside in one of the trial municipalities and illicit drugs must be the main substance abused. Only courts with jurisdiction in the trial municipalities are authorised to stipulate completion of a drug programme as a condition.

Section 3 Definitions

By drug-related crime is meant violations of the Penal Code section 162 and the Act relating to medicines etc. section 31 second paragraph, crimes committed under the influence of illicit drugs, and crimes committed in order to finance personal drug abuse.

By trial municipalities is meant the municipalities in which a trial scheme for drug courts is established, cf. the Regulations section 1.

Section 4 Consent

The court may only stipulate completion of a drug programme as a condition with the consent of the convicted person. Consent shall be given in a declaration of consent that shall also contain necessary exemptions from the duty of confidentiality. For consent to participate to be valid the person charged must have been given and have understood sufficient information on the implications of giving his/her consent.

The declaration of consent shall be signed by the person charged in connection with the social inquiry, cf. section 5. The person charged can withdraw his/her consent at any time. If the person charged is under the age of 18, the provisions conferring rights of a party on guardians in the Criminal Procedure Act sections 83-84 shall apply.

Section 5 *Social inquiry*

Pursuant to the provisions of the Criminal Procedure Act chapter 13, the prosecuting authority or the court may decide to carry out a social inquiry of a person charged. In its decision, the prosecuting authority or the court shall state that it wishes the person charged to be assessed with a view to completion of a drug programme. A social inquiry shall always be carried out prior to a conviction in which it may be an option to stipulate completion of a drug programme as a condition of sentence. The correctional service is responsible for carrying out the social inquiry. The social inquiry is carried out by the correctional service's representative on the team in cooperation with the other team members. The person charged shall be given detailed information about the drug programme in connection with the social inquiry, including the consequences of violating the conditions stipulated for the programme and of the withdrawal of his/her consent to participate in the programme.

Section 6 *Conditions*

Pursuant to the Penal Code section 53 subsection 3, a court can stipulate special conditions for suspended sentences, including completion of a court-controlled drug programme. Before the case is brought to court, the team must prepare a plan for the drug programme including proposed conditions for the completion of the programme. The correctional service is responsible for monitoring that the conditions are complied with. The provisions relating to investigations in the Execution of Sentences Act section 56 apply correspondingly.

Section 7 *Contents and completion of the drug programme*

A drug programme is an individually adapted rehabilitation programme and a condition for a suspended criminal sentence. The programme can contain individually adapted treatment plans, referral to interdisciplinary specialist treatment for problem drug users, treatment by the municipal health service, educational and employment measures, residential follow-up, recreational plans, follow-up by social services and other measures of importance to the individual's rehabilitation and integration into society.

The contents of the drug programme shall be based on the individual's need for measures that reduce the risk of new crimes being committed and further the convicted person's rehabilitation. The contents of each individual programme shall be the result of the team's professional evaluations arrived at in cooperation with the convicted person and of the conditions stipulated by the court, for example that during completion of the programme the convicted person shall comply with the provisions laid down by the correctional service with respect to place of domicile, place of residence, work, training or treatment. The team shall prepare an intensive programme of regular and frequent appointments, continuity and work with a view to integrating the individual concerned into society.

The drug programme shall be described in an implementation plan. The plan shall contain compulsory measures, including a requirement for the submission of regular urine samples, which is compulsory for all convicted persons, and individual measures planned in cooperation with the individual. The implementation plan shall be formulated in a manner that makes the conditions for participating in the programme predictable and clear to the convicted person. If an individual plan already exists for the convicted person pursuant to the Act relating to the municipal health services section 6-2a, the Act relating to specialist health service section 2-5, the Mental Health Act Section 4-1 or the Act relating to social services section 4-3, the team shall attempt to coordinate the implementation plan with such existing plan.

The drug programme shall be carried out in four phases. The phases are designated the instigation phase, the stabilisation phase, the responsibility phase and the continuation phase. The phases are decided on the basis of an individual assessment and of what constitutes realistic progress. The contents of the phases and the conditions for progressing from one to the next shall be stated in the implementation plan.

Section 8 *The team*

The correctional service shall set up local interdisciplinary teams that will be responsible for the professional implementation of the drug programme, and it shall help provide a comprehensive programme of treatment and rehabilitation for each convicted person. Teams shall consist of a team coordinator, who shall be an employee of the correctional service, and representatives from the correctional service, municipal social services, the educational sector and the specialist health service. Which other bodies shall be represented on the team shall be assessed locally. The team coordinator is the administrative manager of the centre and organises the team's work, chairs team meetings and facilitates cooperation within the team. The coordinator shall also ensure documentation of the project, contribute to marketing and follow up important principles. The coordinator shall also prepare more detailed descriptions of team roles and work processes. The public bodies involved are responsible for the sub-tasks within their respective areas of responsibility.

Section 9 *Centre*

The correctional service shall establish a day centre in each trial municipality. The purpose of the day centre is to meet the professional requirement that convicted persons participating in the scheme receive a comprehensive service. The centre shall be the base for the team's activities. Unless otherwise agreed, the centre shall also be the place attended regularly by the convicted person. At the centre, the team shall coordinate studies, planning and follow-up of convicted persons. It is a precondition that the ordinary treatment and intervention services are used as part of the programme, but follow-up at the centre will be important, during the start-up phase in particular, until the participants are gradually transferred to ordinary services outside the centre. Moreover, as a part of its role in crime prevention and the rehabilitation of convicted persons, the centre should offer evening and weekend activities.

Section 10 *Changes in conditions etc.*

When justified by the convicted person's situation, the court may, if petitioned by the correctional service during the probationary period, decide to revoke or change stipulated conditions, or stipulate new conditions. If the court finds it necessary, it can also prolong the probationary period, not, however, such that it totals more than five years. The correctional service's petition shall be based on the discussions and conclusions of the team. The regional director or person authorised to act on his/her behalf shall submit the petition to the court. The correctional service shall notify the prosecuting authority when it submits a petition for a court ruling.

If the court decides that it is justified by the convicted person's situation, it may, on petition from the correctional service, rule that the convicted person shall proceed to the next phase of the programme. The correctional service's petition shall be based on the discussions and conclusions of the team. The regional director or person authorised to act on his/her behalf shall submit the petition to the court. The correctional service shall notify the prosecuting authority when it submits a petition for a court ruling.

Section 11 *Violation of conditions*

If the convicted person seriously or repeatedly violates the conditions stipulated by the court or if he/she withdraws his/her consent to participate, the court may, on petition from the correctional service, rule that the sentence be fully or partially enforced. Instead of ordering that the sentence be served, the court may order a new probationary period and stipulate new conditions if it finds this more expedient. Moreover, on petition from the correctional service, the court may also rule that the convicted person be returned to a phase with stricter conditions. The correctional service's petition pursuant to the second and third sentences, shall be based on team discussions and conclusions. The regional director or person authorised to act on his/her behalf shall submit the petition to the court. The correctional service shall notify the prosecuting authority when it submits a petition for a court ruling.

If the convicted person refuses to provide a urine sample aimed at detecting the use of illegal intoxicants or narcotic substances, this shall be regarded as a violation. This also applies to failure to attend treatment appointments and other appointments that have been made with the involved bodies.

The correctional service may, in the event of violations deemed to be less serious, give the convicted person a written warning about the consequences of repeated violations. The correctional service may also decide to enforce more rigorous testing of urine samples for a certain period of time or decide that the convicted person shall undergo intensive programmes aimed at improving drug control.

If the convicted person commits a criminal offence during the probationary period, the court may, pursuant to the Penal Code section 54 subsection 3, hand down a combined sentence for both criminal acts or a separate sentence for the new criminal act. The prosecuting authority is responsible for bringing the criminal case to court, and the correctional service is obliged to notify the police/prosecuting authority if it learns that the convicted person has committed any criminal acts during the probationary period.

Section 12 Evaluation

The trial scheme for drug programmes shall be evaluated during the trial period. By evaluation is meant a research-based process and assessment of results. The main objective of the evaluation is to arrive at a recommendation on whether the programme should be concluded after three years or whether it should be continued. Confidential information to be used during the evaluation shall as a rule be anonymised. If this is not the case, the convicted person must give his/her consent.

Section 13 Amendments and supplementary provisions to the regulations

The Ministry of Justice and the Police may make amendments to the regulations and issue additional provisions concerning the consent of convicted persons, the contents and completion of drug programmes, the team, the centre, the evaluation and the processing of personal information. Any proposed amendments or additional provisions must be clarified with the involved ministries before the proposal is adopted.

Section 14 Entry into force

These regulations enter into force on 1 January 2006.

UNITED STATES:

In addition to the federal Crime Bill Authorizing funding to state and local drug courts (H.R. 3355, Title V-Drug Courts. Violent Crime Control and Law Enforcement Act of 1994), statutes have been enacted in the following state and territories regarding the funding and/or other matters relating to drug court programs: Alaska; Arizona; Arkansas; California; Colorado; Connecticut; Delaware; District of Columbia; Florida; Georgia; Guam; Hawaii; Idaho; Illinois; Indiana; Iowa; Kentucky; Louisiana; Maine; Michigan; Mississippi; Missouri; Montana; Nebraska; Nevada; New Jersey; New Mexico; New York; North Carolina; North Dakota; Ohio; Oklahoma; Oregon; Puerto Rico; Rhode Island; South Carolina; South Dakota; Tennessee; Texas; Utah; Vermont; Virginia; Washington; West Virginia; and Wyoming. The following Tribal Councils have enacted Drug Court Statutes: Eastern Band of Cherokee Indians (North Carolina) and Spokane Tribe (State of Washington)²

² See Selected Statutes and Resolutions Relating to Drug Courts Enacted by State Legislatures and Tribal Councils. Compiled by Caroline S. Cooper, BJA Drug Court Clearinghouse, American University. May 2008. at www.american.edu/justice

B. PROGRAM DESCRIPTIVE INFORMATION

Australia Drug Courts: An Overview

New South Wales

Queensland

South Australia

Victoria

Western Australia

Brazil: Therapeutic Justice Program:

Partial Data in Four States

Sao Paulo St.

Pernambuco St.

Rio de Janeiro St.

Rio Grande do Sul St.

About the Therapeutic Justice Program in Brazil:

General Information

Jamaica:

The Jamaican Drug Court – Life Style Changes

“The Importance of the Drug Rehabilitation Programme and
Why I should be a Member of It. “ By Davian Smith, Age 19

New Zealand

Christchurch Youth

Norway

The establishment of the drug treatment court in Norway

The Norwegian Way. Bergen. May 2006. Ingunn Seim

United States:

BJA Drug Court Clearinghouse: Drug Court Activity Update:

June 1, 2009

AUSTRALIA:

Australia Drug Courts

An Overview

Australia's drug court program jurisdiction is bound by state borders within Australia. The states with drug court activity are New South Wales, Queensland, South Australia, Victoria, and Western Australia. Formation processes and procedures differ across jurisdiction. The purpose of this overview is to provide information on the drug court program being implemented in each of the states and to extract relevant information in relation to the OAS drug treatment court preliminary report.

New South Wales

Source: *Australian Government-Australian Institute of Criminology*.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- The New South Wales Drug Court was established by the *Drug Court Act of 1998* and exercises both local and district court jurisdiction.
- Eligible defendants are referred from other courts within the catchment area.
- Acceptance into the program results in a custodial remand for detoxification and assessment. This takes up to two weeks and each participant leaves with an individual treatment plan.
- Successful completion of the three phase treatment program can take up to 12 months.
- The court can impose a series of sanctions or award privileges during that time. If the program is not completed successfully the participant returns to court and may be re-sentenced.
- NSW magistrates can place defendants whose offending may not be as significant as those entering the Drug Court and are likely to be granted bail, into the Magistrates Early Referral into Treatment (MERIT) program. MERIT involves completing compulsory treatment as a condition of bail.
- The State has operated a Youth Drug and Alcohol Court since 2000 which functions under the Children's Court.

Reasons for Establishment of the Drug Court³

-Research has consistently shown that there is an association between illicit drug use, particularly heroine, and income-generating crime. The study by Stevenson and Forsythe revealed that

³ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 7. 2002.

burglars who use heroine reported a higher median rate of burglary (13.0 per month compared to 8.7 per month) and generated a much higher weekly income from their burglaries than burglars who did not use heroine.

-In NSW up to 80% of the adult male prison population has committed a drug related crime, a figure that may be even higher among women in prison.

Objectives of the Court

-The Drug Court Act, which commenced on Feb. 5, 1998, outlines the objectives of the Act in section 3:

1. The object of the act is to reduce the level of criminal activity that results from drug dependency.
2. This Act achieves that object by establishing a scheme under which drug dependent persons who are charged with criminal offenses can be diverted into programs designed to eliminate, or at least reduce, their dependency on drugs.
3. Reducing a person's dependency on drugs should reduce the person's need to resort to criminal activity to support that dependency and should also increase the person's ability to function as a law-abiding citizen. (Drug Court Act s.3)

Court Procedures²

-Court procedures conducted by the Court itself outlined ten components of U.S. drug courts that were applied by the NSW Drug Court:

- Treatment is integrated into the criminal justice system
- Prosecution and defense lawyers work together as part of a drug court team
- Eligible offenders are identified early
- Participants have access to a continuum of quality treatment and rehabilitation services which meet their health needs
- Participants are frequently monitored for illicit drug use
- Any non-compliance by a participant results in a swift and certain sanction by the court
- There is ongoing judicial supervision and regular judicial interaction with each participant
- There is evaluation of the rehabilitation outcomes achieved through the drug court
- The drug court team and others associated with the court receive ongoing interdisciplinary education
- Networks are forged with other drug courts, law enforcement authorities, public bodies, treatment providers and the community'. (NSW Drug Court 1999a, point 3.10)

Addition critical components of the NSW Drug Court include ongoing case management and the provision of the social support necessary to achieve reintegration into the community (NSW Drug Court 1999a).⁴

Structure of the Drug Court Team⁵

-The Drug Court team in NSW consists of:

- Ø Senior Judge
- Ø Senior Judge's Associate
- Ø Registrar
- Ø Prosecutors (from the Office of the Director of Public Prosecutions)
- Ø Solicitors (Legal Aid Commission)
- Ø Inspector of Police (NSW Police Service)
- Ø Nurse Manager (CHS)

Drug Treatment Court Eligibility⁶

In NSW, the Drug Court exercises the functions of the criminal jurisdictions of both the District Court and the Local Court, which means that offenders appearing before both Local and District Courts can be referred to the Drug Court.

Under the Drug Court Act: it is the duty of a court before which a person is charged with an offence:

- a) To ascertain whether the person appears to be an eligible person, and
- b) If so, willing to be referred to the Drug Court to be dealt with for the offence, and
- c) If so refer the person to the Drug Court to be dealt with for the offence.' (Drug Court Act s. 6 (2))

Section 6 of the Drug Court Regulation lists the courts that are required to determine whether the person appearing before the court appears to be eligible for referral to the Drug Court. Criminal proceedings brought before the District Court sitting in Campbelltown, Liverpool, Parramatta or Penrith, and Local Courts in Bankstown, Blacktown, Burwood, Campbelltown, Fairfield, Liverpool, Parramatta, Penrith, Richmond, Ryde or Windsor are listed.

An assessment of an offender's potential eligibility for participation in the Drug Court

⁴ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 8. 2002.

⁵ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 61-64. 2002.

⁶ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 11-12. 2002.

Program may be made either by the presiding judge/magistrate at the District/Local Court, or following a request by the offender or his/her legal representative.

For a referral to be successful, the following eligibility criteria must be met. The Drug Court Act outlines the eligibility criteria as follows: if

- a) The person is charged with an offence, other than an offence referred to in subsection (2), and
- b) The facts alleged in connection with the offence, together with the person's antecedents and any other information available to the court, indicate that it is highly likely that the person will, if convicted, be required to serve a sentence of full-time imprisonment, and
- c) The person has pleaded guilty to, or indicated that he or she intends to plead guilty to the offence; and
- d) The person appears to be dependent on the use of prohibited drugs (within the meaning of the *Drug Misuse and Trafficking Act 1985*) or other drugs prescribed by the regulations, and
- e) The person satisfies such other criteria as are prescribed by the regulations.' (Drug Court Act s. 5 (1)).

Further criteria are provided to determine persons who cannot be considered eligible for the Drug Court Program. These criteria include persons charged with:

- a) An offence punishable under Division 2 of Part 2 of the Drug Misuse and Trafficking Act 1985, not being an offence that (under Part 9A of the Criminal Procedure Act 1986) is capable of being dealt with summarily, or
 - b) An offence involving violent conduct or sexual assault; or
 - c) Any other offence of a kind prescribed by the regulations.
- (Drug Court Act s. 5 (2))

In his Second Reading speech introducing the Drug Court Bill into Parliament, the Minister for Police noted that the types of offences which are eligible for referral to the Drug Court are break, enter and steal, fraud, forgery, stealing from person, unarmed robberies (with no violence), possession and use of prohibited drugs, or dealing in quantities of prohibited drugs below the indictable limit (Hansard 27/10/1998, p. 9031).

Drug Court Regulation prescribes further criteria that a person must satisfy in order to be an eligible person within the meaning of the Act:

- a) The person's usual place of residence must be within one of the following local government areas, namely, Auburn, Bankstown, Baulkham Hills, Blacktown, Campbelltown, Fairfield, Hawkesbury, Holroyd, Liverpool, Parramatta or Penrith,

- b) The person must not be suffering from any mental condition that could prevent or restrict the person's active participation in a program under the Act,
- c) The person must be of or above the age of 18 years,
- d) Criminal proceedings against the person for the offence with which the person is charged must not be criminal proceedings that are within the Children's Court jurisdiction to hear and determine'. (Drug Court Regulations s. 5)

****There are numerous other eligibility conditions and assessments, including a procedure for Referral to the NSW Drug Court, a Preliminary Health Assessment, and additional Conditions for Acceptance into the Program. See Evaluation report for further information.⁷**

Treatment and Supervision Services⁸

- Treatment and services are provided by the Corrections Health Service (Detoxification Unit) (CHS), the Probation and Parole case managers, and health treatment providers.
- Participants are only sent to the Detoxification Unit following the preliminary assessment if there is a high probability that they will be accepted onto the Drug Court Program.
- Staff at the Detoxification Unit undertake the detoxification, stabilization and development of treatment plans for Drug Court participants, and provide health services to participants on sanctions, including treatment reviews.
- Two detoxification Units were established. One for men and another for women.

Queensland

Source: *Australian Government-Australian Institute of Criminology.*

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- In Queensland. Five drug courts have been established under the *Drug Rehabilitation (Court Diversion) Act* as a pilot project. The Act and regulations limit the number of people who can enter the system from each court each year.
- In August 2005, Queensland Premier Peter Beattie issued a media statement announcing that the drug courts would be made permanent.
- To be eligible, defendants must be adults, dependant on illicit drugs, and this dependency must be a contributing factor to their offending. They must be sentenced to prison, not subject to a pending violent or sexual offence charge, and live within the prescribed areas and plead guilty.

⁷ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. 2002.

⁸ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 68-73. 2002.

- Participants receive an intensive drug treatment order which includes treatment, drug testing, and court supervision.
- These orders generally run for up to 18 months. During that time the participant may receive added privileges or sanctions.
- Successful completion is taken into account when sentencing is conducted at the end of the order.

Queensland Drug Court Act 200-Drug Court Regulation 2006. [See Appendix, Section A.]

South Australia

Source: *Australian Government-Australian Institute of Criminology.*

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- South Australia's Drug Court operates in the Adelaide Magistrates Court.
- Participants must live within the Adelaide metropolitan area, be over 18 years of age, plead guilty to the most serious and bulk of offences and be dependent on illicit drugs.
- The participants do not have to be charged with a drug offence but their offending must have resulted from their drug addiction.
- Those accepted into the program are given an individual treatment regime, which can include electronically monitored home detention bail, urinalysis, treatment and vocational training.
- Successful completion of the program will be taken into consideration at sentencing.

⁹Program Entails:

- Withdrawal management-including in-patient detoxification if necessary
- Pharmacological treatment if necessary-for example methadone
- Relapse prevention-for example counseling, group therapy
- Group Therapy and individual counseling to develop pro-social thoughts and behaviors
- Prevention of further offending behavior through restricted bail
- Referral and assistance to manage physical and mental health issues
- Referral to access education or vocational training
- Provision of accommodation from up to 15 months and referral to access long term housing
- Assistance to restore family relationships
- Referral to obtain income support and manage financial issues
- Support to find or maintain employment
- Practical assistance on leaving detention with basic personal items and food items until income support is arranged

*Funding is set aside to purchase services where none exist.

⁹ Obtained from the Courts Administration Authority-South Australia.

http://www.courts.sa.gov.au/courts/drug_court/index.html. Accessed on March 26, 2010.

Victoria

Source: Australian Government-Australian Institute of Criminology.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- The Victorian Drug Court is located in Dandenong and services defendants within a specific geographical catchment area.
- Only adult defendants who are addicted to illicit drugs, likely to be imprisoned for a drug related offence and prepared to plead guilty are eligible.
- If they are willing to enter the program, they are placed on a Drug Treatment Order.
- Drug Treatment Orders have two components; a custodial sentence of not more than two years and a treatment and supervision component. Failure to complete the order renders the participant liable for re-sentencing.
- Other Victorian courts can place defendants within the Court Referral and Evaluation for Drug Intervention and Treatment (CREDIT) program.
- The 12 week program provides assessment, treatment and support for defendants on bail.

Western Australia

Source: Australian Government-Australian Institute of Criminology.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- In Western Australia, the drug court operates in the Perth Magistrates' Court and the Perth Children's Court.
- The Magistrates' Court drug court is supported by the *Magistrates' Court Act 2004*, which enables the Chief Magistrate to establish divisions within the court to deal with specific classes of cases or offenders, such as drug cases or family violence cases.
- Following a plea of guilty, defendants are placed within one of three regimes depending on their level of previous offending and the type of drug involved.
- The brief intervention regime is a pre-sentence option for second or third time cannabis offenders and involves three sessions of drug education.
- Supervised treatment intervention is for mid-range offenders who are required to undertake case managed treatment before sentencing.
- The drug court regime consists of more intensive treatment and judicial case management.
- Additionally, a drug court style program operates in Geraldton in the form the Geraldton Alternative Sentencing Regime (GASR). The GASR has a broader remit that includes alcohol and solvent abuse cases, domestic violence and other offending behaviors.
- It does not replace other sentencing options but offers alternative pathways for selected offenders: the Court Supervision Regime which involves the offender being managed by a court management team for a period of four to six months whilst participating in rehabilitation programs; and the Brief Intervention Regime which also includes offender participation in rehabilitation programs but without the supervision of the court management team.

BRAZIL:

Therapeutic Justice Program – Brazil

Partial data in 4 States

São Paulo St.

Source: Promotoria de Justiça Criminal de Santana

Address: Rua Benvinda de Andrade, 150 Bairro SantanaZC: 02403-030

São Paulo – SP

Phone: 55 – 11 – 2281.1800

pjcrimsantana@mp.rs.gov.br

Data reported: During the year 2009, this “court” had 120 drug abuse offenders going to treatment instead of a criminal trial.

Pernambuco St.

Source: Judge Flavio Fontes

flavioafl@uol.com.br

Data reported: In Recife (state capital city) there are two “courts” which apply the Justice Therapeutic Program, i.e., treatment instead of criminal trial for drug abuse offenders. No other info provided.

Rio de Janeiro St.

Source: Prosecutor Marcos Kac

mkac@globo.com

Data reported: In the St. of Rio de Janeiro there are 20 “courts” for adults and 10 for juveniles which apply the Justice Therapeutic Program, i.e., treatment instead of criminal trial for drug abuse offenders. No other info provided.

Rio Grande do Sul St.

Source: Brazilian Association of Therapeutic Justice

Data reported: In Porto Alegre (state capital city) there are 09 “courts” for adults and 03 for juveniles which apply the Justice Therapeutic Program, i.e., treatment instead of criminal trial for drug abuse offenders.

Further information:

For juvenile:

Pilot carried through 2001 - 2003

- reduction in use drugs and offenses

- enhancement on education, family relationships, health and professional training
- enhancement on parenting

For adults:

- most judges offer treatment as alternative to the criminal trial and incarceration for drug users offenders
- 2001 – 2006 for each 10 offenders, 7 used to accept treatment instead of criminal trial
- 2007 à Prosecutors proposed 589 offenders to TJP (DTC)
- 2008 à Prosecutors proposed 989 offenders to TJP (DTC)

About the Therapeutic Justice Program in Brazil

General information

Legal Procedures to apply the TJP (DTC) in Brazil

- **2.1 Pre-judgement phase**
- * “Transaction” – a kind of bargain
- * Procedure suspended
- **2.2 Judgement phase**
- * Up to 4 years in jail à alternative punishment + treatment
- * More than 4 years in jail à punishment + treatment
- **2.3 Post-judgement phase à executing punishment**
- * Probation (Conditional suspense of the punishment)
- * Parole (Conditional freedom)

Treatment through the TJP (DTC) in Brazil

Is provided by the public health system (which is not sufficient) and private health services.

JAMAICA:

The Jamaican Drug Court - Life Style Changes

The majority of our clients are from inner cities, socially disadvantaged backgrounds and single parent families. In the rehabilitation of the offender and in order to carry out the objectives of the Drug Court Act, we adapt the holistic approach:

In achieving our goals, help is given by:

Justices of the Peace who sit with The Drug Court Judge

Treatment Provider

Probation Officers

Defence Attorneys

Friend's of the Drug Court

Government Organizations

Non Government Organizations

Our clients receive advice and support in the following areas:

Family and Emotional Support

Self esteem building

Conflict management

- Counselling with parents, partners, siblings

Education

Referred to institutions of further education

National Youth Service

Illiterates are referred to remedial classes

Heart Academy for skills training

Employment

Referred to Employment Agencies

Assistance in job application, resumé, interview techniques

If enter program unemployed, encouraged to find employment before graduation

Business Loans Secured

Development of Social Skills

Dress, deportment

Development of interpersonal skills

Legal Counselling

Successes in Life Style changes of our Graduates

Germaine From carrying a gun to carrying books to school.
Now married, they are expecting their first child.

Kadia From spear fisherman to fire fighter

Conroy From sitting on the corner smoking ganja and drinking to motivational speaker and making presentations to our present clients about safe sex

Judith From an 18 year old prostitute and cocaine addict to a University Student. Married to an executive chef and now able to travel abroad because she has a clean record.

Nicholas From a dejected angry orphan to a happy educated youngman reunited with his mother in Belgium. In college and speaks three languages.

Recently one of our clients, Davian Smith, took leave of absence from the program without permission. He was asked to write a letter giving reasons why he should be re-admitted to the program. The attached letter speaks for itself.

We feel the Drug Court Program is making a difference in the lives of our clients. They not only kick the habit but their souls are mended.

Winsome Henry (Ms)
Senior Resident Magistrate
St. James
May, 2008

THE IMPORTANCE OF THE DRUG REHABILITATION PROGRAMME & WHY I SHOULD BE A MEMBER OF IT

Davian Smith
Age 19

The drug rehabilitation programme is a programme which is offered in Jamaica to provide our strong youths with a second chance.

It is a group which is well organized by the country's government body that includes a Judge with the members of the Justice's of the Peace, a Probation Officer and a Drug Rehabilitation centre of course with a counselor.

For a young man to be a part of the programme is after he is caught smoking or with the possession of marijuana and is brought before the jury, he is instantly seen as committing a criminal offence so automatically he have achieve a criminal record.

The law of the country states that if anyone has been confined by a criminal record to his file, he /she shouldn't be able to travel to or from abroad.

Knowing that you have made a mistake and you have pursue a bad record, you won't be able to apply for a legal visa which is very challenging to live with. That is where one of the benefits of the Drug Rehabilitation Programme is quite beneficial to the future of the youth of today.

If a survey was done on the graduates of the drug programme, it could show that more than sixty (60) percent of the youths who has been through it is continually to achieve successfully with their lives and has also manage to overcome the addiction of the drug.

If you have entered the drug rehabilitation programme without working or schooling, you should be able to find a permanent or a simple job, if not you should be able to go and try to be certified or try to get a proper qualification at a tertiary school.

As a member of the programme I would like to thank the programme for the great effort they are trying exerts to direct the footsteps of our youths.

The constructive speeches which has been delivered is really helping our youths to visualized that life is really out there for all of us to be successful. Being apart of the programme you have to keep active at all times and keep preparing for the upcoming future.

One of the largest opportunity which is been offered by the rehabilitation programme to our youths, other than clearance of records and motivation towards the future is that they provides the chance to be drug free. Without been drug free you will have very serious consequences to be faced, so there it leaves you with no choice than to give marijuana a instant break. The programme is there to help the youths see that they don't have to be under the influence of drug but they can keep the vibes natural. Most after leaving the programme is a changed person, getting to understand that have both negative and positive impact is liable to overthrow the positive. For the fear of the negative impact most change the route while a few continue on their addiction.

Therefore I see the drug rehabilitation programme playing a very important role, because after getting a bad record it give the opportunity to get a new start and it allow we as youth to be drug free.

The reason I feel that I should be apart of the programme is because, after abusing or using the drug marijuana for almost half my life, definitely I would like to give it a break and not only a break I would like to ceased it permanently. With the help of the programme you have to be drug free for at least a six month period and to be free from it so long I really don't think that I should continue the same journey.

To be on this programme is really helping in different ways, because to be addicted for such a long time I didn't expect the day would really exist when I would be telling myself that I can carry on without the influence of marijuana. This programme don't only help us by offering a second chance by freeing our records from criminology.

We hear the term " **experience teaches knowledge**" quite often and I don't think it should be taken lightly because our youth of today really needs experience. To receive enough of that we will have to do a little traveling, and with a criminal record I can say that it is quite impossible to travel and seek for whether a job, school, training or even vacationally.

From my point of view I think that the Drug Rehabilitation Programme should be highly recommended for the great changes which they delivers to the lives of our youth. Without the program I don't think that some of our youth would be able to be drug free, a clean record and really get on with their lives.

Done by



Davian Smith

New Zealand:

Christchurch Youth Drug Court Pilot:

The Christchurch Youth Drug Court pilot (YDC) was established by the Ministerial Taskforce on Youth Offending and started operating on 14 March 2002.

The pilot's overall objectives are to:

- Improve the young people's health and social functioning and to decrease their alcohol and/or drug use
- Reduce crime associated with alcohol and/or drug use
- Reduce criminal activity

Reasons Why the Christchurch Youth Drug Court Pilot was established:

1. The perceived intensity of the drug problems amongst the Youth Court population.
2. The relatively high number of young persons going through the Youth Court.
3. The services available for alcohol and other drug treatment.
4. Youth Specialty Services in Christchurch performs dual diagnosis of alcohol and other drug and forensic mental health with young people.
5. The geographical layout of Christchurch meant that one Youth Court serviced a large metropolitan area where other areas such as Wellington were more geographically dispersed with disparate services.
6. There was an assumption that there would be a reasonably culturally homogenous population so that the pilot program could be designed and evaluated relatively easily. Other centers such as Manukau have many different cultured groups that would need to be considered in the design.

Entry into the Youth Drug Court pilot:

The criteria and process for selecting participants for the YDC pilot includes: identifying young people to be screened by Youth Specialty Services (YSS) clinicians, the YSS full assessment, the role of the Family Group Conference (FGC), and acceptance onto the pilot.

- The pilot targets young offenders appearing at Youth Court who have been identified as having moderate to severe alcohol and/or other drug dependency that is linked to their offending behavior.
- To be eligible for the YDC young people should meet the following criteria:
 - Age 14-17
 - Moderate to severe alcohol and/or drug dependency linked to offending behavior
 - Recidivist offender defined as appearing in the Youth Court two or more times in the previous 12 months
 - Sexual offending is excluded
 - Some violent offending may be excluded and is assessed on a case by case basis
 - The offenses before the Youth Court have been proved or have not been proved

Linkage Between Alcohol and/or other drug use and offending:

1. offending under the influence
2. offending to obtain alcohol and/or other drugs
3. drug offenses

Acceptance on to the Youth Drug Court:

The process from screening to acceptance in the Youth Drug Court for the first 30 participants took an average of 4.5 weeks. This timeframe is slightly longer than the initial 4 weeks proposed. The time ranged from 2 to 7.5 weeks due to a variety of factors including timing of FGCs and YSS assessments. The length of time attending the YDC varied greatly from five to 74 weeks, with the mode 48 weeks and the median 45 weeks.

Programmes and Services Utilized by YDC participants:

- Alcohol and other Drug Services
 - Alcohol and other drug services are classified into three categories for the purpose of this evaluation
 1. Residential
 2. Day Programme
 3. Counselling

Types of Alcohol and Drug Treatment Services Required:

The key respondents considered that any residential facility should be well resourced with a constructive programme based on international models of best practice working with young people.

Some key respondents emphasized that working with young people requires a very different approach; for example, a much higher staff to client ratio is required to treat young people. A youth residential programme also requires more flexibility because of the range in maturity of the young people.

For young people who were required to be in custody, the YDC team considered that a medical detoxification facility attached to Kingslea may be appropriate. However, it was also noted that international research shows that the place of incarceration should be physically separate from the treatment facility, possibly to ensure that the treatment programme is not negatively associated with the incarceration facility.

The Youth Drug Court Team is made up of the following practitioners:

- Judge
- YDC Social Worker (Department of Child, Youth and Family Services)
- YJ Coordinator (Department of Child, Youth and Family Services)
- Police Prosecutor (NZ Police)
- Youth Advocates (lawyers) representing TDC participants
- Youth Specialty Services coordinator of the alcohol and other drug steam and mental health team (Ministry of Health)
- Group Special Education Team Leader (Ministry of Education)
- YDC Court Clerk (Ministry of Justice)

Source:

Dr. Carswell, Sue, *Process Evaluation of the Christchurch Youth Drug Court*

Pilot. Ministry of Justice. Wellington, New Zealand. November 2004.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

NORWAY:

The establishment of the drug treatment court in Norway

On January 1, 2006, two “Drug treatment courts” were established in Norway as pilot projects in the cities of Oslo and Bergen. According to the US National Association of Drug Courts Professionals, a drug court is “... a special court given the responsibility to handle cases involving substance-abusing offenders through comprehensive supervision, drug testing, treatment services and immediate sanctions and incentives” (<http://www.nadcp.org/whatis>). In Norway, drug treatment courts deal with offenders of all ages and of both sexes, with an established relationship between a pattern of serious drug misuse and offending. The aim of the drug treatment court is to reduce or eliminate offenders' dependence on drugs and to reduce the level of drug-related criminal activity.

In the juridical sense, the drug treatment court sentence is a suspended sentence where participation in drug treatment court programs is a condition. The offender has to agree to participate in the drug treatment court programme. The programmes include court-controlled treatment and rehabilitation activities. The programme consists of four phases, and is specially designed for each individual client. Flexibility is an essential feature of the programme in order to meet the client's various needs. Some may need a 24-hour a day treatment at an institution, while others may need policlinic treatment. A supervision and treatment team is responsible for the design of the program. The team consists of representatives from the correctional service, the social service, the health service and the educational and employment service. Other organizations may also be represented in the team, like the police, the child protection agency etc. The permanent members of the team work together at a drug treatment court centre, and some of the client's activities also take place there. The drug treatment court programme transforms the roles of the criminal justice practitioners as well as other involved parties, and one of the aims for the pilot project is to develop good models for cooperation between the services.

A special feature of the Norwegian model is that the court's involvement in the program is not as prominent as for example in the Irish or the Scottish model. However, the programme is supervised by the court, and all the time during the programme, the offender is accountable to the court. It is the court that rewards progress, by for example moving the client to the next phase, or sanctions non-compliance. Naturally, it is also the court that responds to criminal activity during the program. The punishment for not complying with the conditions as well as for new criminality may be imprisonment.

The Norwegian Way

Bergen may 2006

Ingunn Seim

In Norway there were established a working group with participants from different ministries in the government. Their mandate was to make a report on whether the Drug Court system should be implemented in the Norwegian legal system or not, and if so: how to implement it.

The report was presented in September 2004, and the conclusion was that the results from other drug-court countries were so good that this was something Norway should try. The report suggested that the court should lead the drug treatment program.

The report was send out for comments to a lot of different agencies and also all the courts. A lot of agencies, and especially the Supreme Court, was very sceptic to a system where the courts would be so involved in the serving of a sentence. This would break the legal principle of the courts independence to the public administration. The result of the hearing was that when the bill was presented to the Parliament (Stortinget) it suggested that Norway should implement what they called a drug treatment program supervised/controlled by the court (not led by). This resulted in a new statutory provision in the Criminal Code, section 53 and 54. I have enclosed the two sections (document "strl. §§ 53 og 54"). I'm sorry I could not find these in English. The new section also decided that the Ministry of Justice should give administrative regulation to the drug-treatment program. (Enclosed in the document "Forskriften på engelsk"). Both I and Hans-Gunnar were involved in making the administrative regulations for the drug treatment program. The new statutory provision in the Criminal code and the administrative regulations came into force on the 1st of January 2006.

Description of the procedure from a person getting arrested by the police until sentences to a suspended sentence with the condition of attending the drug treatment program supervised by the court:

- ☐ Arrest
- ☐ Usually custody while the police are investigating the crimes
- ☐ A public prosecutor from the police (or the court) has to apply to the drug treatment program- team to write a social inquiry report on the person charged. The team has to conclude whether the charged is suitable for the program or not. This report will be used in court to decide what kind of sentence the judge will give. The court can theoretically come to another conclusion than the team. (Very often a defence lawyer takes the initiative to get a social inquiry report for this purpose, but they still have to apply through the public prosecution. I have spent a lot of time giving information about the drug treatment program to: lawyers, judges, police officers, public prosecutors, prison officers, social workers, health workers, people working with education for grown-ups, and you name it. So the chance for someone to know about this possibility for drug-addicts is good. Theoretically all these different people can guide the drug-addict into getting a sentence like this, as long as it is the public prosecution/the court that formally asks for the social inquiry report).

The team usually needs 4-5 weeks to finish the report. We talk to the charged and we get information from other agencies. Then the team work closely together to conclude on suitability. That is one of our most difficult and major tasks at the moment – finding the right persons to attend the program.

- ☐ When we have finished the report we send it back to the public prosecutor.
- ☐ Then we have to wait until the main hearing is over and the judge passing the sentence, then we formally start the serving of the sentence.

I have enclosed the document “The establishment of Drug Court in Norway”, made by Berit Johnsen. She is a researcher working at the Prison and Probation staff education centre. Here she explains a lot about how the system is supposed to work in Norway.

The Prison and Probation staff education centre is also responsible for evaluating the drug treatment program.

There is only one district court in Bergen and one court in Oslo. It is the ordinary court with all of the judges there, who can pass a suspended sentence and put the condition to attend the drug-treatment program. The correctional service is responsible for the execution of the sentence.

When the convicted has qualified to be transferred to the next phase in the program, the court has to say an order to do so. And also when the convicted has broken any of the conditions the court has to say a sentence that the convict has to go to jail or put other conditions to the sentence.

In Bergen there will be 5 judges (Drug Court judges) in the district court who will follow up the convicted every time they have qualified to be transferred to the next phase or when there is a breach of conditions. One of these 5 judges is probably not the same judge that pronounced the sentence (but it can be). Other than that, the judges will not be part of the team and there will be no pre-court meetings. There is no legal authority for this in Norway. The court is only involved when there is a petition, there is no routinely review.

The team in Bergen consists of:

- ☐ A coordinator (me), employed by the regional level of the correctional service. I have a law degree, and have worked as a public prosecutor, a probation officer and a legal advisor for the correctional service. Hans-Gunnar has almost the same background.
- ☐ A social worker employed by the local council.
- ☐ A psychologist employed by the local health service. (In Oslo a nurse).
- ☐ A probation officer also employed by the correctional service.
- ☐ An educational adviser employed by the county administration.

All the different ministries involved grant money to the project. All the team-members get their salary from their own agency, and the correctional service is responsible for the operating costs.

Where are we today?

We are working on a lot of social inquiry reports. It is a big challenge finding the right persons for the program. Who can we help with this program? How addicted can they be? How mentally ill can they be? Do they need a safe place to live before we start working with them? We have a lot of questions, and very few answers. But we are getting more and more experienced every day.

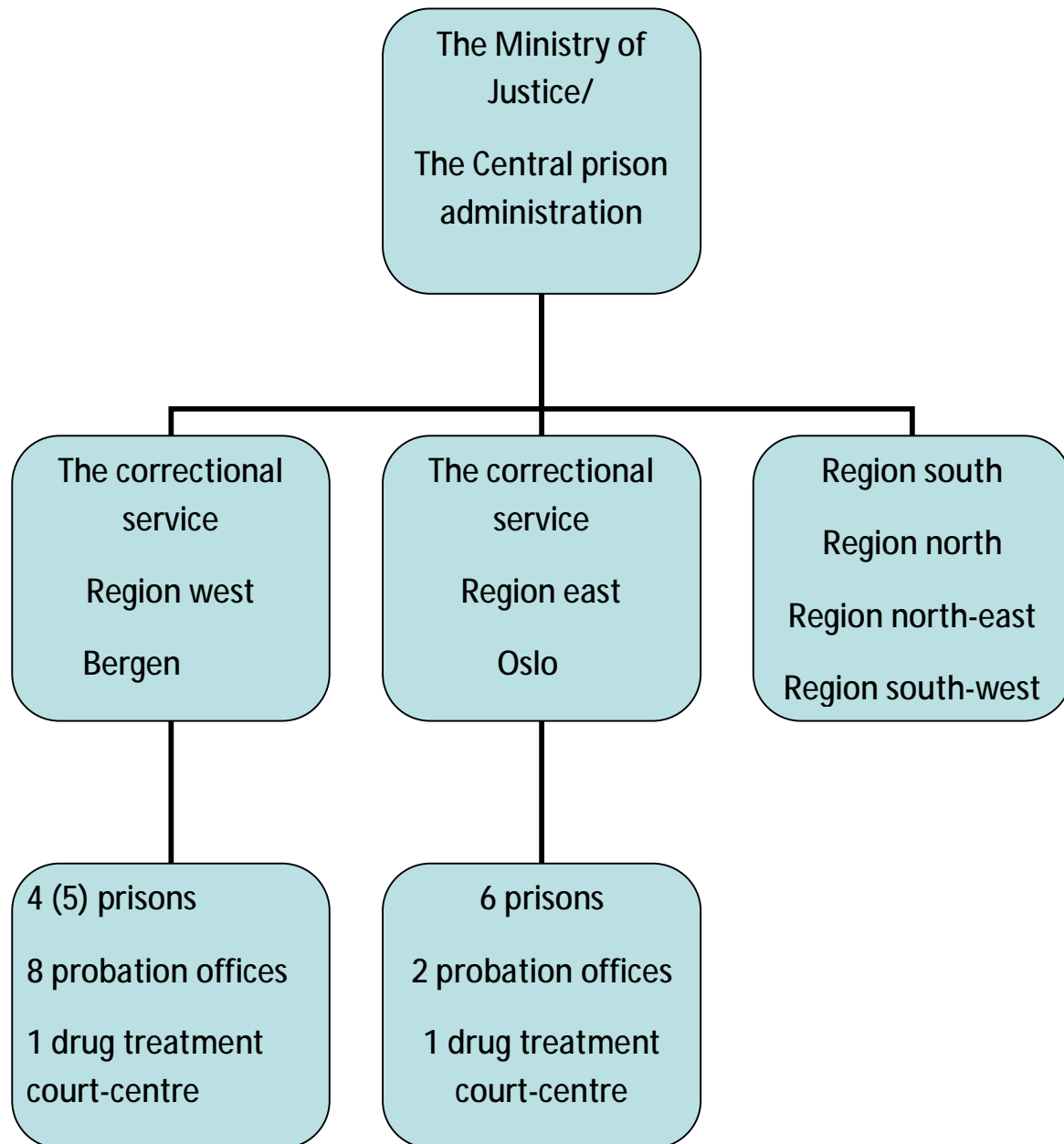
We also have five persons convicted to the program: two of them still serving a prison sentence for a couple of more months, one already breached the conditions by committing new crimes, and two convicts have started using the drug treatment court-centre. There are more to come....

Where are we in 12 months?

In 12 months I really hope we are more certain of whom the target group really is. I also hope we have found a good way to organize and administrate the project with so many agencies involved. (For example the different budgets and the organization of the staff).

I guess we will be working with about 20 convicts in different phases of the program. Hopefully some of the convicts we have today are still with us.

In case it is of any interest I have tried to illustrate the organisation of the correctional service in Norway:



UNITED STATES:



BUREAU OF JUSTICE ASSISTANCE (BJA) DRUG COURT CLEARINGHOUSE **Drug Court Activity Update:** **June 1st, 2009**

Drug Court Activity Underway

No. of Programs Currently Operating: Courts)	2,035 ¹⁰ (includes 83 Tribal Drug
<i>[Additional No. of Operating Drug Court Programs that have been consolidated with other drug courts/ or suspended operations]</i>	147
No. of Programs Planned:	227 ¹¹ (includes 35 Tribal Drug Courts)
<i>[Additional No. of Drug Court Programs that were planning but are no longer planning programs]</i>	188
No. of Drug Courts with Alumni Groups:	175+
No. of States with Drug Court Programs: (Operating or being planned):	All 50 (including Native American Tribal Courts), plus the District of Columbia, Northern Mariana Islands, Guam, and Puerto Rico
No. of states and territories with:	
Adult drug courts (operating or being planned)	50 (including Native American Tribal Courts), plus the District of Columbia,
Guam, and Puerto Rico	
Juvenile drug courts (operating or being planned)	49 (including Native American Tribal
Courts), plus the District of Columbia, Guam, and Northern Mariana Islands	
Family drug courts (operating or being planned)	41 (including Native American Tribal
Courts), plus the District of Columbia	
No. of counties with drug court programs (operating or being planned)	1,416 out of 3,155 Counties ¹² (44.8 %)
No. of Tribes and Native Villages with Drug Court Programs (Operating or being planned)	86
No. of tribal drug court/healing to wellness court programs: (Operating or being planned)	118
No. of counties with drug court programs being planned or are operating and also have mental health courts	100+
No. of Judges Who:	
Are currently serving as Drug Court Judges for programs Operating or being planned	2,775 approx.

¹⁰ Includes 1171 adult drug courts; 488 juvenile drug courts; 268 family drug courts; 24 combination adult/juvenile/family drug courts; and 84 tribal drug/healing to wellness courts.

¹¹ Includes 103 adult drug courts; 51 juvenile drug courts; 35 family drug courts; 3 combination adult/juvenile/family drug courts; and 35 tribal drug/healing to wellness courts

¹² U.S.Census Bureau, "Geographic Coverage," Washington, DC: U.S. Census Bureau. June 2006

[<http://censtats.census.gov/usa/usainfo.shtml.>](http://censtats.census.gov/usa/usainfo.shtml)

Have previously served as Drug Court Judges
Are also serving as Mental Health Court Judges

2,800 approx.
25+ approx.

States That Have:

Enacted legislation relating to the planning, operating and/or funding of Drug Courts:

44 plus the District
of Columbia, and
Guam

Enacted state or local rules/orders relating to the operation of drug courts:

24 plus the District
of Columbia

Appellate Caselaw Relating to Drug Courts:

36 states plus
District of Columbia,
3 tribal courts & 6
fed. Distrs; 4 fed. Circs.

**Native American Tribal Councils which have enacted legislation relating
to the Planning/operation of drug court programs:**

2

DRUG COURT IMPLEMENTATION BY YEAR

	JUVENILE		ADULT		FAMILY		TRIBAL/Healing to Wellness Courts		COMBINED		TOTAL*	
Year	For Year	To Date	For Year	To Date	For Year	To Date	For Year	To Date	For Year	To Date	For Year	To Date
1989	0	0	1	1	0	0	0	0	0	0	1	1
1990	0	0	0	0	0	0	0	0	0	0	0	0
1991	0	0	4	5	0	0	0	0	0	0	4	5
1992	0	0	4	9	0	0	0	0	0	0	4	9
1993	0	0	9	18	1	1	0	0	0	0	10	19
1994	0	0	21	39	2	3	0	0	0	0	23	42
1995	7	7	30	69	0	3	1	1	0	0	38	80
1996	10	17	49	118	3	6	0	1	0	0	62	142
1997	20	37	65	183	2	8	4	5	3	3	94	236
1998	29	66	72	255	8	16	7	12	2	5	118	354
1999	39	105	94	349	7	23	8	20	0	0	148	502
2000	72	177	101	450	17	40	8	28	2	7	200	702
2001	60	237	113	563	18	58	8	36	4	11	203	905
2002	62	299	128	691	39	97	10	46	2	13	241	1146
2003	33	332	74	765	30	127	4	50	1	14	142	1288
2004	44	376	120	885	28	155	8	58	1	15	201	1489
2005	45	421	112	997	37	192	9	67	3	18	206	1695
2006	25	446	68	1065	28	220	10	77	0	18	131	1826
2007	17	463	46	1111	18	238	2	79	1	19	84	1910
2008	22	485	55	1166	27	265	4	83	5	24	113	2023
6/1/2009	3	488	5	1171	3	268	1	84	0	24	12	2035

* Does not include 147 additional programs that were implemented and subsequently suspended operations or consolidated with other programs.

For further information, contact:

BJA Drug Court Clearinghouse
Justice Programs Office, School of Public Affairs
American University

4400 Massachusetts Avenue NW, Brandywine, Suite 100
Washington D.C. 20016-8159

Tel: 202/885-2875 Fax: 202/885-2885 E-mail: justice@american.edu Web: www.american.edu/justice

C. EVALUATIVE INFORMATION

Ireland:

Evaluation of Irish Drug Courts, October 2002: Summary

Jamaica:

Statistical Information

United States:

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IRELAND:

Evaluation of Irish Drug Courts, October 2002¹³: Summary

In the 1990's, informal estimates of the Irish prison system, particularly in Dublin, showed that approximately 80% of indictable crimes were drug-related and that 66% of a sample of Dublin prisoners were heroin users. In 1997, a Drug Court Planning Commission was set up to investigate the feasibility of establishing an alternative to incarceration and, in 2001, the very first participant was admitted to the drug court in Dublin.

In January, 2001, a Steering Committee decided to establish January 16th, 2001-January 31st, 2002 as the time period in which a formal evaluation of the pilot project would be conducted. Although the relatively short timeframe precluded any conclusive comparisons of recidivism to incarcerated drug users, the evaluation was able to assist in determining whether the program should be continued.

The evaluation was based on three components:

- 1) Process Evaluation: the collection of both quantitative and qualitative information to determine whether or not the drug court program met procedural and administrative goals, and to identify strengths and weakness of the model
- 2) Outcomes Evaluation: the collection of information to determine whether the drug court program was effective in reducing recidivism, drug usage, and addiction, when compared to a control group of non-participant drug offenders
- 3) Cost-Effectiveness Analysis: the collection of Average Standard Cost for processing a drug court participant compared to members of the control group

Process Evaluation: All stakeholders in the drug court process agreed that the program could address in a significant way the causes of acquisitive crime and make a strong positive impact on the lives of certain drug addicted offenders. However, there was less clarity as to the established mission and objectives of the drug court, which some believed contributed to the relatively low number of referrals. Some respondents expressed optimism that referrals would increase as the program became more established. Many respondents felt that the drug court program needed to have its own dedicated treatment service in order to appropriately address treatment needs, since "mainstream" treatment often lagged behind the established time deadlines. Furthermore, while some difficulties were experienced in getting various agencies to work together on the joint project, respondents were generally positive about future cooperation. Finally, drug court participants (offenders) believed the program to be quite demanding, but felt that it provided an experience that was overall supportive and ultimately rewarding.

Outcomes/Impact Evaluation: Despite the low numbers of referrals as of the conclusion of the evaluation, the overall profile of participants was similar to that of drug courts in other countries. Participants were primarily male; in their 20s; unemployed; undereducated; possessed a high number of prior convictions, with a high risk of reconviction; and all 35 participants were heroin addicts using an average of 5 different drugs. By the end of the evaluation period, significant results became evident: the re-offense had declined substantially, as had the percentage of positive drug tests, and participation in

¹³ This summary was prepared by staff at the Justice Programs Office, School of Public Affairs at American University. The full text of the report can be found, with statistical appendices, on the website for the Irish Courts website at [http://www.courts.ie/Courts.ie/library3.nsf/%28WebFiles%29/0D3E40D7D530786380256DA6003DB7DB/\\$FILE/Final%20Report.pdf](http://www.courts.ie/Courts.ie/library3.nsf/%28WebFiles%29/0D3E40D7D530786380256DA6003DB7DB/$FILE/Final%20Report.pdf).

educational activities was generally high. Some issues adversely affected participants' progress, including alcoholism, homelessness, and gender/childcare troubles.

Cost-Effectiveness: The study finds that, in many jurisdictions that have already established drug courts, much of the cost savings comes from participation over incarceration. However, Ireland had relatively low incarceration rates to begin with. Respondents felt that efficiency could be improved in three areas—shortening the assessment phase from an average of 27 days; revoking bail less frequently, especially in the early days of the evaluation; and increasing referrals to capacity level—but that most indicators point to cost savings over time.

JAMAICA:

STATISTICAL INFORMATION

REPORT OF DRUG COURT TREATMENT & REHABILITATION PROGRAMME FROM START OF PROGRAMME TO MARCH 2009

YEAR	TOTAL REFERRED BY COURT	ADMITTED & ELIGIBLE FOR PROGRAMME	GRADUATED	DROP OUT
2001	20	17	5	5
2002	36	32	5	10
2003	43	29	18	10
2004	57	38	18	9
2005	64	45	25	7
2006	36	29	21	5
2007	43	42	11	18
2008	30	25	6	11
2009	5	5	-	-
TOTAL	334	262	109	75

UNITED STATES:

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PART ONE

#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
1	2004	<i>Phase II Douglas County [Nebraska] Drug Court Evaluation Report.</i> Thomas J. Martin, Cassia C. Spohn, R.K. Piper, and Jill Robinson	Recidivism and cost benefit study comparing criminal justice outcomes of offenders in drug court with offenders in County Attorney's pre-trial diversion program and offenders in traditional adjudication	Drug court participants	offenders in County Attorney's pre-trial diversion program and offenders in traditional adjudication
2	September 2004	<i>Participation in Drug Treatment Court and Time to Rearrest.</i> Duren Banks and Denise C. Gottfredson. <i>Justice Quarterly</i> . Vol. 21, no. 3, September 2004. Academy of Criminal Justice Sciences	Review of arrest history of 139 drug court and 96 control group defendants re arrests for two year period following assignment to drug court (drug court participants randomly assigned to drug court; control group was eligible but randomly assigned to nondrug court treatment)	139 drug court participants randomly assigned to drug court; and 96 control group was eligible but randomly assigned to nondrug court treatment)	96 control group defendants who were eligible for drug court but randomly assigned to nondrug court treatment
3	January 29, 2004	<i>Cost Analysis of Anne Arundel County, Maryland Drug Court. Prepared by: NPC Research, Inc., Portland, Oregon</i>	Tracked sample (53) of Drug court participants who entered the drug court from 1997 – 1998 re recidivism and costs resulting	Sample (53) of drug court participants who entered drug court from 1997 -1998	Comparable defendants who did not enter the drug court during the same period
4	January 29, 2004	<i>Cost Analysis of Baltimore City, Maryland Drug Treatment Court: Includes Outcome Findings, Cost Analysis, and Summary and Conclusions, Only; Prepared by NPC Research, Inc., Portland, Oregon</i>	Tracked sample of 60 drug court participants from 2000 and comparable sample of 63 offenders who did not enter the drug court for 3 year period to determine possible cost savings for justice system, victimization, and for other areas	Sample of 60 drug court participants who entered program in 2000 compared with comparable sample of 63 offenders who did not enter the drug court	Comparable defendants from 2000 who did not enter the drug court

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
5	January 2004	<i>Kalamazoo County 9th Judicial Circuit Court Office of Drug Treatment Court Programs: Statistical Report: 2003. Prepared January 2004</i> - Part One: Female Drug Court - Part Two: Male Drug court	Updates previous annual report with 2003 data to cover 543 female enrollees and 506 male enrollees since program began	543 female enrollees and 506 male enrollees in Kalamazoo Drug Court since its inception	n/a
6	January 2004	<i>Oklahoma Drug Courts: Fiscal Years 2002 and 2000. Prepared by The Oklahoma Criminal Justice Resource Center.</i>	Review of data from 19 adult drug and DUI courts operating in 21 counties in Oklahoma, including drug court participant characteristics at time of program entry; compliance with Oklahoma Drug Court Statute; use of sanctions; outcome, recidivism and costs	1,666 participants in 19 drug courts during period July 2001 – June 2003. [findings reported for graduates only]	(1) successful standard probation drug offenders; and (2) released inmates who had drug convictions;
7	October 2003	<i>The New York State Adult Drug Court Evaluation: Policies, Participants and Impacts.</i> Center for Court Innovation. New York, New York.	Reviews operations, recidivism and other impacts in the following nine drug courts: Bronx, Brooklyn, Queens, Rochester, Suffolk Co., and Syracuse	Studied post-arrest recidivism of drug court participants for 3 years (Bronx, Manhattan, Queens, and Suffolk) and 4 years (Brooklyn and Rochester), compared with reconviction rates of similar defendants not entering the drug court;	Similar defendants not entering drug court
8	August 1, 2003	<i>Drug Court More Beneficial for Women:</i> [author not provided]	Oklahoma female prison population Drug-Court Enrollments as of July 1, 2003	Oklahoma female drug court graduates	Oklahoma male drug court graduates
9	July 2003	<i>16th Judicial District of Tennessee (Rutherford Co.) Drug Court Program 2003 Process Evaluation.</i> Dana K. Fuller, Ph.D. July 2003	Studied 99 persons admitted to the program as of July 15, 2003	Studied 99 persons admitted to the program as of July 15, 2003	n/a – process evaluation with limited outcome data

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10	June 1, 2003	<i>Recidivism Among Federal Probationers</i> Minor, Kevin; Wells, James; Sims, Crissy.	Individuals serving federal probation sentences in the Eastern District of Kentucky.	200 individuals sentenced from Federal Probation in the Eastern District of Kentucky between 1/96 and 6/99. Individuals were studied during a 2-year follow-up period between 1/96 and 6/99.	N/A
11	May 2003	<i>Coconino County DUI/DRUG Court Evaluation</i> . Prepared by: Frederic I. Solop, Nancy A. Wonders, et. Al. Social Research Laboratory, Northern Arizona University	Outcome data compiled May 1, 2001 – October 31, 2002 for Drug court participants and control group with similar characteristics and processed through traditional criminal justice system	Participants in DUI Drug Court during May 1, 2001-October 31, 2002	Randomly assigned eligible offenders with similar characteristics processed through traditional criminal justice system
12	April 18, 2003	<i>Assessing the Efficacy of Treatment Modalities in the Context of Adult Drug Courts</i> . Donald F. Anspach, Ph.D. and Andrew S. Ferguson.	Examines various issues relating to the delivery of treatment services in four drug court sites: Bakersfield, Cal; St. Mary Parish La.; Jackson Co., Mo.; and Creek Co., Okla.;	In addition to treatment and related staff, 2,357 offenders enrolled in the four programs between January 1997 and December 2000	n/a

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
13	April 15, 2003	<i>Bibb County Special Drug Court Program: Eight-Year Annual Report. April 15, 2003.</i> Prepared by Chief Judge Tommy Day Wilcox, Superior Courts, Macon Judicial Circuit and Jacqueline Duncan, Program Administrator	Review of program operations and analysis of graduates: 1994 – 2002	394 graduates of program from 1994 – 2002	n/a
14	March 2003	<i>Summary Report of Virginia's Drug Court Programs.</i> Office of the Supreme Court of Virginia and Virginia Department of Criminal Justice Services.	Individuals in the Virginia drug court program between November 1995 and December 2002 were analyzed.	1727 Virginians admitted to the felony drug court program	N/A

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
15	March 2003	<i>Washington State's Drug Courts for Adult Defendants: Outcome Evaluation and Cost-Benefit Analysis.</i> Washington State Institute for Public Policy	Presents statistical summary of other drug court studies in U.S; describes Washington's outcome evaluation and cost-benefit analysis of the following 6 of Washington's adult drug courts (with implementation dates noted): King Co. (8/1/94); Pierce Col (10/11/94); Spokane Co. (1/1/95); Skagit Co. (4/1/97); Thurston Co. (5/1/98); and Kitsap Co. (2/1/99); and presents findings and recommendations (study conducted at direction of Washington Legislature)	Evaluated six adult drug courts in Washington operating during 1998 and 1999 to test whether Washington's drug courts reduce recidivism rates	Obtained individual-level data (gender, age, ethnicity, prior criminal history, and current offense) for defendants who entered drug court and, for four of the programs also obtained individual-level data for defendants screened for the drug court; then constructed comparison groups; used this information to construct comparison groups, using six different comparison groups and several sampling approaches, including: selecting cases filed in the same counties 2 years prior to start of drug court; selecting comparable cases from non-drug court counties filed at same time; tested drug court effectiveness using all six groups to provide a range of estimates for drug court outcomes
16	February 7, 2003	<i>Judicial Council of California. Administrative Office of the Courts. Report. Collaborative Justice Courts Advisory Committee. Progress Report</i>	Evaluated cost and effectiveness of drug courts in state; Phase I: study of three courts	Participants who completed drug court	N/A; compared arrest rates two years following admission with arrest rates two years prior to admission

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
17	January 6, 2003	<i>Evaluating the Effectiveness of Drug Courts in Idaho: Report to Governor Dirk Kempthorne and the First Regular Session of the 57th Idaho Legislature.</i> Idaho Supreme Court	Review of developments of 30 drug courts in Idaho; data provided on participants in Districts 4 and 5 (6 programs with 206 participants)	6 programs in Districts 4 (Ada Co and Elmore Co.) and 5 (Mini-Cassia Minidoka Co and Twin Falls Co.) [findings reported for graduates only]	n/a
18	January 2003	<i>Evaluating Treatment Drug Courts in Kansas City, Missouri and Pensacola, Florida: Final Reports for Phase I and Phase II.</i> Abt Associates. Prepared by Linda Truitt; Wm. Rhodes; N.G. Hoffman; Amy Maizell Seeherman; Sarah Kuck Jalbert; Michael Kane; Cassie P. Bacani; Kyla M. Carrigan; Peter Finn	Phase I: retrospective study of 1992-7 participants including case studies (process); and impact evaluation (survival analysis of recidivism); Phase II: study of 1999-2000 participants re program retention and participant perceptions	Phase I; 1992-7 and Phase II: 1999-2000 participants in Escambia County, Florida (74 participants) and Jackson County, Kansas (182 participants)	Phase I: Recidivism: Defendants with similar criminal histories arrested before drug court started and defendants with similar criminal histories arrested between 1993-7 who participated and did not participate in the drug court Phase II: n/a
19	May 5, 2002	<i>From Whether to How Drug Courts Work: Retrospective Evaluation of Drug Courts in Clark County (Las Vegas) and Multnomah County (Portland), [Oregon].</i> John S. Goldkamp; Michael D. White; Jennifer B. Robinson.	Tracks implementation and development of drug court in Portland, Oregon (1991-98) and Las Vegas, Nevada (1992-1998, focusing on outcomes and possible impact of various factors relating to structure, operation, and various innovations introduced in these programs	75 Drug court participants from each year since program inception in Portland (except 143 defendants for 1997); and 100 participants for each year in Las Vegas, and similar groups of defendants who didn't enter drug court and whose cases were disposed of through the traditional process.	Two groups of comparable defendants in each site whose cases were disposed of through the traditional process: (a): defendants who failed to attend first drug court appearance; and (b) defendants who attended first drug court appearance but failed to attend treatment

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20	March 2002	<i>Drug Court Partnership Act of 1998, Chapter 1007, Statutes of 1998. Final Report.</i> Prepared by The California Department of Alcohol and Drug Programs and the Judicial Council of California, Administrative Office of the Courts.	Present results of evaluation of 34 drug courts operating under Drug Court Partnership Act to demonstrate cost effectiveness of program	34 drug courts operating under Drug Court Partnership Act	
21	October 2001	<i>Kentucky Drug Court Outcome Evaluation: Behaviors, Costs, and Avoided Costs to Society. Prepared by TK Logan, William Hoyt and Carl Leukefeld. Center on Drug and Alcohol Research. University of Kentucky</i>	Outcome evaluation of drug court programs in Fayette, Jefferson and Warren Counties, Kentucky	Study of 745 drug court participants from three drug courts; studied graduates, program terminators and individuals assessed for the drug court but who did not enter	Individuals assessed for the drug court but did not enter
22	October 2000	<i>Tulsa County Adult Drug Court: Phase II Analysis.</i> Wright, David. O'Connell, Paul. Clymer, Bob. Simpson, Debbie.	Clients that had entered the Tulsa County Adult Drug Court Programs from 5/96 to 6/00.	117 adult non-violent felony offenders with substance abuse histories who had entered the drug court program were monitored from 5/96 to 6/00 within the Tulsa County Adult Drug Court system.	A sample of 113 individuals on probation was matched by criminal history and felony charge to the population studied.

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23	May 1999	<i>Evaluation of the Hennepin County {Minneapolis} Drug Court. Minnesota Citizens Council on Crime and Justice (R. Ericson; S. Welter and Thomas L. Johnson]</i>	Reviews program operations and outcomes of drug court participants during 1996-998 period; analyses treatment recidivism (readmission to new program after completing drug court treatment) and criminal recidivism (felony and gross misdemeanor charges and misdemeanor convictions occurring during 9 month follow up study period); also looked at employment status and improved parenting skills of participants while in program	Drug court participants whose cases were filed between August 1, 997 and December 31, 1997 (with certain stated exceptions)	past drug offenders prior to drug court program implementation with similar demographic characteristics
24	October 2000	<i>North Carolina Drug Treatment Court Evaluation Final Report. Craddock, Amy.</i>	Data was collected from 534 individuals attending 4 pilot drug court treatment programs in North Carolina, monitored 12 months after graduation	Individuals attending the pilot drug court treatment programs in North Carolina	Eligible drug court treatment applicants not admitted to the program
25	October 2000	<i>Evaluation of Oklahoma Drug Courts, 1997-2000. O'Connell, Paul. Wright, David. Clymer, Bob.</i>	Individuals in the Oklahoma drug court program were monitored at 6, 9, 12, 18, and 24 months.	Oklahoma Drug Court Graduates	Probation offenders matched by criminal history and felony charge

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26	October 2000	<i>1998 Drug Court Recidivism Report Update.</i> Administrative Office of the Courts, Dade County (Miami), Florida	Provides cumulative re-arrest rates for defendants who refused drug court, withdrew from drug court, and those who successfully completed probation.	Drug court graduates through 1998	Defendants who refused drug court withdrew from drug court, and those who successfully completed probation.
27	January 2001	<i>Final Report on the Polk County Adult Drug Court: Executive Summary and Summary of Findings.</i> Iowa Dept. of Human Rights. Division of Criminal and Juvenile Justice Planning. Statistical Analysis Center.	Study comparing clients entering program from its inception through September 30, 1998 with group of revoked probationers from FY96 and other offenders referred to the drug court who didn't enter	Drug court clients who entered program from inception through September 30, 1998 [findings reported for graduates only]	Group of revoked probationers from FY 96 and defendants who were referred to the drug court but didn't enter
28	July 2001	<i>NW HIDTA/DASA Washington State Drug Court Evaluation Project.</i> G. Cox, L. Brown, C. Morgan, M. Hansten. Alcohol and Drug Abuse Institute. University of Washington, Seattle, Wash.	Study of drug court processes and outcomes in King County, Pierce Co.; Spokane Co; Thurston Co; Skagit Co; Kitsap Co; and Snohomish County; focus on examining organizational structure and operational characteristics of each program and impact of program on re-arrests; convictions, incarceration rates, earned income of participants, and utilization of public resources including medical, mental health, treatment and vocational services	Drug court participants in each site [findings reported for graduates only]	
29	December 2004	<i>Evaluation of Virginia's Drug Treatment Court Programs.</i> Office of the Executive Secretary, Supreme Court of Virginia	Process and outcome evaluation of drug court participant retention rates and graduate and nongraduate (terminated or withdrawn) recidivism rates; also analysis of severity and tonicity of offenses committed by participants prior to drug court entry to address the issue: are drug courts accepting only "light weight" offenders? Or more serious and chronic offenders?	3,216 adult felony Drug court participants admitted to the drug courts between November 1995 and December 2004, consisting of 2,002 graduates or current enrollees	Adult drug offenders studied by Virginia Criminal Sentencing Commission (VCSC) in 1999 for recidivism rates and severity of offense history

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
30	October 2003	<i>South Central Judicial District Adult Drug Court Program (Bismarck, N.K). Process Evaluation – Final Report. October 2003. Jeffrey A. Bouffard. North Dakota State University. Department of Criminal Justice and Political Science.</i>	Primarily a process evaluation of program operations compared with anticipated program process and services; also provides limited analysis of outcome info re recidivism (program was too young to do compile adequate data on this) and relationship between demographic chars. Of participants and program performance and outcomes	Reviewed 105 applications of potential participants, 47 enrolled participants and 14 graduates (8 terminations). [findings reported for graduates only]	n/a
31	July 2002	<i>Outcome Evaluation of Ohio's Drug Court Efforts. Final Report. By Edward J. Latessa, Ph.D.; Deborah Koetzle Shaffer; Christopher Lowenkamp. Center for Criminal Justice Research. University of Cincinnati.</i>	Study of adult and juvenile drug courts in Ohio to examine their effectiveness; primary focus is on effects of frequent court contacts and community based treatment on recidivism rates	Common Pleas: Sampled 788 drug court participants and 429 comparison group members from Hamilton, Butler, Erie, and Richland Counties Municipal Court: 556 drug court participants and 228 comparison group from Cuyahoga Co., Miami County and City of Akron; Juvenile Court: studied 310 participants and 134 comparison group members from Belmont, Summit and Montgomery Counties	Matched offenders eligible for drug court program re demographic characteristics and presence of substance abuse problem
32	2001	<i>Evaluation of the Bernalillo County Metropolitan DWI/Drug Court (Institute for Social Research conducted comparison study specifically for drug court graduates)</i>	Reviews background, recidivism, and incarceration costs for 450 offenders served by the DWI/Drug Court since its inception in July 1997 through July 31, 2001; recidivism info for 168 graduates who graduated between March 1998 – September 2000	560 offenders served by the drug court program [findings reported for graduates only]	Recidivism and Cost comparisons: Similar group of probation clients
33	February 2005	<i>Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes. U.S Government Accountability Office</i>	Review of 27 drug court evaluation reports of 39 adult drug court programs that met GAO methodological criteria for soundness	n/a – reviewed already completed evaluation reports but focus includes participants as well as graduates	n/a

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34	April 2005	<i>Evaluation of the Outcomes in Three Therapeutic Courts: Anchorage Felony Drug Court; Anchorage felony DUI Court; Bethel Therapeutic Court. Alaska Judicial Council.</i>	Study for legislature which reviewed info about all participants in Anchorage Felony DUI Court; Anchorage Felony Drug Court; and Bethel Therapeutic Court for 1 years prior to entering drug court and 2 years after leaving drug court	Defendants in Anchorage Felony DUI Court, Anchorage Felony Dr Court and Bethel Therapeutic Court for 2 years prior and 2 years following drug court participation [findings reported for graduates and active participants only]	Defendants who matched participants but didn't enter a therapeutic program.
35	April 2003	<i>The Kootenai and Ada County [Idaho] Drug Courts: Outcome Evaluation Findings. Final Report</i>	Focus is on (1) characteristics of offenders served by the drug court; (2) how drug court participants appear on various indicators of drug use; (3) whether drug court participation affects likelihood of individual recidivating; (4) factors that predict likelihood of success/failure; and (5) outcomes for program graduates	Drug court participants in Kootenai and Ada County Drug courts selected between February 1998 and July 2002: <u>Kootenai Co.</u> : (45% in Phase I; under 1% in Phase 2, 27% in phase 3 and 25% in phase 4; 29% (41) had graduated and 52% (76) had been terminated, followed up for 820 days (2 yrs, 3 mos) for drug court group and 677 days (1 year, 10 months for comparison group; <u>Ada Co.</u> : drug court participants between March 1999 – June 2002; 25.7% currently enrolled (56); 41.7% (91) graduates; and 32.6% (71) terminated.	Comparison group identified by each court of defendants similar to participants in demographics and drug use and who were eligible for the drug court but didn't receive drug court services (Kootenai Co.- 133 and Ada Co. – 161)
36	July 2000	<i>The Hamilton County [Ohio] Drug Court: Outcome Evaluation Findings. Shelley Johnson and Edward Latessa. University of Cincinnati.</i>	Comparison of drug court participants with comparison cases to determine whether drug court participation is associated with differences in outcome	Defendants screened for program during January 1, 1997 – October 31, 1998	Comparison group identified by various data sources including demographics, case history, assessment information and judge's daily drug court docket containing disposition and outcome information; each participant must have a reported substance abuse problem and be eligible for the drug court; drug court group = 226; comparison group – 230

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37	March 2005	<i>Analysis of Oklahoma Drug Courts: Fiscal Years 2002-2004.</i> Oklahoma Department of Mental Health and Substance Abuse Services	Analyzed data from 25 adult drug and DUI courts operating in 30 counties in Oklahoma, including participants who were active July 1, 2001 – June 30, 2004, totaling 2,307 participants	2,307 participants active in 25 adult and dui drug courts during period July 1, 2001 – June 30, 2004 [findings reported for graduates only]	Recidivism rate of drug court graduates compared with that of successful standard probation offenders or released prison inmates
38	July 2001	<i>The Akron Municipal Drug Court: Outcome Evaluation Findings.</i> S. Listwam, D.K. Shaffer, and Edward J. Latessa. Center for Criminal Justice Research, University of Cincinnati	Studied participants in drug court and compared with those designated as comparison cases		Matched group of cases screened November 1997 – April 2000 with selected demographic characteristics, reported substance abuse problem, and eligible for the drug court
39	May 2003	<i>Coconino County DUI/Drug Court Evaluation.</i> Frederic I. Solop, Nancy A. Wonders, K.K. Hagen, K McCarrier. Social Research Laboratory, Northern Arizona University.	Two year process and outcome evaluation of Coconino Co. DUI/Drug court program; used random assignment of eligible offenders to an experimental group that entered the DUI drug court and a control group that was processed through the traditional criminal justice system; collected from May 1, 2001 – October 31, 2002	Drug court participants in the DUI drug court from May 1, 2002 – October 31, 2002	DUI offenders randomly assigned to traditional adjudication process; data collected: May 1, 2001 – October 31, 2002
40	2005	<i>Recidivism of Violent Offenders in a Delaware Drug Court Program for Probation Violators.</i> Christine A. Saum, Ph.D. Univ. of Delaware.	Study of 452 samples of seriously crime-involved offenders and their success in drug court program for probation violators.	452 probation violators with serious criminal histories who entered probation-violator track of New Castle Co. (Wilmington), Delaware Superior Court drug court between October 1993 and March 1997	n/a
41	2004	<i>Kalamazoo County 9th Judicial Circuit Court: Drug Treatment Court Programs. Statistical Report.</i> 2004	Review of demographics, progress, and recidivism of 1,967 females and 2,267 males referred to the drug court program (566 females and 581 males enrolled) from inception (1992 and 1997 respectively) through December 2004	Study of 1,967 females and 2,267 males referred to Kalamazoo drug court programs since inception (June 1992 and January 1997, respectively) through December 2004 [findings reported for graduates only]	n/a

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42	April 2005	<i>Puerto Rico Drug Court Program: Outcome</i> Evaluation Center for Addiction Studies, School of Medicine, Universidad Central del Caribe	(1)Study of the status of participants in the Puerto Rico Drug Court Program one year after admission compared to their status immediately prior to admission; (2) comparison of outcomes of Drug Court Participants to participants in traditional diversion groups supervised by probation and TASC	Drug Court: 222 consecutive admissions from six judicial regions which had a drug court (Arecibo, Bayamon, Carolina, Guayama, Ponce, and San Juan) from March through August 2003; comparison group comprised 220 consecutive admissions from 12 regions	comparison group comprised 220 consecutive admissions from 12 regions in probation or TASC supervised programs
43	September 2005 (interim)	<i>California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II Study Results. NPC Research, Shannon M. Carey, Michael W. Finigan, David Crumpton, Mark Waller, Francine Byrne.(See No. 51 for final report)</i>	Two research questions: (1) are drug courts cost-effective (cost-beneficial)? (2) what drug court practices appear most promising and cost-beneficial? Study of costs and benefits (opportunity resources); cost to taxpayers (public funds); and transactional cost analysis	Graduates and all participants in 9 California courts: Monterey, Los Angeles (El Monte); Orange County (Santa Ana) and Laguna Niguel; San Joaquin Co. and Stanislaus County	n/a
44	January 2005	<i>Malheur Co. Adult [gender specific]t Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey and Gwen Marchand.</i>	(1) does drug court participation reduce no. of re-arrests for participants? (2) does drug court reduce levels of substance abuse; (3) how success is program in bringing participants to graduation within expected timeframe? (4) what participant characteristics produce success? Termination?	Drug court participants entering program since implementation in January 20001 and at least 6 months prior to evaluation. (125 participants) – 77 males and 48 females)	n/a

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45	January 2005	<i>Marion Co. (Oregon), Adult Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey, Gwen Marchand.</i>	(1) does drug court participation reduce no. of re-arrests for participants? (2) does drug court reduce levels of substance abuse; (3) how success is program in bringing participants to graduation within expected timeframe? (4) what participant characteristics produce success? Termination? (5) (5) how important is aftercare to successful outcomes?	62 drug court participants who entered program since implementation in April 2000 and at least 6 months prior to evaluation.	Persons arrested on drug court eligible charges during year prior to drug court implementation, matched to drug court participants on gender, ethnicity, age and criminal history in 2 years prior to drug court
46	July 2003	<i>A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research, Inc. Shannon Carey, Michael Finigan</i>	Study of investment costs and benefits of drug court program; compares use of public resources for drug court clients and for sample of drug court eligible “business as usual” serviced clients.		
47	March 2004	State of California Department of Alcohol and Drug Programs. <i>Comprehensive Drug Court Implementation Act of 1999: Interim Report to the Legislature. Kathryn P. Jett, Director</i>	Study mandated by Comprehensive Drug Court Implementation Act (CDCI) of 1999 describing interim programmatic progress achieved	Data collected from January 2001 – June 2003 for “new participants”, participants who completed (“completers”), and those who were terminated (total of more than 9,000, 7,790 of whom were adults; 3,563 completed program; 2,657 terminated	n/a
48	June 14, 2006	<i>Suffolk Co. (Mass) Drug Court Evaluation. Abt Associates. Wm. Rhodes, Ryan Kling and M. Shiveley</i>	Impact of drug court program on drug court probationer participants	844 probation participants in four drug courts in Suffolk County; could get info for 794 participants; 13% active at time of study; 42% graduates,, 11% had FTAs;	Other drug-involved probationers (but had less extensive criminal histories and less severe probation risk scores so inappropriate to use them as comparison group

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49	May 20, 2006	<i>Outcome Evaluation of the Jackson County, Florida Drug Court.</i> Williams Consulting. Silver Spring, Md.		12 Drug court completers and 16 non-completers who entered program November 1, 2002 and left by October 31, 2005 [findings reported for graduates only]	12 Defendants with similar demographics sentenced during the same period as drug court participants (post conviction) entered program but who had different treatment
50	Spring 2006	<i>Long-Term effects of participation in the Baltimore City drug treatment court: Results from an experimental study.</i> Denise C. Gottfredson et al. U. of Maryland.	Using an experimental design, compares 235 offenders assigned either to drug court or traditional process	139 drug court participants (84 District and 55 Circuit) compared with 96 defendants processed through traditional system during 1997 and 1998	96 defendants processed through traditional system during 1997 and 1998
51	April 2005	<i>California Drug Courts: A Methodology for Determining Costs and Benefits: Phase II: Testing the Methodology.</i> NPC Research. Shannon Carey, Dave Crumpton, Michael Finigan and Mark Waller. (See No. 43 for interim report)	U.S. Dept. of Justice funded study to conduct statewide eval to develop methodology that could be used by drug courts throughout California for ongoing cost-benefit evaluation; and answer two policy questions: (1) are adult drug courts cost beneficial? And (2) what adult drug court practices appear most promising and cost-beneficial	All drug court participants who entered the nine drug courts from January 1998 – December 1999 regardless of whether they completed program.	Non-drug court Defendants in each site eligible to enter the 9 drug courts from January 1998 – December 1999
52	August 2001	<i>The Philadelphia Treatment Court, Its Development and Impact: The Second Phase (1998-2000).</i> John S. GoldKamp al. Crime and Justice Research Institute	Follows first phase that described pilot period for the drug court; focuses on providing aggregate and trend data (April 1997 – August 2000); one year follow up for all participants entering program January 1998 – August 1999 and 6-month follow-up for participants and comparison group from January 1998 – November 1999	All participants and comparison group entering court system from January 1998 – August 1999 and six month follow up for all participants and comparison group from January 1998 – November 1999	-defendants ordered to assessment but not assessed (never appeared); -defendants assessed but found not in need of treatment; -defendants assessed in need of treatment but who chose not to enter drug court; -defendants found to be ineligible for drug court after referral; and -defendants assessed who chose to enter the drug court

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53	July 2005	<i>Malheur County, Oregon Adult Drug Court (S.A.F.E. Court) Cost Evaluation: Final Report. NPC Research.</i>	Outcome: Compared study group behaviors two years prior to entering drug court to the time (12 months to 2 years) following program entry to determine whether drug court (1) reduced no. of re-referrals? (2) reduced substance abuse; (3) successfully completes program for participants; and (4) any participant characteristics predict success? Cost: compared costs to crj incurred by participant 2 years prior to drug court entry with costs over 2 years following drug court entry.	Outcome: All offenders who entered the drug court at least one year before the start of the evaluation Cost: 89 drug court participants (57 males and 32 females); whose primary drug of choice was meth (51%), alcohol (41%). Average age at entry: 31.6; (32.5 – men; 30.3-women) Prior arrests: .47 (.17 drug related)	Not used
54	September 2006	<i>Kalamazoo County, Michigan Adult Drug Treatment Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	Whether drug courts reduced substance abuse? Recidivism? Produced cost savings?	Sample of participants who entered drug court between January 2002 and December 2003	Persons referred to drug court but didn't enroll
55	September 2006	<i>Barry County, Michigan Adult Drug Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	Whether drug court reduced substance abuse? Recidivism? Produced cost savings?	Identified sample of participants who entered drug court between implementation in 2001 and July 1, 2004	(1) those eligible for drug court at time of program implementation but couldn't be admitted because of incapacity; and (2) those subsequently eligible but not participating
56	March 2004	<i>The Douglas County (Nebraska) Drug Court: Characteristics of Participants, Case Outcomes and Recidivisms. Cassia Spohn and R.K. Piker. Final Report. March 2004</i>	Describes characteristics of all offenders (255) bound over to Douglas County District Court and subsequently diverted to Douglas Co. Drug Court in 2001	255 offenders diverted to Douglas Co. drug court in 2001	Comparison group of 687 traditionally adjudicated offenders
57	November 2001	<i>Dallas County DIVERT Court Outcome Evaluation. Monica Turley and Ashley Sibley.</i>	To determine whether Dallas county DIVERT drug court successfully reduced recidivism of first time felony drug offenders	Sample of drug court clients in program between January 5, 1998 and April 30, 2000. (77 graduates; 101 noncompleters)	78 control group

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58	January 2003	<i>Initial Process and Outcome Evaluation of Drug Courts in Texas.</i> Criminal Justice Policy Council.	Legislatively mandated study to examine effectiveness of present drug courts when H.B. 1287 enacted requiring drug courts by September 1, 2002 in counties with over 550,000 population	Tracked 501 offenders entering drug courts in Dallas, Jefferson and Travis Counties between 1998 – 1999 for three years	285 offenders eligible for drug court but not participating
59	October 2003	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 1 Evaluation Report.</i> ISED Solutions.	Studied 64 participants in first year of drug court	64 participants in first year of drug court	n/a
60	December 2004	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 2 Evaluation Report.</i> ISED Solutions.	Documents second year of drug court services and outcomes and analysis of client characteristics associated with poorer /better outcomes	116 drug court clients	n/a
61	March 31, 2004	<i>Cost/Benefit Analysis of the Douglas county, Neb Drug Court.</i> R.K. Piper and Cassia Spohn	To provide administrators and policy makers with critical information for future policy and funding decisions re drug courts	Approximately 300 drug court participants in first two years of program	194 traditional adjudication offenders in Phase 2 and 309 traditional adjudication offenders in Phase 3
62	February 2007	<i>Recidivism in Alaska's Felony Therapeutic Courts.</i> Alaska Judicial Council.	Study of recidivism of graduates of Anchorage Felony DUI and Felony Drug Courts and Bethel Therapeutic Court	63 Graduates and 54 nongraduates of Anchorage Felony DUI Court (46%), Anchorage Felony Drug Court (23%); and Bethel Therapeutic Court (31%)	Comparison group of 97 offenders with similar characteristics
63	October 2006	<i>The Staten Island Treatment Court Evaluation: Planning, Implementation, and Impacts.</i> Kelly O'Keefe and Michael Rempel. Center for Court Innovation.	Process (completed December 2003 for first 19 months of program) and impact evaluation of recidivism for SITC participants in first 40 months of program (March 2002- June 2005)	First 146 SITC participants in program	Matched sample of 46 similar defendants arrested in Staten Island in the year before the SITC opened.

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64	2007	<i>2005/2006 Tennessee Drug Court Annual Report. Office of Criminal Justice Programs. Dept. of Finance and Administration.</i>	Compilation of information submitted by 37 of existing 45 drug courts in the state to annual report of drug court activity and performance according to stated performance measures to be evaluated.	n/a	n/a
65	2007	<i>Wyoming Drug Court Performance Measures Project. National Center for State Courts.</i>	Collected demographic and performance measures data for Wyoming drug courts: retention; sobriety; in program recidivism and units of service for period January 1, 2005-June 30, 2005.	Drug court participants during January 1 – June 30, 2005	n/a
66	April 2007	<i>Multnomah County, Oregon: The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs. NPC Research</i>	Examined impact of drug court on total population of drug court-eligible offenders over 10 year period (1991-2001)- focus of study was on impact of drug court on target population over time (five years of follow up on all cohorts, with up to 10 years on some)	Entire population of offenders identified as eligible for drug court from 1991-2001 identified and tracked; 11,000 cases identified; 6,500 participated in drug court; 4600 had cases processed outside of drug court; data included cases during pretrial/ component (1991-1999) and post adjudication component (beginning in 2000)	Tracked all drug court eligible defendants from 1991-2001; cases processed outside of drug court; 6500 processed cases through drug court
67	April 2007	<i>Indiana Drug Courts: A Summary of Evaluation Findings in Five Adult Programs. NPC Research</i>	Process, outcome and cost study of five unnamed adult drug courts in the state that were operating for at least 12 months at the time of the stud	Participants enrolled sometime between January 2002 and June 2005; varied by program	NA
68	Fall 2005	<i>An Evaluation of Treatment in the Maine Adult Drug Courts. Faye S. Taxman, April Pattavina and Jeffrey Bouffard.</i>	Whether the Maine Drug Court curriculum advances the recovery of offenders and ways in which the drug court affects outcomes.	99 participants from 6 drug courts in different phases of treatment	NA
69	Spring 2008	<i>Substance Use, Drug Treatment, and Crime: An Examination of Intra-Individual Variation in a Drug Court population. Denise C. Gottfredson, Brook W. Kearley, Shawn D. Bushway.</i>	Whether (1) substance use increases crime; (2) drug treatment reduces substance use; (3) drug treatment reduces crime; and (4)the effect of drug treatment on crime is mediated by reductions in substance use	Interviews with 157 study participants 3 years following random assignment to Baltimore Drug court (additional 16 had died)	Random assignment control group

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70	January 2008	<i>Strafford County [NH] Drug Treatment Court: Performance Evaluation 2. New Hampshire Center for Public Policy Studies.</i>	Issues for improvement identified earlier: (1) timeliness of substance abuse evaluations by LADC for new referrals; (2) lack of written standards for program termination for noncompliance; and (3) missed gender treatment groups which seemed to create difficulty for many female participants	Persons admitted since January 19, 2006 (start of program) through October 31, 2006	NA
71	August 1, 2006	<i>A Process and Site-Specific Outcome Evaluation of Maine's Adult Drug Treatment Court Programs. Andrew Ferguson et. Al. Dep't. Of Sociology., University of Southern Maine</i>	Study of five adult drug courts (York County, Cumberland County, Androscoggin Co., Penobscot Co, and Washington Co.) re process and outcomes	Offender level date for 1,365 persons referred to drug court over 56-month period: April 1, 2001-November 30, 2005; assessed 195 adult drug court participants over two time frames: 84 admitted between December 1, 2004- November 30, 2005; and 111 admitted between December 1, 2003 and November 30, 2004.	Substance abusing offenders who didn't participate in the drug court
72	August 2007	<i>Benefit-cost calculations for three adult drug courts in Minnesota. August 2007. Paul A. Anton. Wilder Research</i>	Review of cost benefit of three drug courts (in St. Louis, Stearns and Dodge Counties	203 participants in three county drug courts (see methodology), including both completers and noncompleters	Drug offenders in the counties in the years just prior to establishment of the drug court
73	September 2008	<i>California Drug Courts: Costs and Benefits: Superior Court of San Francisco County. Shannon M. Carey et al. NPC Research</i>	Focus on: (1) are drug courts cost-beneficial?; and (2) what drug court practices appear most promising and cost-beneficial?	221 participants who entered program January 1, 2005 – December 31, 2005 (64 graduated and 157 non-completers) 80% men/20% women: 47% African American; 22% Hispanic/Latino; 21% White; 6% Asian and 4% other; primary drug of choice was cocaine (39%), meth: 21%; heroin (17%);	Participants from 9 different counties analyzed in previous Phase I and II of the study
74	January 31, 2004	<i>Evaluation of Maine's Statewide Adult Drug Treatment Court Program. Interim Report. Donald Anspach, Ph.D. U. of Southern Maine</i>	Review of initial operational period of Maine's six adult drug court (in counties serving 2/3 of Maine's population)	800 persons referred to the drug court over 32 month period: April 2001-November 30, 2003; 345 offenders admitted to adult drug courts as of November 30, 2003	N/A- much of report is process oriented but some comparisons with nationally available data

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75	March 2009	<i>Strafford County (New Hampshire): Drug Treatment Court: Final Performance Evaluation. New Hamp Center for Public Policy Studies</i>	Determine if drug court program is operating successfully and value of rug court in improving rehabilitation of drug abusing offenders	Participants in first three years of the program	Offenders with charges in 203-4 who would have likely been admitted to drug court if existed
76	January 2009	<i>Vermont Drug Courts: Rutland County Adult Drug Court Cost Evaluation. Final Report. NPC Research.</i>	Evaluate effectiveness of Rutland Drug Court in terms of effectiveness in reducing recidivism; determining cost benefits of drug court participation, and to evaluate the drug court processes; key policy questions to be answered: was program implemented as intended? Are services that were planned being delivered to target population? Does program reduce recidivism? Is there a cost savings to taxpayers as a result of drug court participation	Participants who entered program between January 1, 2004 – July 31, 2007	Offenders eligible for drug court but received traditional court proceeding; matched on age, gender, ethnicity, prior criminal history and indications of drug use
77	April 2008	<i>To Treat or Not to Treat: Evidence on the Prospects of Expanding Treatment to Drug-Involved Offenders.</i> Urban Institute. [Avinash Singh Bhati, John K. Roman, Aaron Chalfin.] April 2008	Research using micro-level data compiled from three nationally representative sources (National Survey on Drug Use and Health (NSDUH), Arrestee Drug Abuse Monitoring (ADAM) and Drug abuse Treatment Outcome Study (DATOS) used to construct a synthetic dataset defining using population profiles rather than sampled observation. Resulting synthetic dataset comprising of over 40,000 distinct profiles, permitted cost=benefit analysis of a limited number of simulated policy options	Created a synthetic data set from three nationally representative sources (National Survey on Drug Use and Health (NSDUH), Arrestee Drug Abuse Monitoring (ADAM) and Drug abuse Treatment Outcome Study (DATOS) u	n/a

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78	March 2008	<i>Michigan DUI Courts Outcome Evaluation Final Report Carey, S. M., Fuller, B. E., & Kissick, K. NPC Research</i>	Evaluation of three drug courts in Michigan guided by five research questions. Goal to examine recidivism, reduction in alcohol and substance abuse, determine what traits lead to successful outcome of the program.	DUI court participants for a minimum of one year following either program completion or termination from DUI Court	comparison group of offenders who were eligible for DUI court in the year prior to DUI court implementation
79	April 2008	<i>Crumpton, D., Mackin, J. R., Weller, J. M., Linhares, R., Carey, S. M., & Finigan, M. W. (July 2007). Harford County Adult District Drug Court Process Evaluation. A report to the Maryland Judiciary, Office of Problem-Solving Courts. NPC Research: Portland, OR.</i>	NPC Research, under contract with the Administrative Office of the Courts of the State of Maryland, conducted a cost and outcome study of the Harford County District Court Adult Drug Court (HCADC) program. The report includes the cost of the program and the outcomes of participants as compared to a sample of similar individuals who received traditional court processing. Evaluation designed to answer three key policy questions of interest to program practitioners, researchers and Policymakers: 1. Do drug treatment court programs reduce recidivism? 2. Do drug treatment court programs reduce drug-related re-arrests? 3. Do drug treatment court programs produce cost savings?	Identified sample of participants who entered the HCADC between January 2002 and August 2005	comparison group of individuals who were arrested on a drug court-eligible charge between February 2002 and August 2005 and referred to drug court but received traditional court processing for a variety of reasons (for example, a perceived inability to meet program requirements or unwillingness to participate)

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80	March 2008	<i>Garey, S. M., Finigan, M. W., & Pukstas, K. (March 2008). Exploring the Key Components of Drug Courts: A Comparative Study of 18 Adult Drug Courts on Practices, Outcomes and Costs. NPC Research: Portland, OR</i>	Examines how different drug court programs are implementing the 10 Key Components and, in particular, how practices vary across programs; also examines whether and how these practices have impacted participant outcomes and program costs including graduation rate, program investment costs, and outcome costs related to participant criminal justice recidivism	Eighteen of 30 evaluations conducted by NPC Research between 2000 and 2006 chosen to be highlighted in the paper for the following reasons. The evaluations included detailed process evaluations of adult drug court program operations and had at least some accompanying outcome data. All process evaluations used the same basic methodology and were designed to assess whether and to what extent the drug court programs had been implemented in accordance with the 10 Key Components	NA
81	April 2007	<i>Finigan, M. W., Carey, S. M., & Cox, A. A. (2007). The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs: Final Report. NPC Research: Portland, OR.</i>	This study was designed to look at the operations and outcomes of a single drug court in Multnomah County (Portland, Oregon) over a 10-year period of court operations through examining the entire population of drug court-eligible offenders over that period. By examining the entire population, rather than sampling, we hoped to describe for policymakers the effects of drug court on the system as it operated during that decade. By examining operations and outcomes, we hoped to add to our knowledge about external and internal changes and how they affect drug court success or failure	The entire population of offenders, identified as eligible for drug court by the Multnomah County District Attorney's Office over a 10-year period, from 1991 to 2001, was identified and tracked through a variety of administrative data systems. Approximately 11,000 cases were identified; 6,500 participated in the Drug Court program during that period and 4,600 had their case processed outside the drug court mode	n/a

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82	March 2007	<i>Carey, S. M., & Waller, M. (March 2007). Guam Adult Drug Court Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	There are two key policy questions that are of interest to program practitioners, researchers and policymakers that this evaluation was designed to answer. 1. Do drug treatment court programs reduce substance abuse? 2. Do drug treatment court programs reduce recidivism?	NPC Research identified a sample of participants who entered the Guam Adult Drug Court from the implementation of the program through August 2005, allowing for the availability of at least 12 months of outcome data post-program entry for all participants	A comparison group was selected from Probation data on drug offenders in the 2 years prior to the GADC implementation who had cases that would have been eligible for drug court had the program existed at the time
83	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Monroe County Drug Treatment Court Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. Has the MCDTC program been implemented as intended and are they delivering planned services to the target population? 2. Does the MCDTC reduce recidivism? 3. Does the MCDTC reduce substance use? 4. Is there a cost-savings to the taxpayer due to drug court participation? I	The following Information includes data from the 132 participants who entered the program after that date. The vast majority of these participants were white (97%) and male (76%). Forty-eight percent of the participants are single, 22% are married or living as married, 29% are divorced or separated, and 1% widowed. The mean age is 33 years with a range of 19 to 60 years	A sample of individuals who were eligible for drug court but chose not to attend MCDTC and had similar demographic characteristics and prior criminal records

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84	November 2006	Carey, S. M., Finigan, M. W., Crumpton, D., & Waller, M. S. (2006). <i>California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II in a Statewide Study. Journal of Psychoactive Drugs</i> , 38 (4),345-356.	This study focused on creating a research design that can be utilized for statewide and national cost-assessment of drug courts by conducting in-depth case studies of the costs and benefits in nine adult drug courts in California. A Transactional Institutional Costs Analysis (TICA) approach was used, allowing researchers to calculate costs based on every individual's transactions within the drug court or the traditional criminal justice system	All participants who entered the drug court programs during a specified time period and were active in the drug court programs for at least two weeks were included in the study. It was necessary for drug court participant samples to be selected from years that had a reasonable amount of administrative data, while at the same time giving the individuals in the samples enough time for outcomes to occur. The drug court cohorts were selected from participants who entered the drug court programs between January 1998 and December 1999, which provided at least four years of outcome data. The participant cohorts from each site were selected from either the drug court database or from databases (such as electronic court records) that flagged drug court participants.	comparison offenders at each site were matched as closely as possible to the drug court participants using a propensity score matching technique based on demographics (gender, age, ethnicity), previous criminal justice involvement (in the two years prior to the drug court arrest: number of all arrests, number of drug related arrests, number of days in jail), and previous use of treatment services (number of treatment episodes in the two years prior to the drug court arrest)

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85	September 2006	<i>Marchand, G., Waller, M. S., & Carey, S. M. (Oct. 2006). Barry County Adult Drug Court Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	<p>In 2005, the Michigan Supreme Court, State Court Administrative Office contracted with NPC Research to perform outcome and cost evaluations of two Michigan adult drug courts; the Kalamazoo Adult Drug Treatment Court and the Barry County Adult Drug Court. This document describes the evaluation and results for the Barry County Adult Drug Court (BCADC).</p> <p>There are three key policy questions that are of interest to program practitioners, researchers and policymakers that this evaluation was designed to answer.</p> <ol style="list-style-type: none"> 1. Do drug treatment court programs reduce substance abuse? 2. Do drug treatment court programs reduce recidivism? 3. Do drug treatment court programs produce cost savings (in terms of avoided costs)? 	NPC Research identified a sample of participants who entered the BCADC from the implementation of the program through July 1, 2004 (allowing time for outcomes post program entry).	A comparison group was identified from two sources (1) those individuals who were eligible for Drug Court at the time of implementation, but whom could not be admitted into the program due to capacity issues at startup and (2) individuals arrested on a Drug Court eligible charge during the study period but who received traditional court processing for a variety of reasons

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86	February 2006	<i>Pukstas, K., Weller, J. M., Brekhus, J., Crumpton, D., Carey, S. M., Mackin, J. R., & Finigan, M. W. (Feb. 2006). Maryland Drug Treatment Courts: Interim Report of the Effectiveness of Juvenile Drug Courts. NPC Research: Portland, OR</i>	<p>The report includes the following</p> <p>A description of the characteristics of juvenile drug court programs and the problems that they are designed to address.</p> <ul style="list-style-type: none"> • A discussion of the practices incorporated in Maryland's juvenile drug court programs as compared with research-based best practices for juvenile substance abuse and criminal justice interventions. • A comparison of the criminal justice system experience of a statewide sample of youth before and after their participation in Maryland's juvenile drug courts. • A comparison of the estimated program costs for juvenile drug court participants with those of individuals who participate in another intervention for similar juvenile offenders operated by DJS. 	NPC selected a sample of juveniles who were placed in the Maryland juvenile drug court system between 2001 and 2004, and released prior to December 15, 2004,	N/A
87	July 2005	<i>Carey, S. M., & Marchand, G. (Jan. 2005). Malheur County Adult Drug Court (S.A.F.E. Court) Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	The goal of this design is to determine whether participation in S.A.F.E. Court was influential in changing behavior patterns established prior to S.A.F.E. Court entry	NPC Research identified all offenders who had entered the S.A.F.E. Court program at least one year before the start of the evaluation and compared their behaviors in the two years prior to entering S.A.F.E. Court to the time period (twelve months to two years) following their entry into the program	N/A

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88	July 2003	<i>Carey, S. M. & Finigan, M. W. (July 2003). A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research: Portland, OR.</i>	<ul style="list-style-type: none"> · Collect and examine data from a mature drug court using a high-intensity cost assessment protocols developed specifically for this study and report these findings in a manner relevant to local policy makers. · Examine the differences between the proxy measures that we might have used in this study with the actual costs generated by our detailed cost assessment protocols. · Develop preliminary cost and cost offset assessment protocols that can be used by other drug court sites. 	N/A	N/A

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89	February 2004	Carey, S. M. (Feb. 2004). <i>Clackamas County Juvenile Drug Court Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	<p>Following is the list of research questions asked in this evaluation and the outcome results for these questions.¹</p> <p><i>Research question #1: Does participation in drug court, compared to traditional court processing, reduce the number of re-referrals for participants?</i></p> <p><i>Research question #2: Does participation in drug court reduce levels of substance abuse?</i></p> <p><i>Research question #3: How successful is the program in bringing program participants to completion and graduation within the expected time frame?</i></p> <p><i>Research Question #4: How has the program impacted the participants and their families?</i></p> <p><i>Research Question #5: What participant characteristics predict successful outcomes? What are the commonalities of clients terminated from the program? How do those terminated from the programs differ from those who have graduated?</i></p>	<p>This report contains the CCJDC outcome evaluation performed by NPC Research. Because the CCJDC is relatively small and was implemented recently, the entire population of drug court participants (except for those who had started less than 6 months before the time of outcome data collection) was used in these analyses</p>	<p>The drug court participant outcomes were compared to outcomes for a matched group of offenders who were eligible for drug court during a time period before the CCJDC program was implemented.</p>

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90	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., & Linhares, R. (April 2007). Indiana Drug Courts: Vanderburgh County Day Reporting Drug Court Evaluation: Final Report. NPC Research: Portland, OR.	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. <i>Has the VCDRDC program been implemented as intended and are they delivering planned services to the target population?</i> 2. <i>Does the VCDRDC reduce recidivism?</i> 3. <i>Does the VCDRDC reduce substance use?</i> 4. <i>Is there a cost-savings to the taxpayer due to drug court participation?</i> I	current participants	Terminated participants
91	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Vigo County Drug Court Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. <i>Has the VCDC program been implemented as intended and are they delivering planned services to the target population?</i> 2. <i>Does the VCDC reduce recidivism?</i> 3. <i>Does the VCDC reduce substance use?</i> 4. <i>Is there a cost-savings to the taxpayer due to drug court participation?</i>	Current and graduated participants	Terminated participants

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
92	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: St. Joseph County Drug Court Program Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. <i>Has the SJCDC program been implemented as intended and are they delivering planned services to the target population?</i> 2. <i>Does the SJCDC reduce recidivism?</i> 3. <i>Does the SJCDC reduce substance use?</i> 4. <i>Is there a cost-savings to the taxpayer due to drug court participation?</i>	Current and graduated participants	Terminated Participants
93	November 2009	Analysis of the Sisseton-Wahpeton Oyate Tribal Drug Court	Analyzing the Successes and areas in need of improvement in the treatment court.	Current and Graduated Participants	Terminated participants

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PART TWO

#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
1	2004	N/A	<p>Offenders assigned to drug court significantly less likely to be rearrested than offenders who go through traditional adjudication (including felony arrests)</p> <p>Offenders assigned to drug court more likely to be rearrested than offenders in pretrial diversion (including felony arrests) <u>–[NOTE: pretrial diversion is for lower risk offenders]</u></p>	n/a	n/a
2	September 2004	Survival analysis of 139 drug court participants and 96 defendants eligible for drug court but randomly assigned to non drug court program	<p>-A significantly greater proportion of the drug court sample (33%) survived throughout the follow up period compared with less than one fifth of the control sample (18%)</p> <p>-both samples experienced their sharpest decline between months 0 and 4 when each lost about one third of its members to failure (e.g., arrest).</p> <p>- half of the control sample failed by 5.1 months while the drug court sample did not lose half of its members until 11.1 months</p> <p>- drug court sample members who had greater exposure to the drug court components of drug treatment, drug testing, and status hearings were rearrested significantly less often than those with less exposure to these components.</p>	N/a	24 months from time of program entry

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
3	January 29, 2004	Tracked sample of drug court participants (53) in District Court and comparable group of non drug court participants for recidivism and costs and possible cost savings resulting	Over 4 year period, drug court participants had 12.3% fewer arrests than comparison group; PROPERTY OFFENSES: Drug court participants had 18.8% fewer arrests for property crime than comparison group; CRIMES AGAINST PERSONS: Drug court participants had 73.3% fewer arrests for crimes against persons than comparison group, so that victimization costs (e.g., medical costs, lost time from work, etc.) were substantially reduced; nongraduates had 1.17	n/a	Four years following program entry
4	January 29, 2004	Tracked sample of drug court participants (60) in Circuit and District Courts and comparable group of (63) non drug court participants for recidivism and resultant costs and possible cost savings resulting	- Over 3 year period, drug court participants had 31.4% fewer arrests overall than comparison group (Circuit Court participants had 44.2% fewer arrests); - DRUG OFFENSES: Drug court participants had 35.3% fewer arrests than comparison group (62.3% fewer arrests for Circuit Court participants); - PROPERTY OFFENSES: Drug court participants had 68.8% fewer arrests for property crimes than comparison group (71.9% fewer arrests for Circuit Court participants) - CRIMES AGAINST PERSONS: drug court participants had 48% fewer crimes against person than comparison group (Circuit Court participants had 70% fewer), with resultant reductions in victimization costs (medical expenses, lost pay, etc.) as well as criminal justice system costs	n/a	3 years following program entry
5	January 2004	Updated previous annual report to follow 543 female enrollees since program inception		N/a	n/a

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			Re-Arrests	Convictions	Time Followed
6	January 2004	N/A		Of 425 drug court graduates, 8 (1.9% recidivated*; of 3,405 successful standard probation offenders, 113 (3.3% recidivated); of 3,334 released inmates, 262 (7.9%) recidivated. Drug court graduates almost 2 times (73.7%) less likely to recidivate* than successful standard probation offenders; Drug Court graduates over 4 times (315.8%) less likely to recidivate than released <u>prison inmates</u> *recidivate: defined as offender becoming incarcerated in prison	First year following graduation
7	October 2003	Follows drug court participants in six NY programs and compares with similar defendants not entering drug court	(1) Recidivism reductions ranged from 13% to 47%, with average of 29% (2) (post program recidivism reduction from 19% to 52% (average is 32%)		(1)Following arrest (2) following program
8	August 1, 2003	N/A	-Women 14.2% -Men 21.4%	N/A	Within 36 months of graduating from drug court
9	July 2003	Process evaluation of 99 participants admitted to the program as of July 15, 2003	21% of participants admitted to program arrested while enrolled; 8% of 36 graduates arrested after graduation		December 2000 – July 2003
10	June 1, 2003	N/A	-30.5% had violated sentences within 2 years of being placed on probation.	N/A	N/A

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
11	May 2003	Process and outcome evaluation of 57 DUI drug court participants and 42 control group randomly assigned defendants with similar characteristics whose cases were processed in the traditional process	.01 offenses for DUI Drug Court participants compared with .03 for control group also: number of positive drug tests: - DUI drug court participants: 4% (6.1 average taken per month) - Control group: 18% (1 average taken per month)	n/a	18 months
12	April 18, 2003	Obtained re-arrest data for each of 2,357 participants in 4 drug courts studied for 12 months following discharge from program	Overall: - 9% rearrests for graduates; rearrests took average of 6.6 mos; - 41% rearrest for unsuccessful terminations; rearrests took average of 5.6 mos. Specific Programs: (p.9-4) -Bakersfield, Cal: 13%-grads; 53% terminated; St. Mary Parish, La.: 6%-graduates; 22%-terminated; Jackson Co., Mo.: 7%: grads; Creek Co., Okl: 20%	N/A	N/A
13	April 15, 2003	Review of rearrests for participants and graduates: 1994 – 2002	Participants: total rearrests were 140 (10.14%) of 1,380 participants	28 (7.11% of 394 graduates were convicted of offenses following graduation	N/A
14	March 2003	N/A	Felony -avg. 5.9% (0-12%) Misdemeanor -avg 10.1% (0-14.3 %) Recidivism defined as re-arrest.	N/A	N/A

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			Re-Arrests	Convictions	Time Followed
15	March 2003	Using six different comparison groups, measured recidivism rates (criminal convictions for new offenses) of drug court; pooled smaller counties (Kitsap, Skagit, Spokane and Thurston) and analyzed King and Pierce separately because they were larger		In all counties except King Co., drug court reduced felony recidivism rates by 13%; 8 year felony reconviction rate is 45.8% for nondrug court participants and 39.9% for drug court participants. King Co. didn't reduce recidivism, with high rate of terminations for 1998-1999. Also found that this 13% reduction in recidivism was consistent with recidivism reductions reported in 30 drug court evaluations reviewed for other jurisdictions.	Maximum of eight years
16	February 7, 2003	Studied arrest rates, compiled from 17 counties for 1,945 participants who completed one of 3 drug courts in state	Declined by 85% in first two years after admission compared to two years prior to entry	Declined by 77% in two years following admission compared to two years prior to entry	Two years following entry
17	January 6, 2003	Statistical data on convictions of graduates after leaving program		Conviction rate for graduates was 11%	N/A

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
18	January 2003	Ph. I: case studies to document program dev, policies and procedures, lessons learned; and impact evaluation using survival analysis to measure recidivism Ph. II: program retention model using logistic regression to predict program status, and survival analysis to predict length of stay; and descriptive analyses (Escambia County) using court records and interviews re participant perceptions	(definition of recidivism as rearrests implied from discussion) <u>Escambia Co.</u> : drug court participation reduced recidivism for new felonies from roughly 40% to nearly 12% within two year follow-up period. (less impact if <u>any</u> rearrest is considered)- drug court reduced recidivism for felonies but not new misdemeanor arrests; males had higher probability of recidivism than females; blacks had higher probability of recidivism than whites; recidivism rates decreased with age; offenders more likely to recidivate if they had more serious criminal records; timing of recidivism not affected by drug court participation <u>Jackson County</u> : probability for recidivism fell and time to rearrest increased with drug court participation; drug court participation reduced recidivism from approximately 50% to 35% for both felonies and misdemeanors; probability of eventually recidivating fell with drug court participation and time to rearrest increased. Participation reduced recidivism for new felonies or misdemeanors from 65% to 45%.; recidivism rates same for men and women but higher for blacks than for whites; recidivism rates dropped as age increased and rose for offenders with more serious criminal r records		24 months (implied from date of arrest)

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
19	May 5, 2002	Obtained rearrest data for group of drug court participants at each site from date of program inception through 1998 and rearrest data for comparison group of defendants	<p>Portland: 1991-97 Dr. Ct. partics: 37.4% rearrest at 1 year, compared with non drug court defendants group A (never appeared at first hearing) 53.3% and B (appeared at first hearing but not at treatment) 50.8%; 46.4% of drug ct partics rearrested after 2 yrs compared with 57.8% and 59% of comparison groups; 49.9% of drug ct partics rearrested after 3 years compared with 60.1% and 60.3% of nondrug court defs.</p> <p>Las Vegas: 1993-97: -52% drug court partics compared with 65% of compare group rearrested after one year; 62% of drug court partics vs. 74% of nondrug court arrested after 2 years; 65% of drug court partics vs. 79% of nondrug court defs rearrested after 3 years.</p>		3 years
20	March 2002		<p>A substantial number of drug court participants (approximately 3,0090) completed drug court during the study period; participants who completed drug court as compared to aggregate of all entering participants during study period, had very low rearrest, conviction and incarceration rates for the two years after admission to drug court.</p> <p>Arrest rate for participants who completed drug court is 85% less during the two years after admission than arrest rate for those entering program during the two year prior to entry</p>	Conviction rate for participants who competed drug court is 77% less during two years after admission than conviction rate of those entering program during the two years prior to entry;	2 years following drug court admission

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21	October 2001	Studied client files, local jail and prison data; NCIC data, child support collections, traffic accidents, mental health service utilization, employment data and random interviews of drug court graduates and terminators		12 months following graduation, graduates less likely to have had felony or misdemeanor conviction, or been in prison or jail; graduates had significantly more days to first misdemeanor charge but significantly fewer days to first felony charge than other groups (terminators and nonentry defendants)	12 months after graduation or termination
22	October 2000	Individuals were tracked with rap sheets in order to produce results.	6 months -6% DC -7% Comp. 12 months -9% DC -21% Comp. 18 months -10% DC -26% Comp. 24 months -11% DC -27% Comp. = 11% recidivism rate Recidivism was defined as any contact with the law.	N/A	At 6,12,18, and 24 months after release

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23	May 1999	Tracked drug court cases filed between August 1, 1997 0- December 31, 1997 and predrug court comparison group for 9 month period; compiled data on offender characteristics, prior conviction history; length of case; reoffenses; and nature of drug addiction (for drug court participants only)	Drug court and predrug court defendants had similar recidivism rates	Drug court and predrug court defendants had similar recidivism rates	9 months following case filing
24	October 2000	Research compared DTC and non-DTC drug offenders	12 months -18% graduates -41% non-graduates -44% comp.	N/A	12 months after graduation
25	October 2000	N/A	6 months: -6% DC; -6% comp. 12 months: -10% DC; -14% comp. 18 months: -11% DC; -22% comp. 24 months: -14% DC; -22% comp. Recidivism was defined as re-arrest	N/A	N/A
25	October 2000	N/A	Those Refusing Drug Court: - 19.91% Those Who Withdrew From Drug Court: - 25.2% Successful Probationers: - 15.9% 1998 average for DC graduates: - 10.6%	N/A	N/A

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27	January 2001	Tracked information re drug court participants and comparison group members re recidivism; completion rates; justice system and treatment costs	(recidivism not defined): drug court graduates had lower total post program recidivism than comparison groups	Post program recidivism rate for graduates after 416 days follow up was 28%, with only one of the 15 convictions a felony; 85% of the new convictions were for misdemeanors; 40% drug court clients were convicted of crimes post program; 62% of the men entering the drug court were convicted of new crimes while only 33% of the women were convicted;)	n/a
28	July 2001	Conducted interviews of program officials and tracked data on participants at each site; divided subjects into five outcome groups: ineligible; opt outs; did not finish; graduates; and active cases	Graduates have fewer re-arrests than any of the other outcome groups	Offenders who graduate from drug court less likely than offenders in any other group to be reconvicted in the three years following referral to drug court	Three years following referral to drug court
29	December 2004		<p>Of 647 graduates of adult drug courts, 103 have been rearrested for felony offenses after graduation (15.9% recidivism rate); 59 graduates had misdemeanor arrests (9.1% recidivism rate;</p> <p>Of 2,056 nongraduates, 303 were arrested for felony offenses after leaving drug court (33% recidivism rate) and 72 were arrested for misdemeanors (7.8%).</p> <p>Felony recidivism rate of drug offenders studied by Va. Criminal Sentencing Commission (VCSC) in 1999, was 50% -- significantly higher than felony recidivism rate for graduates or nongraduates</p>	n/a	n/a

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
30	October 2003	Used combination of interviews, surveys of program officials, and review of data maintained by the drug court coordinator	One of the 14 graduates has had arrest/conviction for new offense (7%)	One of the 14 graduates has had arrest/conviction for new offense (7%)	Not indicated
31	July 2002	Quasi-experimental matched comparison group design to estimate impact of drug courts on future criminal involvement; evaluated 3 distinct groups of participants: those in Common Pleas Court; Municipal Court; and Juvenile Drug Courts	32% of <u>Common Pleas</u> participants rearrested vs. 44% of comparison group (Offenders with prior record, less than High school education, unemployed and nondrug court participation more likely to be rearrested; <u>Municipal</u> drug court participants significantly less likely to be rearrested than comparison group members for new offense and for multiple times; 41% of Municipal drug court participants rearrested vs. 49% of comparison group; factors predicting rearrest were race, education, employment, time at risk; and drug court participation; offenders who were nonwhite , had less than high school education, unemployed, a risk the longest were significantly more likely to be rearrested;; - completion of drug court was a significant predictor of new arrests; probability of rearrests for those offenders who completed a drug court program was 32% vs 55.5% for comparison group		

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32	2001	Reviewed automated data collected by Bernalillo Co. Metropolitan Court; comparison data drawn from automated records maintained by court	<p>Within six mos graduation: 3.6% (6) vs. 14 (9%) for successful probation and 15 (9.7%) of unsuccessful probation</p> <p>Within 7-12 mos graduation: 9 (5.4%) vs. 14 (9%) successful probation vs 9 (5.8%) of unsuccessful probation</p> <p>After one year: 11 (6.5%) vs. 14 (9%) of successful probation vs. 20 (13%) unsuccessful probation</p> <p>For DWI offenses: 21 (12.5%) vs. 26 (16.7%) for successful probation vs. 32 (20.8%) for unsuccessful probation</p> <p>for Violent Offense: 4 (2.4%) vs. 12 (7.7%) for successful probation vs 9 (5.8%) for unsuccessful probation</p> <p>Total Recidivism: 26 (15.5%) vs. 42 (27%) for successful probation vs. 44 (28.5%) for unsuccessful probation</p>		

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33	February 2005	Reviewed 27 evaluation reports of 39 adult drug court programs that met criteria for methodological soundness and other attributes	<ul style="list-style-type: none"> - Lower percentage of drug court participants than comparison group members rearrested or reconvicted; - Program participants had fewer recidivism events than comparison group members - Recidivism reductions occurred for participants who had committed different types of offenses - Inconclusive evidence that specific drug court components, such as. Behavior of judge or amount of treatment received, affected participants' recidivism while in program -recidivism reductions also occurred for some period of time after participants completed drug court program in most of programs reporting these data 		n/a

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34	April 2005	Studied every person who opted into one of the courts even if only stayed brief time; data base included 154 defendants who participated in programs (32 graduated; 63 active and 59 terminated without graduation; comparison group derived from case coordinators and observation in court; data derived from court case files and therapeutic courts data base		<p><u>Drug Court:</u> Both graduates and active participants had significantly fewer convictions during 2 years after opting into the program; those not in program had slightly more convictions during the two years after while those who opted out (were terminated) had fewer convictions during the two years after.</p> <p><u>DUI Court:</u> graduates and those active had fewer convictions during period after opting into the program than they had in the preceding two years; for those active in the program, the difference was significant; those who opted out of the program and those who were not in the program also had fewer convictions</p> <p><u>Bethel Therapeutic Court:</u> all groups saw reduction in convictions during the 2 years after the plea/opt in date. Reduction was statistically significant for those active in the program and for those who dropped out/opted out of the program.</p>	Two years following drug court participation (compared with two years prior to drug court entry)

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35	April 2003	Used quasi-experimental matched control group design to estimate impact of drug court involvement on future criminal behavior- reviewed info on drug court participants and comparison group selected by each drug court using court maintained and self reported data	<ul style="list-style-type: none"> - PARTICIPANTS: <u>Kootenai Co.</u>: drug court participants less likely (41%) than comparison group (53%) to be rearrested - majority of arrests for drug related offense (46% for drug court group and 55% for comparison group; 55% of drug court arrests vs. 46% of comparison arrests were for felonies - -10% of drug court participants arrested multiple times during follow up period vs. 24% of comparison group members arrested multiple times; 15% of drug court participants arrested at least twice in follow up period vs. 29% of comparison members - <u>Ada Co.</u>: - - Fewer (38%) of drug court participants arrested vs. comparison group (63%). And fewer arrested for drug charge; - 22% of drug court vs 51% of comparison group arrested multiple times - GRADUATES: <u>Kootenai Co.</u>: 41 graduates: 7 (20%) arrested for new offense during follow up period of 1006 days (115 days post graduation) vs. 60% arrest rate for non graduates and 53% arrest rate for comparison group - <u>Ada Co.</u>: 17 of 91 graduates (19%) arrested following graduation vs. 77% for nongraduates and 63% for comparison group; 29% of graduates arrested for felony vs. 85% of nongraduates and 81% of comparison group; 		<p>Kootenai Co: 1006 days (115 days post program)</p> <p>Ada Co.: participants: 851 days (2 yrs 4 mos) for drug court group and 660 days (1 year 8 months) for comparison group; graduates: 1084 days 1003 (terminated); 660 days for comparison group – graduates followed 5502 days (1 yr and 4 months) post graduation</p>

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36	July 2000	Quasi-experimental matched control group study to assess program outcomes among drug court participants compared to similar group of drug addicted adults who did not participate in the drug court; data obtained through the following pretrial data and court docket info: (1) Pretrial Services: demographic, current offense, disposition and criminal history info; (2) treatment needs and participation from ADAPT program; (3) court reported violations, fees, community service and recidivism data from Probation Department; (4) recidivism data compiled by court.	<ul style="list-style-type: none"> - 13% of participants arrested for new charge; - offenders in treatment group less likely (29% [sic]) to be rearrested than comparison group (39%) – new charge frequently drug charge for both groups <p>Graduates: Overall: 31% of graduates rearrested during 18 month follow up period : 23% of July 1996 graduates vs. 31% of participants rearrested; 35% of the October 1996 graduates; 63% of the March 1997 graduates; 29% of the June 1997 graduates and 31% of the November 1997 graduates have been rearrested since graduating;</p> <p><u>Other:</u></p> <p>majority of participants in all classes not arrested more than once during follow up period rear rest by gender generally similar</p>	significantly more drug court participants were convicted of the offense for which they were arrested than the comparison group	
37	March 2005	n/a		<ul style="list-style-type: none"> -Drug court graduates 74% less likely to return to prison than successful standard probation offenders; - Drug court graduates more than four times (316%) less likely to recidivate than released prison inmates [<u>Note:</u> recidivism not defined but assume refers to convictions because of reference to “return to prison”] 	n/a

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38	July 2001	Quasi-experimental matched comparison group design to estimate impact of drug court on future criminal involvement; comparison group of participants that had reported substance abuse problem and were eligible for the drug court; comparison group screened between November 1997 and April 2000	40% of drug court treatment group rearrested during follow up period vs. 52% of comparison group;; significantly more individuals in control group arrested on felony charge;		n/a
39	May 2003	Random assignment of eligible offenders to an experimental group that entered the Co. DUI/Drug Court and a control group processes through traditional cjs processing.	Control group committed 3 times as many offenses as DUI drug court participants each month		n/a

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40	2005	Tracked 452 participants in probation track of drug court for any contact with cjs system following discharge (successful or unsuccessful) from program.	<p>Drug court participants had total of 1,726 contacts with cjs after discharge, resulting in over 4,000 charges. (1/4 of participants had a violent criminal charge)</p> <p><u>One year after discharge:</u> (1) failed clients significantly more likely to have made some contact with cjs and have been arrested for felony crime than graduates; (2) four times as many of the failed clients had been incarcerated within the 12-month period than had program graduates</p> <p><u>Three years after discharge:</u> similar findings; 80% of participants who failed program had some period of incarceration vs. 1/3 of the clients who graduated.</p> <p>Rates of overall arrests and types of charges didn't differ by graduation status at either 12 month or 36 month period.</p> <p>Participants with violent criminal history: significantly more likely to recidivate with serious offenses during program participation than persons with nonviolent criminal history; at 12 month e=period, offenders with history of violent criminal offending significantly more likely to have any contact with cjs (67%) than participants with no previous violent criminal history (42%).</p> <p>Violent offenders, compared with nonviolent offenders, recidivate more and with more serious types of offenses during active program participation and after program discharge. However, violent offenders who graduated were significantly less likely to recidivate than their violent counterparts who didn't complete the program.</p>		Generally 12 months and 36 months but ranged from 5 months to over 6 years, depending upon how much time had elapsed since participant was discharged from program and time study was conducted.

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
41	2004	Tracked sources of referrals and demographics, progress and recidivism of enrollees in female and male drug court programs from inception through December 31, 2004	n/a	<p><u>Females:</u> 85% (172) of women who completed program had no subsequent convictions within 3 years of program completion; 15% (30) were convicted of new misdemeanor or felony offenses</p> <p><u>Males:</u> 156 (85%) of graduates had no subsequent convictions within 3 years of program completion; 27 (15%) were convicted of new misdemeanor or felony offense within 3 years of program completion</p>	Females and Males: 3 years following program completion.
42	April 2004	Contacted participants 12 months after recruitment in the study; given two assessment tools; a face-to-face structured interview to collect demographic and other nonsensitive info and a self administered questionnaire, including questions relating to drug use and other sensitive info.	Current information system precluded tracking drug treatment court as well as comparison group participants for recidivism; Self reports from participants in study group of drug court participants indicated: (1) antisocial/illicit behavior reduced from 76.5% prior to admission to 17.5% 12 months after admission; (2) proportion of participants reporting possession, selling or distributing drugs reduced from 55.9% prior to admission to 7.5% after admission; (3) drug court participants showed significantly more improvement than comparison groups in reported illicit/antisocial behavior although there was a marked reduction in antisocial/illicit behaviors among both groups.	Current information system precluded tracking drug treatment court as well as comparison group participants for recidivism	One year after program entry

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
43	September 2005 (interim report)	Transactional and Institutional Cost Analysis- (1) determine flow/process; (2) identify transactions; (3) identify agencies involved; (4) determine resources used; (5) identify costs associates; (6) calculate cost results	17% for graduates 29% for all participants 41% for comparison group [- note: -not clear whether recidivism refers to arrests or convictions]		
44	January 2005	Examined participant info through existing administrative data bases (Oregon Drug Court Case Management System; Oregon Judicial Information System and data from treatment provider)	-Average no. or re-arrests for males and female participants in the 24 months following program entry less than corresponding period prior to entry (16% rearrested: 19% of men and 10% of women, compared with 100% arrests during prior 2 year period; - significant reduction in drug related re-arrests during 24 months following program entry; males rearrested for more drug related crimes than females but both genders had fewer drug related arrests	n/a	24 months following program entry
45	January 2005	Examined participant info through existing administrative data bases (Oregon Drug Court Case Management System; Oregon Judicial Information System and data from treatment provider)	13% of all 62 drug court participants were rearrested sometime within the 2 years after drug court entry compared with 27% (more than double) of the comparison group.	n/a	24 months following program entry

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			Re-Arrests	Convictions	Time Followed
46	July 2003	-Tracked use of court, district attorney, public defender, law enforcement, correctional and probation services by drug court and comparison group; assesses costs overall and by agency; - detailed data collected by tracking drug and drug court-eligible offenders in terms of resources consumed in court sessions, attorney visits, and treatment sessions (using stop watches to time events)	n/a	n/a	n/a
47	March 2004				
48	June 14, 2006	Compared receipt of alcohol and other drug treatment services; probation revocations; recidivism (new arrests and new convictions) and incarceration of drug court participants and comparison group	Drug court participants (graduates and nongraduates) were 13% less likely to be arrested; Drug court participants remained arrest free for 15% longer (410 days vs 356 for comparison group) GRADUATES: were 33% less likely to be arrested; remained arrest free for 25% longer time	Drug court participants had 34% fewer convictions GRADUATES had 47% fewer convictions	One year after entry into drug court

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
49	April 2006	Used data from Florida Department of Law Enforcement to obtain recidivism info; Dev. Cost analysis based on treatment costs vs costs of crime	16% (2) of the 12 grads arrested within 12 months for tech viol of prob; 8.3% (1) grad arrested 12 mos after grad. 12% (2) of 12 grads charged within 12 mos for tech violation of probation (83 % had no arrests for 12 mos).		One year following program termination (successful or unsuccessful)
50	Spring 2006	Experimental design using random assignment of 235 drug court-eligible defendants assigned to drug court and traditional adjudication during 1997 and 1998	78.4% of drug court participants rearrested during 3 year period compared with 87.3% for comparison group; <u>average no. Of new arrests</u> : 2.3 for drug court participants; 3.4 for comparison group <u>new violent or sex charge</u> : 14.4% for drug court participants; 24.7% for comparison group <u>new drug charge</u> : 55.5% for drug court participant; 68.4% for comparison group	58.3% drug court participants vs. 64.4% nondrug court participants average no. of convictions: 1.2 for drug court participants; 1.3 for comparison group	Three years following program entry

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51	April 2005	Selected nine adult drug courts, based on “drug court maturity” and data collection capabilities and diversity of demographic and geographic representation.; used longitudinal data collection approach to track study participants over 4-year period; conducted “transactional and Institutional Cost Analysis (TICA) entailing: 1. Document drug court and nondrug court processes; 2. Identify transactions occurring within each process; 3. Identify agencies involved in each transaction; 4. Determine resources used in each transaction; 5. Isolate cost of the resources; and 6. Calculate overall costs.	<u>El Monte</u> : 90 vs. 1.96 (-3%) <u>Monterey</u> : 3.65 vs. 3.05 (20% increase) <u>Orange Co.-Laguna Niguel</u> : 1.65 vs. 3.25: 30% decrease <u>Orange Co-Santa Ana</u> : 2.74 per drug court vs. 2.65 comparison group (3% greater) <u>San Joaquin Co.</u> : 3.27 vs. 4.54 (28% reduction) <u>Stanislaus Co.</u> : 1.89 vs. 2.53 (25% reduction)	n/a	Four years from time of program entry
52	August 2001	Initially used experimental design; then selected “post hoc comparison group of presumptively eligible defendants” after public defender objected to original design	Participants showed lowest rear rest rate: (21%) in a 6- month period Participants showed lowest rate of felony arrests Participants rearrested for drug offenses less often (17%) than defendants who declined treatment and 27% over a year period	n/a	Six and 12 months following arraignment

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
53	July 2005	<u>Outcome:</u> Used existing databases on criminal activity, treatment utilization to determine participants' arrest histories prior to and following program entry <u>Cost:</u> used Or. Dr Ct Case Mgt Sys, and data from treatment provider	Drug court participation reduced recidivism; average number of rearrests for males and females during 24 month period following program entry less than rate prior to program entry; Reduction in rearrests greater for females who had more arrests prior to program entry than males	n/a	Up to 24 months following program entry (minimum of 12 months)
54	September 2006	Identified sample of participants entering drug court between January 2002 – December 2003 and developed comparison group of persons eligible but failed to participate; used data from multiple sources, including observations, team meetings, interviews, agency budgets, and other financial data bases and agency files.	Drug court participants significantly less likely to be rearrested than offenders eligible for drug court but not participating; -females rearrested more than males during first few months of program but significantly less likely to be rearrested in 2 years following program entry	n/a	24 months following program entry

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55	September 2006	Identified sample of participants entering drug court from time of implementation in 2001 through July 1, 2004 and developed comparison group of persons eligible but (1) couldn't enter in 2001 because of program's incapacity; and (2) eligible subsequently but did not participate	All Drug court participants (graduates and terminated) significantly less likely to be rearrested than comparison group; Drug court participants rearrested less than half as often as comparison group members ; -graduates rearrested approximately one third as often as comparison groups and overall were rearrested very rarely - for first 21 months after program entry drug court graduates did not commit any new offenses - 4% of graduates and 26% of all participants were rearrested in 24 months following program entry compared with 50% of comparison group	n/a	24 months after program entry
56	March 2004	Compiled statistical data on drug court participants' demographics, criminal history and progress in drug court and comparable data for comparison group	-Drug court participants/graduates generally had lower recidivism rates than drug court failures and traditionally adjudicated offenders; - participants/graduates had a lower likelihood of arrest or conviction for failure to appear, a lower likelihood of arrest or conviction for a new felony offense and a lower likelihood of being incarcerated for a new crime. -Participants/graduates more likely than traditionally adjudicated offenders to be arrested for or convicted of a misdemeanor but less likely to be convicted of a felony	(see "re-arrests")	12 months following program entry

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57	November 2001	Sample of drug court participants from January 5, 1998 – April 30, 2000 in two groups: 77 successful completers between February 23, 1999 and 285 dropouts and 78 matched control group	<p><u>Overall:</u> Graduates had lowest rearrest rate (15.6%); dropouts' rearrest was 30.7%; control group had highest rearrests (48.7%)</p> <p><u>Drug Charges:</u> Graduates had lowest rearrest rates for drug charges (9.1%) vs dropouts *(15.8%) and control group had highest (24.4%)</p> <p><u>Length of Stay:</u> Participants who remained in program had .96 rearrests; participants who remained in 91-270 days had .42 arrests and participants who remained in treatment 270 or more days had .38 rearrests</p>		27 months; overall recidivism 12 months following discharge for drug arrests
58	January 2003	Tracked 501 participants in drug courts in Dallas, Jefferson and Travis Counties between 1998-1999 and 285 offenders eligible but not participating in drug courts	Drug court graduates had 28.5% recidivism rates vs 65.1% for noncompleters and 56.8% for comparison group; rearrest for all drug court participants was 40.5%		Three years
59	October 2003	Tracks progress of 64 participants in Douglas County, Neb. Drug Court	Drug court participants who complete residential treatment component have lower rearrest rates		12 months following program entry
60	December 2004	Tracks progress of 116 participants in Douglas County, Neb. Drug Court	Completion of residential treatment is associated with significant reductions in general arrests as well as post-treatment drug use		24 months of program operation
61	March 31, 2004	Tracks cost benefits resulting from approximately 300 participants in Douglas County drug court	Drug court participants had 132 fewer misdemeanor and 60 fewer felony arrests than comparison group	--	24 months

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62	February 2007	Compiled new arrests and convictions from the Alaska Department of Public Safety for each of the offenders who participated in the Anchorage DUI Court, the Anchorage Felony Drug Court and the Bethel Therapeutic Court for at least a one year period following program termination and, for comparison group, following service of sentence and any custody	<p>13% of graduates rearrested within one year after completion vs. 32% rearrest rate for comparison offenders and 38% rearrest rate of offenders charged with felonies in 1999</p> <p>Participants in the Anchorage Felony DUI Court less likely to be rearrested than those in the Anchorage Felony Drug Court and Bethel Therapeutic Court</p>	<p>No participants who were reconvicted within the first year were convicted of an offense at a more serious level than the one on which they entered the therapeutic courts vs. 3% of the comparison offenders and 15% for 1999 offenders</p> <p>No participant was convicted of a drug or sexual offense</p>	One year following program termination
63	October 2006	Compiled “recidivism” data for first 146 SITC participants arrested from March 2002 – June 2005; obtained “recidivism” data through December 2005, resulting in all participants being tracked for at least months; 123 participants tracked for 1-year and 102 participants tracked for 18 months.; tracked comparison group for felony drug charges only; used NY State Div. of Criminal Justice Services (DCJS) arrest and conviction data but results are presented in terms of re-arrests.	<p>SITC produced substantial reduction in recidivism at both 1-year and 18-month periods.</p> <ul style="list-style-type: none"> - After 1 year, 26% of drug court participants vs. 48% of comparison group were rearrested; - after 18 months, 41% of SITC participants vs. 55% of comparison group were rearrested <p>drug court participants averaged .63 rearrests over 18month period vs. 1.19 for comparison group.</p> <p>Drug court also appeared to delay onset of recidivism for those that weren’t arrested during the first year.</p>	-18 month reconviction rate was 23% for drug court participants and 451% for comparison group – drug court therefore reduced reconviction rate by 44%	6 months, 12 months and 18 months after arrest for drug court charge

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64	2007	Tenn. Office of Crim Just Programs, Dept. of Finance and Admin., compiled data from 45 operating drug courts regarding performance standards identified for measurement	-Of 1,614 participants, 9% (146) arrested during FY 2005/2006; of the 5,958 participants served since inception, -413 arrested while in the program (7%) in all 37 programs responding. - 56 of the 188 (30%) graduates in 2004/2005 in 22 programs reporting were rearrested within one year of graduation. 2004-4: 61 (35%) graduates of the 174 total graduates (17 programs) rearrested within 2 years of graduation. [four juvenile drug courts reported overall 30% one year post graduation recidivism and 13% 2-year post graduation recidivism.		
65	2007	Compiled data from existing adult (and juvenile—reported separately) programs	Rearrested: 27.9% vs. graduates: 13.7%		January 1 – June 30, 2005
66	April 2007	Tracked data from 11,000 cases through various administrative data systems; focus of analysis was on overall impact of drug court on target population over time; cost analysis based on transactional method and overall investment of taxpayer money compared to benefits derived	Recidivism reduced for drug court participants up to 14 years after drug court entry compared with those who didn't participate; rearrests reduced by almost 30%; Recidivism reductions continued to be evidenced for up to 14 years after the petition hearing.		At least 5 years and, for some, up to 15 years following drug court entry

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67	April 2007	Na	All graduates had substantially lower re-arrest rates and, at 4 of the 5 programs, all participants ha significantly lower re-arrest rates. - # 1: 10% grads, 30% all partics, 39% compare. - # 2: 18%, 43%, 41% - # 3: 7%; 20%; 39% - # 4: 12%; 18%; 34% - # 5: 11%; 17%; 33%		Two years after program entry
68	Fall 2005	Conducted interviews with 99 participants selected to participate who were in different stages of treatment: 34 in motivation; 39 in intensive phase; 18 in maintenance phase; and 89 in post treatment phase	NA	NA	Nine months
69	Spring 2008	Review of data compiled in 2005 study and interviews with participants randomly assigned to drug court and alternative program 3 years following program participation	NA	NA	3 years following program participation
70	January 2008	Review of information compiled in data collection system; interviews with staff	Na	Na	na

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71	August 1, 2006	Review of program operations of five adult drug court, including referrals, acceptances, time to program entry, sanctions, drug testing, etc.	Adult drug court participants less likely than comparison group to be rearrested on felony charges and less likely to commit violent crimes 17.5% recidivism among drug court participants vs. 33.1% in comparison group	n/a	12 months post program
72	August 2007	203 individual records of drug court participants who both successfully completed (79) as well as failed (50) the drug court program compared with control group (74)	St. Louis Co.: completers arrested less than half as often as control group; Dodge County: no arrests of any completers; Streams Co.: drug court completers arrested less than one fourth as frequently as control group; estimate drug court saved 133.7 arrests and 47.2 convictions during period	Convictions: Similar findings as for arrests	2 years post program
73	September 2008	Utilized web-based tool for self evaluation re costs and benefits developed for earlier phases of study; focus on measuring costs of events in drug court process, including court appearances and drug tests; number of group and individual sessions; number of days in residential treatment; number of jail days as sanction; outcome benefits measured in terms of rearrests, number of days on probation or in prison due to recidivism; number of new court cases, etc.	43% rearrest rate for graduates; 57% rearrest rate for all drug court participants; vs. 67% rearrest rate for comparison group	n/a	Two years following termination

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74	January 1, 2004	Part of Maine's ongoing review of drug court operations; analysis of offender characteristics and data associated with drug court performance; also interviews with judges, probation staff and others	N/a – see nos. 68 and 71 for follow up studies	N/a – see nos. 68 and 71 for follow up studies	N/a – see nos. 68 and 71 for follow up studies
75	March 2009	Analyzed drug court data collected by drug court case managers, including demographic data, treatment data, data on court proceedings and also gathered feedback from drug court staff	One graduate charged with new crime	N/A	First three years of program operation: focus primarily on program operations and period of participation

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76	January 2009	Examined drug court processes to determine how well 10 key components were implemented; compared program practices to national data; collected info from staff interviews, drug court participant focus groups; observations and program documents, including handbook; Outcome analysis based on cohort of drug court participants who entered program been January 1, 2004 – July 31, 2007 and comparison group; tracked participants and comparison groups through criminal justice and treatment databases for up to 36 months post drug court entry.; Cost evaluation: used NPC's Transactional and Institutional Cost Analysis approach (TICA), looking at transactions in which individual utilizes resources contributed from multiple agencies; also used a "cost to-taxpayer" approach	<p>23% of graduates and 61% of all participants were rearrested following entry into drug court vs. 84% of comparison group members.</p> <p>Drug court participants (including graduates) had: (1) 3 times fewer drug charges in the 3 years following program entry; (2) 3 times fewer violent charges; (3) nearly half as many re-arrests; and (4) significantly reduced drug use over time</p>		36 months following program entry

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77	April 2008	Extracted data from three nationally representative sources (National Survey on Drug Use and Health (NSDUH), Arrestee Drug Abuse Monitoring (ADAM) and Drug abuse Treatment Outcome Study (DATOS) to develop a “synthetic dataset” from which cost benefit predictions could be made re various policy options to offer/expand drug court services	n/a	n/a	n/a
78	March 2008	Data were abstracted from several sources including site visits, the Criminal History Records (CHR) database maintained by the Michigan State Police and the Michigan Judicial Warehouse (JDW). All of these data were entered into a database created in Microsoft Access.	DUI court participants were re-arrested significantly less often than comparison group offenders who were sentenced to traditional probation. In the example from one DUI court site shown in Figure A, the comparison offenders on traditional probation were re-arrested nearly six times more often in the first year after starting probation for the DUI charge than the DUI court participants and were re-arrested four times more often in the second year.	N/A	Minimum 1 year

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79	April 2008	Both the participant and comparison groups were examined through existing administrative databases for a period up to 24 months from the date of drug court entry. The two groups were matched on age, sex, race, prior drug use history and criminal history (including total prior arrests and total prior drug arrests). The methods used to gather this information from each source are described in detail in the main report	HCADC program participants were significantly less likely to be re-arrested than offenders Who were eligible for the program but did not participate. Figure A shows the average number of re-arrests for 24 months after entering the drug court program for HCADC graduates, all HCADC participants, and the comparison group. Drug court participants, regardless of graduation status, were re-arrested significantly less often than were the comparison group members.	n/a	24 months maximum, 6 months minimum

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80	March 2008	For each drug court, NPC Research identified program samples of participants who enrolled in the adult drug court programs over a specified time period (at least 2 years). These were generally elected using the drug court program database. NPC also identified a sample of individuals eligible for drug court but who did not participate ² and received traditional court processing. Both groups were examined through existing administrative databases for a period of at least 24 months post drug court entry.	n/a	n/a	24 months post drug court entry

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81	April 2007	<p>Data on intermediate and long-term outcomes were gathered on each offender, with a particular emphasis on criminal recidivism (re-arrest) as a primary outcomes measure. The outcome data were drawn in late 2005 and early 2006, allowing a minimum of 5 years of follow-up on all cohorts and over 10 years on many cohorts. (For some individuals, over 14 years of follow-up data were available). Data on internal measures of Drug Court participation, internal changes in the Drug Court over the years and external changes in the criminal justice, court and substance abuse treatment systems were also gathered for the same period. Data on costs were gathered using a modified Transactional Cost Analysis Approach to allow us to conduct a cost-benefit analysis. Costs were calculated from a previous study on this program that involved intensive tracking of 155 individuals that entered the Multnomah County Court</p>	<p>Overall, for the entire population of eligible offenders, the Drug Court significantly reduced the incidence and frequency of criminal recidivism for participants compared to offenders who did not participate. Including all offenders who were eligible for the Drug Court during the total 10-year period, over 5 years from the Drug Court petition hearing, the incidence of re-arrest was reduced by nearly 30%. The Drug Court reduces the incidence of drug crimes substantially for up to 14 years after the petition hearing. The effect is statistically significant after controlling for age, gender, race, and 2 years of prior criminal history for all but year 14, where the number of cases available for the analysis drops to only 317</p>	NA	Ten years

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82	March 2007	Information was acquired for this evaluation from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, and data collection from administrative databases used by the GADC program, Probation, and the Court.	GADC program participants were significantly less likely to come through the court system again than offenders who were eligible for the program but did not participate. Figure 2 provides the average number of new criminal court cases per year for GADC graduates, all participants, and the comparison group over a 3-year period. The differences between the groups are significant at all three time periods. Guam Adult Drug Court participants (regardless of whether they graduated from the program) came back through the court system 4 times less often than comparison group members who were eligible for drug court but did not attend. Graduates recidivated 15 times less often than the comparison group.	N/A	12 months
83	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records. The methods used to gather this information are described in detail in the main report	The MCDTC reduced recidivism. MCDTC participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate	N/A	24 months

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84	November 2006	A Transactional Institutional Costs Analysis (TICA) approach was used, allowing researchers to calculate costs based on every individual's transactions within the drug court or the traditional criminal justice system. This methodology also allows the calculation of costs and benefits by agency (e.g., Public Defender's office, court, District Attorney).	On average, drug court participants had a recidivism rate 12% lower than similar offenders who did not participate in the drug court program. The comparison groups of those who did not participate in drug court programs were more than twice as likely as drug court graduates to be re-arrested. This provides evidence that drug courts are successfully reaching their goal of reducing recidivism in drug-addicted offenders.	N/A	The drug court cohorts were selected from participants who entered the drug court programs between January 1998 and December 1999, which provided at least four years of outcome data.
85	September 2006	Information was acquired for this evaluation from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, agency budgets and other financial documents. Data was also gathered from BCADC and other agency files and databases.	BCADC program participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate. Barry County Adult Drug Court participants (regardless of whether they graduate from the program) were re-arrested less than half as often as comparison group members who were eligible for drug court but did not attend. Graduates were re-arrested approximately a third as often as the comparison group, and overall were re-arrested very rarely.	N/A	24 months

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86	February 2006	To make this determination, NPC obtained a dataset of juvenile drug court participants through the cooperation of the Department of Juvenile Services (DJS). This dataset provided records of all formal adjudicated charges that juvenile drug court participants accrued both before and after their experience in drug court.	In the year following their release from drug court, only 29% of these juveniles had any adjudicated charges added to their records. This result means that 70% of the juveniles had no adjudicated charges added to their records in the year after their release.	n/a	1year

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87	July 2005	The cost study followed the pre-post program design started in the outcome evaluation due to difficulties in finding the data necessary to select an appropriate comparison group. Costs were determined using NPC Research's Transactional and Institutional Cost Analysis (TICA) methodology, which views offenders' interactions with the criminal justice system (e.g., court hearings, treatment sessions) as transactions during which system resources are consumed	Overall, it appeared that participation in S.A.F.E. Court was beneficial to participants and to the criminal justice system. The average number of re-arrests for males and females combined in the 24-month period following entry into the program is less than the corresponding period prior to their entry into the program. That is, S.A.F.E. Court participants are re-arrested less often after entering the program. (This difference is statistically significant at 6, 12, and 18 months.) This was particularly true for females who have, on average, more arrests prior to S.A.F.E. Court than the males but were re-arrested far fewer times after entry into the program than males.	n/a	24 months pre and post Safe court

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			Re-Arrests	Convictions	Time Followed
88	July 2003	The overall research design was to collect highly detailed data on a small, randomly selected sample of individuals who were eligible for drug court. These individuals (some of whom participated in drug court and some who received traditional court processing) would be tracked intensively through both the criminal justice and drug court treatment system for the purpose of collecting more detailed data than is generally available in administrative datasets. These highly detailed data would then be used to augment administrative data collected at an individual level on a much larger sample of drug court and non-drug court participants. The detailed data were collected by tracking drug court eligible offenders into court sessions, attorney visits and treatment sessions	N/A-	N/A	30 months after program

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
89	February 2004	The research strategy used by NPC Research for this outcome evaluation was to identify a sample of participants who entered Drug Court and a matched historical comparison sample of individuals who were eligible for Drug Court but who received traditional court processing before the CCJDC program was implemented. Because this drug court is both small and relatively new (beginning late in 2001), the Drug Court sample consisted of the entire Drug Court participant population except for those who had entered the Drug Court less than 6 months from the time of the outcome data collection. Both groups were examined through existing administrative databases from the date of the initial contact with the Drug Court program (or the equivalent) through November 2003	Drug Court participants are re-referred much less often than individuals who did not participate in the Program. In the first three months, Drug Court participants are re-referred more than twice as often as the comparison group members.	N/A	18 months

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
90	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records	The VCDRDC reduced recidivism as participants were significantly less likely to be rearrested than offenders who were eligible for the program but did not participate. As Figure A illustrates, VCDRDC participants were re-arrested less often than comparison group members who were eligible for drug court but did not attend. The 24-month recidivism rate for drug court was 29.5% while the comparison group rate was 39.2%. Thus, drug court participants (regardless of graduation status) were 33% less likely to have had any arrests in the 24-month follow-up period relative to the comparison group (regardless of graduation status).	N/A	24 months
91	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records	The VCDC reduced recidivism as participants were significantly less likely to be rearrested than the comparison group. As Figure A illustrates, VCDC participants were re-arrested less often than comparison group members. The 24-month recidivism rate for drug court was 19.7% while the comparison group rate was 39.2%. Thus, drug court participants (regardless of graduation status) were 99% less likely to have had any arrests in the 24-month follow-up period relative to the comparison group. Even after excluding individuals with alcohol as their drug of choice from the VCDC (leaving mainly methamphetamine users), the number of re-arrests over 24 months was lower than for the comparison group.	N/A	24 months

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
92	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, Court Substance Abuse Program (CSAP) records which includes drug court data, plus arrest records.	The SJCDC significantly reduced recidivism. Participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate. As Figure A illustrates, St. Joseph County Drug Court Program participants were re-arrested less often than comparison group members who were eligible for drug court but did not attend. The 24-month recidivism rate for drug court was 18.2% while the comparison group rate was 33.6%. Thus, drug court participants (regardless of graduation status) were 54% less likely to have had any arrests in the 24 months following drug court entry than the comparison group.	N/A	24 months
93	November 2009	Residents were tracked and interviewed using court databases and personal interviews.	As of now only ten people in the program have recidivated/	N/A	One year Post graduate

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PART THREE

#	Publication Date	Bibliographic Information	System Impact/Cost Savings	Other Findings
1	2004	<i>Phase II Douglas County [Nebraska] Drug Court Evaluation Report.</i> Thomas J. Martin, Cassia C. Spohn, R.K. Piper, and Jill Robinson	Drug court results in average savings of over \$ 4,000 per felony drug-related case compared with traditional adjudication and sentencing; savings mainly attributable to reduced jail confinement, prison incarceration costs, and county and district court processing costs (e.g., police overtime costs for court testimony);	
2	September 2004	<i>Participation in Drug Treatment Court and Time to Rearrest.</i> Duren Banks and Denise C. Gottfredson. <i>Justice Quarterly</i> . Vol. 21, no. 3, September 2004. Academy of Criminal Justice Sciences	None noted	None noted
3	January 29, 2004	<i>Cost Analysis of Anne Arundel County, Maryland Drug Court.</i> <i>Prepared by: NPC Research, Inc., Portland, Oregon</i>	\$ 2,571,894 less in Drug Treatment Court criminal justice system costs than comparison group for all participants studied, or 32.4% return on investment; Average cost per participant was \$ 2,109; average savings resulting from criminal justice system savings, victimization costs and income tax payment experience of participants was \$ 3,651; savings represent a \$ 1.74 return for every dollar spent for the program.	
4	January 29, 2004	<i>Cost Analysis of Baltimore City, Maryland Drug Treatment Court: Includes Outcome Findings, Cost Analysis, and Summary and Conclusions, Only;</i> <i>Prepared by NPC Research, Inc., Portland, Oregon</i>	Average of \$ 3,393 (24.2%) per person less in criminal justice system costs per participant than comparison group (30.9% less costs for Circuit Court participants); projected for all 758 drug court participants during the study period resulted in a savings of \$ 2,721, 894 total costs for criminal justice system expenses over 3 year study period; \$ 9,817 average savings in victimization costs than for comparison group; projected for all 758 drug court participants results in \$ 7,442,044 savings in victimization costs for 3 year period; \$ 3,000 less per person in criminal justice system costs by	

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			end of first year than for comparison group; \$ 3,791 saved for each participant (\$ 14,271 cost for traditional process - \$ 10,480 cost for drug court), or 136.2% "return" on investment	
5	January 2004	<i>Kalamazoo County 9th Judicial Circuit Court Office of Drug Treatment Court Programs: Statistical Report: 2003. Prepared January 2004</i>	<p>During CY 2003:</p> <p>FEMALES:</p> <ul style="list-style-type: none"> - restitution paid to victims totaled \$ 7,215.25 - urine screen fees totaled \$ 8,020 - drug treatment court fees totaled \$ 5,150 <p>MALES:</p> <ul style="list-style-type: none"> - paid restitution to victims of \$ 4,891.15 - paid urine screen fees totaling \$ 10,080 - paid drug treatment court fees totaling \$ 13,410. 	<p>Women:</p> <p>187 of 543 women successfully completed program 24 women still active in Phase I; 23 completed Phase I and in Phases 2 and 3 12 women on bench warrants; 36 women opted out of program 261 terminated for failure to perform of the 1887 who completed program, all were employed or attending school full time upon completion</p> <p>16% (29) of 187 women who completed program were rearrested on new misdemeanor or felony charge within 3 years of program completion;; 84% (158) have had no subsequent convictions within 3 years of program completion</p> <p>Male:</p> <p>160 of 506 men have successfully completed program 48 active in Phase I; 42 active in Phases 2-3 8 men on bench warrant status 33 men opted out of program 215 men terminated for failure to perform</p> <p>15% (24) of 160 men graduates convicted of new misdemeanor or felony within 3 years of program completion; 85% (136) had no subsequent convictions within 3 years of program completion.</p>
6	January 2004	<i>Oklahoma Drug Courts: Fiscal Years 2002 and 200. Prepared by The Oklahoma Criminal Justice Resource Center.</i>	<p>(1) If all 1,666 drug court participants studied would have served prison sentence, overall 4-year cost savings vs drug court vs prison was: \$ 45,552,798;</p> <p>(2) if all 1,666 drug court participants would have served standard probation sentences, 4-year costs of drug court were \$ 4,334,599 more than costs for standard probation</p>	<p>For Graduates: (1) 75.1% decrease in unemployment (reduced from 30.4% to 7.5%) (2) 50.4% increase in monthly income (from \$ 949.14 to \$ 1,426.55) (3) 13.6% decrease in percent of graduates without high school diploma (from 30.8% to 26.6%) (4) 19.1% increase in no. of graduates who had children living with them (from 120 (41.4%) to 143 (49.3%)) (5) improvement in each of 7 components of ASI: - Medical: 56.3% decrease</p>

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				<ul style="list-style-type: none"> - Employment/Support: 71.4% decrease - Alcohol: 65.5% decrease - Drug: 65.5% decrease - Legal: 73.2% decrease - Family/Social: 68.6% decrease - psychiatric; 85% decrease
7	October 2003	<i>The New York State Adult Drug Court Evaluation: Policies, Participants and Impacts.</i> Center for Court Innovation. New York, New York.	<ul style="list-style-type: none"> -Graduates significantly more likely to be employed at time of program completion -graduates in 5 of 9 programs significantly more likely to be attending school at time of program completion -some graduates of each court regained custody or visitation rights with their children; -some graduates of each court were volunteering in community at time of graduation, although no court mandated 	<p><u>General:</u></p> <ul style="list-style-type: none"> -Positive long-term impact persisted beyond period of active judicial supervision; -Drug court graduates were FAR less likely than comparison defendants to recidivate in all six courts; however drug court failures were as likely, if not more so, as comparison defendants to recidivate in four of the six courts; therefore, benefits of drug court participation largely accrue to those who successfully graduate; <p><u>Predictors of recidivism:</u></p> <ul style="list-style-type: none"> -those with prior misdemeanor convictions and of younger age generally more likely than others to recidivate; - graduation less likely if primary drug was heroin (2 of 3 courts studied); - participants with property charges somewhat more likely to recidivate than those with drug charges - immediate engagement in treatment strongly predicted graduation - drug court graduation is key predictor of success (rather than length of time in treatment, etc.) - retention rates exceed national standard of 60% for 8 of 11 drug courts <p>more than half of participants in 8 of 11 NY courts retained for at least 2 years (e.g., still participating or graduated)</p>
8	August 1, 2003	<i>Drug Court More Beneficial for Women:</i> [author not provided]	N/A	<p>Monthly income of female drug-court graduates increased 130%. Monthly income of male drug-court graduates increased 31% despite prior higher income and rate of employment. Oklahoma sends more women to prison than any other state in the nation.</p>
9	July 2003	<i>16th Judicial District of Tennessee (Rutherford Co.) Drug Court Program 2003 Process Evaluation.</i>		<ul style="list-style-type: none"> • 20% of participants who did not have GED obtained GED while in drug court • four babies born drug free • 8% of 36 graduates employed at graduation

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		<i>Dana K. Fuller, Ph.D. July 2003</i>		
10	June 1, 2003	<i>Recidivism Among Federal Probationers</i> Minor, Kevin; Wells, James; Sims, Crissy.	N/A	Individuals who were not ordered to community service or individuals who underwent mental health treatment were more likely to violate their sentences. Over 56% had 1 violation. Over 80% had no more than 2 violations.
11	May 2003	<i>Coconino County DUI/DRUG Court Evaluation.</i> Prepared by: Frederic I. Solop, Nancy A. Wonders, et. Al. Social Research Laboratory, Northern Arizona University	Average DUI drug court participant costs county approximately \$ 534/mo; average cost for traditional cjs processing is \$ 758/mo. (difference in cost primarily due to increased likelihood of control group members spending time in jail (\$80/day) or prison (\$ 53/day); total program costs were \$ 6,408 for DUI drug court (completed in 12 months) vs. \$ 22,740 for traditional process(requiring 2-3 years)	DUI Drug court participants averaged 6.7 treatment days/mo (compared with 1.2 for control group); worked more hours (32.1 hrs vs 29.8 hrs)/mo; and attended school more frequently (1.3 hrs/week vs. 0 hrs. for control group); and paid more money to the court each month (\$ 28.86vs. 7.34)
12	April 18, 2003	<i>Assessing the Efficacy of Treatment Modalities in the Context of Adult Drug Courts.</i> Donald F. Anspach, Ph.D. and Andrew S. Ferguson.	NA	<ul style="list-style-type: none"> - program completion is most consistent variable associated with post program recidivism; (both in terms of frequency of and time to rearrest); - other factors associated with post program recidivism included: treatment attendance (partics with low attendance at treatment had greater likelihood of being arrested); race/ethnicity, with race and ethnic minorities more likely than white non-Hispanics to be arrested; and age at first arrest (participants with prior arrests at younger ages more likely to be rearrested); gender (males more likely to be rearrested); [numerous other findings re non-recidivism issues]
13	April 15, 2003	<i>Bibb County Special Drug Court Program: Eight-Year Annual Report. April 15, 2003.</i> Prepared by Chief Judge Tommy Day Wilcox, Superior Courts, Macon Judicial Circuit and Jacqueline Duncan, Program Administrator	Estimated cost savings from jail time saved, both pre and post entry; other savings for law enforcement and defense (see “Cost Savings Memo”).	Other information relating to employment, and other program impacts
14	March 2003	<i>Summary Report of</i>	Program saved \$5,487,330 in avoided incarceration for	Recidivism rates for the individual drug courts are shown.

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		<i>Virginia's Drug Court Programs.</i> Office of the Supreme Court of Virginia and Virginia Department of Criminal Justice Services.	303 graduates. Program saved \$33,000,000 in the birth of 44 drug-free babies. Cost benefits of individual courts are shown.	The specifics of the recidivism rates are also shown.
15	March 2003	<i>Washington State's Drug Courts for Adult Defendants: Outcome Evaluation and Cost-Benefit Analysis.</i> Washington State Institute for Public Policy	Drug courts are more expensive to operate than regular criminal courts (e.g., \$ 3,891 more per participant); overall, drug courts produce more benefits than costs..."We found that the five adult drug courts generate \$ 1.74 in benefits for each dollar of costs.	Not studied
16	February 7, 2003	<i>Judicial Council of California. Administrative Office of the Courts. Report. Collaborative Justice Courts Advisory Committee. Progress Report</i>	Avoided criminal justice costs averaged approximately \$ 200,000 annually per court for each 100 participants; with 90 adult drug courts operating statewide as of 2002, and drug court caseloads conservatively estimated at 100 participants per year, annual statewide cost savings for adult drug courts suggested by data to be \$ 18 million per year; cost offset and cost avoidance estimated at \$ 43 million predominately due to avoided jail and prison costs; with \$ 1 million in cost offset due to collection of fees/fines.	Social outcome data, compiled from 28 counties for 2,892 participants, indicated that 70% of participants were employed upon completion of drug court compared with 62% unemployed at entry; 96% of drug tests were negative; 96% of babies born to program participants (132 babies) were born drug free;
17	January 6, 2003	<i>Evaluating the Effectiveness of Drug Courts in Idaho: Report to Governor Dirk Kempthorne and the First Regular Session of the 57th Idaho Legislature.</i> Idaho Supreme Court	N/A	86% of participants gained or maintained employment 23% of graduates returned to school for GED or college average hourly wage rate increase of graduates was: \$ 4.89 average annual wage increase for graduates was: \$ 10,748.84
18	January	<i>Evaluating Treatment</i>	NA	As of September 2001, 28% of Jackson Co participants and 49% of Escambia Co.

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	2003	<i>Drug Courts in Kansas City, Missouri and Pensacola, Florida: Final Reports for Phase I and Phase II.</i> Abt Associates. Linda Truitt; Wm. Rhodes; N.G. Hoffman; Amy Maizell Seeherman; Sarah Kuck Jalbert; Michael Kane; Cassie P. Bacani; Kyla M. Carrigan; Peter Finn Carrigan; Peter Finn.		participants entering drug court between October 1999 and October 2000 had successfully completed and graduated the drug court; participants required up to 22 months to complete program but median length of stay for graduates was 13 months (Jackson Co. (and 12 months (Escambia Co); median length of stay for terminations was 7.5 months (Jackson Co.) and 8 months (Escambia Co.); 17% of participants (Jackson Co.) and 11% (Escambia Co.) absconded; median length of stay for absconders was 6 months (Jackson Co.) and 4 months (Escambia Co.); <u>Predictors of program success:</u> Jackson Co.: Probability of program success increased with age, education and employment. Males, blacks and participants who owned or rented homes more likely to be unsuccessful. Participants who injected drugs was only AOD use variable correlated with unsuccessful program completion. Participants with emotional problems or prior treatment experience had higher probability of success; participants who scored low on problem recognition factor of treatment motivation had higher probability of success; Escambia Co.: similar findings except males and participants who owned or rented homes had higher probability of success; males nearly 3 x more likely to graduate or remain active than females; participants who had previously been in detox or rehab and participants with high levels of drug dependency more likely to be unsuccessful. Three of the four treatment motivation factors (problem recognition, treatment readiness, and external pressures) associated with higher probability of successful program participation.
19	May 5, 2002	<i>From Whether to How Drug Courts Work: Retrospective Evaluation of Drug Courts in Clark County (Las Vegas) and Multnomah County (Portland), [Oregon].</i> John S. Goldkamp; Michael D. White; Jennifer B. Robinson.	NA	Extensive discussion of various possible factors, both internal and external to the drug court program that might impact recidivism rates.
20	March 2002	<i>Drug Court Partnership Act of 1998, Chapter 1007, Statutes of 1998. Final Report.</i> Prepared by	Total of 425,014 jail days avoided with an averted cost of approximately \$ 26 million; total of 227,894 prison days avoided, with an averted cost of approximately \$ 16 million; participants who completed paid almost \$ 1	Participants had long histories of drug use and multiple incarceration as well as serious social difficulties including homelessness, unemployment and limited education; more than 70% used drugs for 5 or more years with more than 40% using drugs for more than 10 years prior to entering drug court; 52% had a high

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		The California Department of Alcohol and Drug Programs and the Judicial Council of California, Administrative Office of the Courts.	<p>million in fees and fines imposed by the court</p> <p>Fourteen million dollars in DCP program funds, combined with other funds supporting the programs, allowed cost offset and avoidance of approximately \$ 43 million.</p>	<p>school diploma or its equivalent and 13% had any college education; 62% were unemployed; on average each participant had been arrested twice and had one incident of conviction and incarceration in the two years prior to entering drug court; 70% of graduates employed at graduation; 11% obtained GED/high school diploma; 8% obtained vocational certificate and 1% of graduates completed college</p> <p>12% of graduates transitioned from homelessness to housing</p> <p>20% of graduates obtained drivers licenses and car insurance; 28% of graduates retained/regained custody of their children; 7% gained child visitation rights and 8% became current in child support payments; 31% were reunited with families; 95% of all babies born while mothers participated in drug court were drug-free;</p> <p>Incarceration rates for participants who completed drug court is 83% less during two years after admission than incarceration rate of those entering program during two years prior to entry</p> <p>While in drug court, participants engaged in low levels of drug use as indicated by high rates of negative urinalysis in comparison to prior drug use histories;</p> <p>Participants who successfully completed program improved substantially in all areas, showed decreased drug use and rearrests as well as improvement in employment and education; other areas of social functioning also improved including acquisition of stable housing and increased family involvement;</p>
21	October 2001	<i>Kentucky Drug Court Outcome Evaluation: Behaviors, Costs, and Avoided Costs to Society. Prepared by TK Logan, William Hoyt and Carl Leukefeld. Center on Drug and Alcohol Research. University of Kentucky</i>	<ul style="list-style-type: none"> • Annual cost of a drug court graduate (\$ 2,642 accounting cost and \$ 4,140 accounting and opportunity (e.g., judge, police, jail, etc.) costs is much less than the annual cost of housing an individual in jail (\$ 9,600) or prison (\$ 14,691) and not much higher than the annual cost of supervising an individual on probation (\$ 1,237) in Kentucky; total avoided costs of “benefits” for graduates is estimated to be \$ 4,364,114 when earnings are considered, and \$ 2,584,562 without the earnings for a one year period... • For every dollar spent on a drug court graduate, 	Results for terminators were less pronounced than for the graduates. However, for most outcome measures, there does seem to be a gain...reductions in undesirable behavior and increases in desirable behavior, except for time in prison and child support deficits.

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			<p>there was an avoided cost savings of \$ 3.30 to \$ 5.58 per graduate in a one yea period when only accounting costs were considered, and a cost savings of \$ 2.11 to \$ 3.546 per graduate in a one yea period when opportunity costs were included.;</p> <ul style="list-style-type: none"> • When both graduates and terminators were included there is an estimated savings of \$ 6,199 per client when earnings were included, and a savings of \$3,059 in a one year period without the earnings per client using accounting costs. When the opportunity costs for Drug Court program graduates and terminators combined were used, there was an estimated savings of \$ 4,826 per participant when earnings were included, and a savings of \$ 1,686 per participant without the earnings in a one year period. • For every dollar spent on a drug court • participant (graduates and terminators) there was an avoided cost savings of \$ 2.26 to \$ 3.56 per participant in a one year period when only accounting costs were considered, and a cost savings of \$ 1.44 to \$ 2.27 per participant in a one yea period when opportunity costs were included. 	
22	October 2000	<i>Tulsa County Adult Drug Court: Phase II Analysis.</i> Wright, David. O'Connell, Paul. Clymer, Bob. Simpson, Debbie.	N/A	Re-arrest rates overestimate the actual level of criminality, while re-conviction rates underestimate the level of criminal activity.
23	May 1999	<i>Evaluation of the Hennepin County [Minneapolis] Drug Court. Minnesota Citizens Council on Crime and Justice (R. Ericson; S. Welter and Thomas L.</i>	Drug court handled 31% of all felony cases filed in 1997 in Hennepin Co, with primarily one judicial officer and various clerical staff; previously, this workload had been spread across all judges of the Court; Given the increase in case processing speed achieved by the Drug court, the increase in judicial efficiency is readily apparent	Efficiencies in case processing achieved: average number of appearances was 3 (roughly half of the previous average); treatment completion rates were higher than other clients (54.5% vs. ;47.3%);as

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		<i>Johnson</i>		
24	October 2000	<i>North Carolina Drug Treatment Court Evaluation Final Report.</i> Craddock, Amy.	N/A	Most important predictor of recidivism is DTC graduation. Most common drug used is cocaine. 98.6% of participants are chemically dependent.
25	October 2000	<i>Evaluation of Oklahoma Drug Courts, 1997-2000.</i> O'Connell, Paul. Wright, David. Clymer, Bob.	NA	Drug court participants are more likely to be successful if they are older, Caucasian, better educated, employed, and less criminally active. Drug court participants are less likely to be successful if they are relatively young, African American, less educated, unemployed, and more criminally active.
26	October 2000	<i>1998 Drug Court Recidivism Report Update.</i> Administrative Office of the Courts, Dade County (Miami), Florida	NA	Other data that supports finding that drug court reduces recidivism
27	January 2001	<i>Final Report on the Polk County Adult Drug Court: Executive Summary and Summary of Findings.</i> Iowa Dept. of Human Rights. Division of Criminal and Juvenile Justice Planning. Statistical Analysis Center.	Total correction system costs for drug court clients (\$26,021.59) was less than for comparison group(\$29,427.80) or referred group (\$ 39,776.75).; treatment costs were \$ 5,149 per client compared to \$ 3,949 for referred group;	Of the 134 drug court client sin the study, 44% graduated; graduation rate has risen during program's first 2 years to 50%; most of terminations due to noncompliance rather than new arrests; Graduation rates for white and nonwhite clients are disparate; nonwhite clients have achieved very low rates of completion of the drug court; graduation rate for methamphetamine addicts was markedly higher than for participants using marijuana or cocaine
28	July 2001	<i>NW HIDTA/DASA Washington State Drug Court Evaluation Project.</i>	n/a	Graduates show systematic and substantial increases in income, with some tail-off in the third year; graduates were only group to show this improvement; rates for using vocation services b drug courts are very low (2% in King and Pierce Cos; 4%

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		<i>G. Cox, L. Brown, C. Morgan, M. Hansten. Alcohol and Drug Abuse Institute. University of Washington, Seattle, Wash.</i>		in Spokane Co.) Graduates had highest rate of use of Medicaid;
29	December 2004	<i>Evaluation of Virginia's Drug Treatment Court Programs. Office of the Executive Secretary, Supreme Court of Virginia</i>	n/a	Virginia adult drug courts have treatment retention rate (active participants plus graduates) of 62.25%; Virginia's adult drug court participants are chronic offenders prior to drug court entry; averaging 6.8 felony arrests and 5.6 misdemeanor arrests.
30	October 2003	<i>South Central Judicial District Adult Drug Court Program (Bismarck, N.K). Process Evaluation – Final Report. October 2003. Jeffrey A. Bouffard. North Dakota State University. Department of Criminal Justice and Political Science.</i>	✓ Program decreased incarceration time for nonviolent offenders by at least 75% and may be up to 88%	<p>✓ No difference in program completion rates for:</p> <ul style="list-style-type: none"> - men vs. women - felony vs. misdemeanor participants - DUI vs. drug-related offenders - participants of different racial/ethnic groups - those who received jail as a sanction and those who did not receive any jail time as a program sanction <p>✓ There was no difference in rearrest rates for participants with different primary drugs of choice</p> <p>✓ The program did not lower LSI (Level of Supervision Inventory risk scores of participants by 40% between time of program entry and program completion but did result in 32% declines in LSI scores for 14 program graduates by time of graduation</p> <p>✓ The program maintained offenders in treatment and other maintenance programs for at least 12 months</p> <p>✓ There was a large difference between average time to sentence for drug court participants (60.9 days average) vs. nonparticipants (168.8 days)</p> <p>✓ Average time from arrest to program entry was not less than 42 days rather than 30 days as planned</p> <p>✓ Program decreased incarceration time for nonviolent offenders by at least 75% and may be up to 88%</p> <p>✓ Revocation of time for 8 terminated participants is 17% lower for drug court participants vs. average revocation rate of 32% for nondrug court participants in ND</p>

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31	July 2002	<i>Outcome Evaluation of Ohio's Drug Court Efforts. Final Report. By Edward J. Latessa, Ph.D.; Deborah Koetzle Shaffer; Christopher Lowenkamp. Center for Criminal Justice Research. University of Cincinnati.</i>	n/a	<p>Ø Graduation:</p> <ul style="list-style-type: none"> - Common Pleas graduated 31% of participants - Municipal drug courts graduated 44% of participants overall, 40% of participants graduated
32	2001	<i>Evaluation of the Bernalillo County Metropolitan DWI/Drug Court</i>	<p>Total Cost Savings:</p> <p>Jail Days: Graduates: Jail days 914 days vs. 3,366 days = 2,451 days saved for 2,757 days saved (\$ 184,719) CCP days: 1,483 days vs. 3,103 days – 1,902 days saved (\$ 62,291; total cost savings - \$ 247,010 over 4 year period.</p> <p>Graduates spent 915 days in jail, costing \$ 61,305 in jail time (\$ 67/day); average is 5.45 days per graduate (\$ 365.15 per participant); graduates spent 1,483 days in Community Custody (\$ 32.75 per day) cost \$ 48,568 or 8.83 days average per participant or \$ 289.18 per participant.</p>	<p>Ø Demographic characteristics:</p> <ul style="list-style-type: none"> - mean age at intake: 36.5 yrs - Ethnicity: 58.4% Hispanic; 22.7% White non-Hispanic; 16.9% Native American (Native Americans and Hispanics overrepresented in Drug Court compared with population for Bernalillo Co.) - gender: 84% males 16% females - education: 12 yrs for all clients (women have slightly less educ than men) - dependents: ½ have children - marital status: less than ¼ married at time of intake - employment status: 74.2% employed full time or part time - Primary drug: alcohol (93.8%) - prior misd convictions: 4.7 average for 304 participants; - prior DWI convictions: 2.7 mean (3.7% had no prior DWI convictions) - age at first use: 17.2 years - years of substance use: 12.7 yrs average (30% using over 15 years) - average stay: 282 days - reason for discharge: graduated: 56%; absconded: 17%; terminated: 17%; voluntarily terminated: 3.6% Other:6% - treatment and related services: graduates had average of 58.7% group sessions per client; 38 nongraduates attended an average of 33 group sessions per client; ½ graduates participated in indiv counseling (3.7 sessions each); 91.4% of clients had at least one acupuncture treatment; 63.7 urine screens average per client - sanctions: 1/3 of graduates spent time in jail during program (average 1.7 times; 1/3 of nongrads jailed average of 2.1 times

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33	February 2005	<i>Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes. U.S Government Accountability Office. February 2005</i>	Four of seven adult drug court program evaluations provided sufficient cost and benefit data to estimate net benefits. Although cost of six of the programs was greater than costs to provide criminal justice services to comparison group., all seven programs yielded positive net benefits, primarily from reductions in recidivism affecting judicial system costs and avoided costs to potential victims. Financial cost savings for the criminal justice system (taking into account recidivism reductions) were found in two of the seven programs.	<ul style="list-style-type: none"> Ø evidence about the effectiveness of adult drug courts in reducing participants' Substance use relapse limited to data from 8 drug courts; evaluations of these 8 drug courts reported mixed results on substance use relapse; drug test results generally showed significant reductions in use during participation in the program while self reported results generally showed no significant reductions in use. Ø Completion rates ranged from 27 – 66%. Other than compliance with drug \ court program procedures, no other program factor consistently predicted participants' completion
34	April 2005	<i>Evaluation of the Outcomes in Three Therapeutic Courts: Anchorage Felony Drug Court; Anchorage felony DUI Court; Bethel Therapeutic Court. Alaska Judicial Council.</i>	<p>Overall: significant cost benefits including reductions in days of incarceration to graduates compared with comparison groups; also greater family stability, better education and employment;</p> <p>Specific impact(s) reported:-16% of graduates and 6% of active participants appeared to have improved child support situations – either able to pay more support to their children or were receiving more child support;</p> <p>-one graduate and one active participant reported birth of drug/alcohol-free babies</p> <p>-6% of graduates and 3% of active participants regained custody of their children</p> <p>-81% of graduates and 32% of active in the program had more stable family situations during or after program</p> <p>-9% of graduates and 13%\$ of active participants reported reduced domestic violence after program participation</p> <p>-63% of graduates and 46% of active participants holding steady job after program participation</p> <p>-41% of graduates and 21% of active participants had</p>	<ul style="list-style-type: none"> Ø Overall, defendants who graduates from program and who were active had fewer days of incarceration, fewer remands to custody and fewer convictions after beginning program than in 2 years preceding Ø Defendants in comparison groups had significantly more mean days of incarceration after convictions for the evaluated offense than they did in the two years before Ø Graduates from each of the courts spent an average of 452 days (15 months) in court before graduating (43 hearings for graduates; and average of 29 hearings for defendants who opted out)

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			improved educational status after program participation -41% of graduates and 15% of active participants reported less debt after program participation	
35	April 2004	<i>The Kootenai and Ada County [Idaho] Drug Courts: Outcome Evaluation Findings. Final Report</i>	NA	Factors associated with recidivism: <u>Kootenai County</u> : gender ,prior record and time at risk (males with prior record and at risk longer more likely to be rearrested; graduates less likely to be arrested for felony charge; none of graduates arrested more than once during follow up period vs. 30% of nongraduates and 24% of comparison group was; <u>Ada Co</u> : gender; employment and time
36	July 2000	<i>The Hamilton County [Ohio] Drug Court: Outcome Evaluation Findings. Shelley Johnson and Edward Latessa. University of Cincinnati.</i>	NA	<ul style="list-style-type: none"> Ø Majority of drug court participants began treatment in the residential phase of the program and progressed to the outpatient phase Ø 75% of participants completed the first phase and 84% [sic] completed the second phase Ø typical offender had 3 status review hearings while in program but 30% had more than 5 Ø factors associated with recidivism were race (African Americans) prior record, age (younger) and time at risk
37	March 2005	<i>Analysis of Oklahoma Drug Courts: Fiscal Years 2002-2004. Oklahoma Department of Mental Health and Substance Abuse Services</i>	If all 2,307 offenders would have serviced their sentence in prison, overall 4-year cost savings of drug court vs. prison is \$ 64,805,293; ODMHSAS requested funding to increase drug court capacity in state from 1,575 by 3,229 to total 4,804 drug court slots and projects cumulative cost savings of \$ 314,250,347 over 4 years; [annual cost per drug court participant = \$ 2,325; annual cost for prison = \$ 16,842;	<ul style="list-style-type: none"> Ø retention rate for period was 83.1% <u>for graduates</u>, Ø reduction in unemployment of 82.4%; Ø 53.3% increase in income; Ø 23.9% decrease in number without high school diploma; Ø 20.8% increase in number of participants who had children living with them
38	July 2001	<i>The Akron Municipal Drug Court: Outcome Evaluation Findings. S. Listwam, D.K. Shaffer, and Edward J. Latessa. Center for Criminal Justice Research, University of Cincinnati</i>	n/a	<u>Completion Status:</u> <ul style="list-style-type: none"> Ø graduated: 129 (42.7%) Ø terminated: 100 (33.1%) Ø absconded: 62 (20.5%) Ø other: 10 (3.3%) Ø “expiration of term”: 1 (.3%)

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39	May 2003	<i>Coconino County DUI/Drug Court Evaluation. Frederic I. Solop, Nancy A. Wonders, K.K. Hagen, K McCarrier. Social Research Laboratory, Northern Arizona University.</i>	Average DUI drug court participant costs Coconino Co \$ 6,408 vs. \$ 22,740 for traditional cjs processing; DUI participant paid average of \$ 28.86 monthly to court vs. \$ 7.34 by control group; therefore traditional cjs process is 3.5 times more costly than Co. Dui Drug Court.	DUI drug court participants make more positive contributions to society during an average month, working more hours each week (32.1 vs. 29.8) and spending more time in school (1.3 vs. 0) than offenders processed through the traditional process
40	2005	<i>Recidivism of Violent Offenders in a Delaware Drug Court Program for Probation Violators. Christine A. Saum, Ph.D. Univ. of Delaware.</i>	n/a	n/a
41	2004	<i>Kalamazoo County 9th Judicial Circuit Court Drug Treatment Court Programs. Statistical Report. 2004</i>	Females: restitution paid to victims totaled \$ 9,023.72; urine screen fees paid totaled \$ 10,935.50; drug treatment court fees paid totaled: \$ 7,620 <u>Males:</u> restitution paid totaled \$ 10,254.15 Urine screen fees totaled \$ 24,005.75 Drug treatment court fees totaled \$ 13,74.800	<u>Females:</u> 202 (36%) of female enrollees successfully completed the program; 38 opted out of the program; 276 (49%) were discharged due to repeated noncompliance; 47 (17%) were discharged due to new charges; average length of drug use was 10.5 years; youngest initial drug use was 7 yrs; oldest initial use was 46 years; 100% of women who completed the program and physically able were employed or attending school full time at time of program completion; 52.7% (298) had never received formal treatment services prior to enrolling in the drug court <u>Males:</u> 183 (31%) successfully completed the program; 34 men opted out of the program; 259 (45%) were discharged due to repeated non-compliance with program rules; 35 (13.5%) were discharged due to new charges; 100% of men who were physically able were employed or attending school full time upon program completion; 55% (325) had never received formal substance abuse treatment prior to engaging in the drug court
42	April 2005	<i>Puerto Rico Drug Court Program: Outcome Evaluation Center for Addiction Studies, School of Medicine, Universidad Central del Caribe</i>	n/a	(1) drug court participants showed marked and statistically significant improvements found in reduction in drug use (from 86.5% to 33.5%) and participation in treatment (97.5% received treatment) and in reduction of antisocial and illegal behaviors among drug court participants; (2) percent of drug court participants considered <i>drug dependent</i> decreased from 41.4% prior to admission to 8% 12 months after admission, and, for alcohol dependence, from 9.5% to 2.5% (3) no statistically significant improvements found in other domains (employment and education, residential stability and family roles; physical and mental health

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				<u>Recommendations:</u> (1)only 40% of drug court participants studied appeared to be drug <u>dependent</u> at time of program entry –therefore need to review eligibility criteria and recruitment strategies to focus on those who are drug <u>dependent</u> (not simply drug using); (2) need to intensify efforts to assist participant in improving other domains, particularly: education; employment; familial roles; and mental health problems; 3) Need to register participants in drug court (and other diversion programs) in Department of Justice’s management information system to permit tracking of recidivism.																																																																								
43	September 2005 (interim)	<i>California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II Study Results. NPC Research, Shannon M. Carey, Michael W. Finigan, David Crumpton, Mark Waller, Francine Byrne</i>	<div>(1) Investment costs per participant not always much more than traditional court processing</div> <table><tr><th>CJ</th><th>Invstmt/DC partic</th><th>Invstmnt/nonDC</th><th>Cost Ben</th></tr><tr><td>Arrest</td><td>192.91</td><td>192.91</td><td>0</td></tr><tr><td>Booking</td><td>284.34</td><td>284.34</td><td>0</td></tr><tr><td>Court</td><td>681.54</td><td>678.50</td><td>+ \$3</td></tr><tr><td>Treatment</td><td>2,713.32</td><td>2,009.18</td><td>+704</td></tr><tr><td>Jail</td><td>1,610.89</td><td>2,782.55</td><td>-1,171</td></tr><tr><td>Probation:</td><td>513.64</td><td>1,421.84</td><td>- 908</td></tr><tr><td>Total cost</td><td>5,927.80</td><td>7,369.32</td><td>-1,442</td></tr></table> <div>(2) average net investment cost per participant: \$ 1392</div> <table><tr><th>agency</th><th>invst/per partic</th><th>range</th></tr><tr><td>sup ct</td><td>464</td><td>(79) –(898)</td></tr><tr><td>DA</td><td>235</td><td>103-(523)</td></tr><tr><td>Pub D</td><td>279</td><td>(76) –(448)</td></tr><tr><td>Prob</td><td>697</td><td>2,143-(632)</td></tr></table>	CJ	Invstmt/DC partic	Invstmnt/nonDC	Cost Ben	Arrest	192.91	192.91	0	Booking	284.34	284.34	0	Court	681.54	678.50	+ \$3	Treatment	2,713.32	2,009.18	+704	Jail	1,610.89	2,782.55	-1,171	Probation:	513.64	1,421.84	- 908	Total cost	5,927.80	7,369.32	-1,442	agency	invst/per partic	range	sup ct	464	(79) –(898)	DA	235	103-(523)	Pub D	279	(76) –(448)	Prob	697	2,143-(632)	<div><u>Promising Practices:</u> O single or overseeing treatment provider High drug court team attendance at 227staffing Court sessions start 1 every 2-3 weeks Treatment 2-3 times per eek (start) Drug tests 3 times per week (start) Judges voluntary with no fixed term (or at least 2 years) Minimum 6 months clean before graduation</div> <div><u>FTE’s</u><table><tr><th></th><th>Monterey</th><th>Or Co./Laguna Nig</th><th>Or Co/Santa Ana</th><th>Stanisl. Co.</th></tr><tr><td>DA; .</td><td>28</td><td>0</td><td>1.00</td><td>.20</td></tr><tr><td>Pub Def</td><td>.08</td><td>.4</td><td>1.00</td><td>.25</td></tr><tr><td>Law Enf.: .00</td><td></td><td>.50</td><td>.00</td><td>.00</td></tr><tr><td>Prob.: 1.00</td><td></td><td>1.5</td><td>4.00</td><td>3.00</td></tr></table></div>		Monterey	Or Co./Laguna Nig	Or Co/Santa Ana	Stanisl. Co.	DA; .	28	0	1.00	.20	Pub Def	.08	.4	1.00	.25	Law Enf.: .00		.50	.00	.00	Prob.: 1.00		1.5	4.00	3.00
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			Treat 1918 706-3808 La Enf 44 1060-(1033) Corrs. 0 0 (2) Net outcome benefits: \$ 11,000 per participant (\$ 3200 – 15,200 range) <u>agency avg net outc benef/partic range</u> Sup. Ct (46) 342-(277) DA (12) 148-(106) Pub Def (19) 171 – (103) Prob (53) 474 – (650) Trmt 637 336- (59) Law Enf (1,525) 620 – (3,619) Corrects (3,292) (541) – (5377) - overall benefits combined for all 9 sites: 9,032,626	
44	January 2005	<i>Malheur Co. Adult [gender specific Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey and Gwen Marchand.</i>	n/a	Factors associated with success: no correlation between success and age, marital status, race or years of education; small correlation between sex and success (females slightly more likely than males to be terminated); graduates more likely to report alcohol as primary drug of choice than other drug; over 60% of terminated participants were meth users vs. 41% of graduates; higher number of drug treatment (group and individual) sessions associated with lower number of re-arrests; lower rearrest rates for males associated with treatment readiness; females rarely rearrested regardless of whether they graduated or were terminated
45	January 2005	<i>Marion Co. (Oregon), Adult Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey, Gwen Marchand.</i>	NA	-Program retention rate is 71% (44 graduated or currently participating vs. 18 terminated or withdrew -Predictors of Success: Factors with no correlation: age, marital status, race, insurance source, employment status, number of arrests prior to entry; years of education; significant correlation between gender and success : females much less likely to graduate than males - nearly 78% of terminated clients were meth users vs 47% of graduates - terminated clients more likely to have at least one dependent child - readiness for treatment correlated with greater likelihood of graduating and less likelihood to recidivate - small negative correlation between days spent in aftercare and rearrests, particularly drug related rearrests – longer time spent in aftercare, reduced likelihood of being rearrested

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46	July 2003	<i>A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research, Inc. Shannon Carey, Michael Finigan</i>	<ul style="list-style-type: none"> - Total investment cost per client in drug court was less (\$ 1,441.52) than investment cost per client in business as usual process. - money saved in outcome costs (\$ 2,328.89 per participant) although savings not spread equally among agencies; - total savings over 30 –month period, including victimization costs, averaged 4 4,788.88 per drug court participant 	<p>(1) does it cost more for drug court than business as usual? No: total investment in drug court averaged \$ 5,927.80 per participant compared with 7,369.32 for business as usual. Business as usual offender cost \$ 1,441.52 more than drug court</p> <p>(2) do agencies save money upfront from drug court vs businesses usual/ Yes. Law enf /corrections and public defender receive immediate savings. All agencies saved money in outcomes.</p> <p>(3) Are there cost savings in outcomes due to drug court processing? Yes. When outcomes costs for drug court participants compared with outcome costs for business as usual offenders, drug court saved an average of \$ 2,328.89 per year per participant. With victimization costs added, average savings were \$ 3,596.92 per participant</p> <p>(4) What are total cost savings (investment and outcomes) attributed to drug court process? Combining outcome cost savings with investment savings over 30-month period, drug court saved average of 4 4,788.88 per participant including victimization costs. Multiplied by 300 participants who enter each year, this is \$ 1,434,000 in cost savings for local tax payers –which is the “bottom line” difference in cost to the system of drug court participants vs cost for nondrug court participants</p>
47	March 2004	<i>State of California Department of Alcohol and Drug Programs. Comprehensive Drug Court Implementation Act of 1999: Interim Report to the Legislature. Kathryn P. Jett, Director</i>	<ul style="list-style-type: none"> - 3,563 participants completed adult drug courts avoiding a total of 948,299 prison days, resulted in an averted cost of approximately \$ 34,233,593 to the state; - ratio of prison costs averted by participants to amount invested for the counties reporting was 1.53 to 1 	<ul style="list-style-type: none"> - 618 adult criminals reported making child support payments regularly - 39% (7,790) of adult criminal participants obtained employment while in the program, thus contributing to California’s economy - 12% (966) new adult participants admitted to the program were homeless; 785 of them (81%) obtained housing during the study period - 990 adult criminal participants either enrolled or completed parenting classes - 1,358 adult criminal participants were reunified with family members - almost all participants (96%) had negative urinalysis while participating the

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				<ul style="list-style-type: none"> program - adult and juvenile drug court participants completed 42, 788 hours of community service - 93% of females who gave birth during the period of program participation gave birth to drug free babies
48	June 14, 2006	<i>Suffolk Co. (Mass) Drug Court Evaluation.</i> Abt Associates. Wm. Rhodes, Ryan Kling and M. Shiveley		<ul style="list-style-type: none"> - “the best evidence at our disposal indicates that the four drug courts in Suffolk Co. have increased the receipt of substance abuse treatment and reduced criminal recidivism for a population of otherwise recalcitrant, drug-involved offenders. ... Graduates of these drug courts are 33% less likely to be arrested than matched persons on traditional probation, have 47% fewer convictions, and are 70% less likely to be incarcerated.” - Drug court participants 24% less likely to be incarcerated; had 35% fewer incidents of incarceration; and 36% fewer suspensions and revocations - Drug court GRADUATES: were 70% less likely to be incarcerated; had 66% fewer incidents of incarceration and had 54% fewer suspensions and revocations TREATMENT: <ul style="list-style-type: none"> - participants had 35% higher probability of receiving S.A. treatment - graduates were neither more or less likely to enter treatment than nondrug court probationers
49	May 20, 2006	<i>Outcome Evaluation of the Jackson County, Florida Drug Court.</i> Williams Consulting. Silver Spring, Md.	Program Costs: (1) treatment: \$ 28,200 for 12 graduates; urinalysis was \$ 16,200; total treatment costs were \$ 44,400 for 12 graduates; comparison group: cost of 18 months incarceration was \$ 38/day x 18 months = \$ 20,710 = 248,520 == Total cost savings if comparison group was enrolled in drug court would be \$ 204,120.00 (248,520-44,400) = 204,120.	<ul style="list-style-type: none"> - Demographics of population studied: Gender: male: 73%; female: 37% Employed fulltime at entry: 38% Education: 45% HS Grads; 19% GED; 29% hs drop outs Prior treatment: 47% Children under 18: 62% (98 children of 51 parents) Medical problems: 95% none; 15% had ADHD diabetes, depression, back and neck pain, hepatitis, high blood pressure, migraines -GRADUATES: average age of 12 graduates studied was 33, all were male and employed; one was Afr. Am; the other 11 were white; 59% single; 25% divorced;; average prior arrests as 5 - NON GRADS: (16): average age was 28; 57% male;38% employed; 53% unemployed;12% AM; 88% White;; most nongrads received sentences of 10-15 years
50	Spring 2006	<i>Long-Term effects of participation in the Baltimore City drug</i>		<ul style="list-style-type: none"> - Quantity of drug treatment services received was related to lower recidivism rates - Treatment had sustained effect on recidivism reduction, even after serves were

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		<i>treatment court: Results from an experimental study.</i> Denise C. Gottfredson et al. U. of Maryland.		<p>delivered</p> <ul style="list-style-type: none"> - Recidivism lowest among participants who participate at higher levels of certified drug treatment, status hearings, and drug testing
51	April 2006	<i>California Drug Courts: A Methodology for Determining Costs and Benefits: Phase II: Testing the Methodology.</i> NPC Research. Shannon Carey, Dave Crumpton, Michael Finigan and Mark Waller. (See No. 43 for interim report)	<p>Eight of the nine sites show outcome cost benefits ranging from \$ 3,200 to over \$ 20,000 saved per participant; Monterey: showed no cost benefit over time; “actually loses money on drug court participants”.</p> <p>Stanislaus and El Monte produce very high returns on investment (1: 16 and 1:36) in part because of low investment costs. San Joaquin saves money immediately by having lower investment costs than standard court processing. Only Monterey has no positive return on investment because drug court did not produce positive outcome results, likely due to operational problems.</p> <p>Specific Findings: Average cost per participant <u>El Monte:</u> \$ 5,542.37 (\$ 2,275.50 for treatment, jail sanction next) vs \$ 5,283.51 traditional case process <u>Monterey:</u> \$ 8,173.93 (largest cost is treatment, then jail day sanctions) vs. \$ 5,340.27 <u>Orange Co.-Laguna Niguel:</u> \$ 19,799.59 (jail days pre or post DC, then case management highest costs) vs. \$ 13,195.62- every dollar invested yields \$ 1.50 return <u>Orange Co. – Santa Ana:</u> \$ 15,613.12 vs. 15,173.10; each \$ invested produced \$ 7.30 savings (in correctional costs) <u>San Joaquin Co.:</u> \$ 12,214.76 vs. 12,701.34. (72% of cost is jail days)- drug court approach produces 25% reduction in standard case processing);\$4,801,427 saved each year at rate of 307 new participants annually) Stanislaus Co.: \$ 5,455.20 (treatment is largest cost) vs. \$ 4,518.24 (court costs and jail costs); greatest savings were in probation costs (-77%), victimization costs (-63%), bookings (-44%) and jail days (-42%); every \$ spent produced savings of \$ 16.00</p>	<ol style="list-style-type: none"> 1. No two drug courts function in the same manner; each operates in a different context, serves a different population and involves multiple agencies contributing varying levels of resources; each drug court has unique practices, policies and requirements. 2. Wide range in investment between jurisdictions and counties, and within counties, both in drug court process (\$ 5,000 – 19,000) per participant and traditional court process (just under \$ 5,000 to over \$ 15,000 per participant (differences largely attributable to jail costs) 3. Promising practices identified: <ol style="list-style-type: none"> a. Those drug courts where more agency staff attended drug court meetings and court session tended to have more positive outcomes b. The courts that start participants at one court session every 2 or 3 weeks, 1 to 3 group treatment sessions per week and individual treatment sessions “as needed” appear to have the best outcomes c. Sites with either a single provider or with multiple referral options but a single overseeing provider had the most positive outcomes. d. Judges on voluntary assignment to drug court, with either no fixed term or a term of at least two years, help produce the most beneficial outcomes. e. The sites that required participants to be “clean” for at least six months had lower costs and higher net benefits. f. Drug test frequency greater than 3 x per week didn’t appear to have added benefit; however lower frequencies were associated with less positive benefits. <p>Graduation Rates: <u>Butte Co:</u> 68% (n=156) <u>Los Angeles Co. – Central:</u> 36% (n=115) <u>Los Angeles Co. El Monte:</u> 82% (n=127)- 60% overall (n=700) <u>Monterey Co.:</u> 26% (n= 213) graduation rate (resulting from required \$ 14 fee for drug tests and many terminated for failure to test (39% overall – n=721) <u>San Diego-East:</u> 65% (n=178) <u>Orange Co.-Laguna Niguel:</u> 68% (n=124) (64% overall – n=343) <u>Orange Co.: Santa Ana:</u> 45% (n=289) (overall 41% - n = 932) <u>San Joaquin Co.:</u> 29% (n=202) (31% overall – n = 2,010)</p>

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				<u>Stanislaus Co.:</u> 49% (n=399) (32% overall – n=1,320+)
52	August 2001	<i>The Philadelphia Treatment Court, Its Development and Impact: The Second Phase (1998-2000). John S. Goldkamp et al. Crime and Justice Research Institute</i>		<p>40% of defendants referred for assessment were “no shows”; 47% found to be in need of treatment</p> <p>the 383 candidates actually entering Treatment Court represented 20% of the defendants referred ;</p> <p>Race/Ethnicity: 58% were Afr.Amer; 28% Hispanic and 13% while;</p> <p>Median age we 23</p> <p>83% male</p> <p>53% unemployed</p> <p>96% charged with drug felony</p> <p>46% had prior arrests; 16 had prior court convictions</p> <p>205 had at least one arrest as a juvenile</p> <p>42% didn’t complete Phase I of treatment</p> <p>9% of enrolled terminated for noncompliance</p> <p>participants averaged 9.28 days incarcerated</p>
53	July 2005	<i>Malheur County, Oregon Adult Drug Court (S.A.F.E. Court) Cost Evaluation: Final Report</i>	<p>Relatively low cost per participant compared with other programs (\$ 6,275) – 6,102 for males; 6,585 for females) compared with recidivism costs 9165.61-arrest; 10.00-booking; and 49.20-jail bed day.</p> <p>- females show decrease in costs after starting program while males (except for grads) show increase in costs due to more time spent in jail for new offenses</p> <p>-Average costs for females 2 years prior to drug court were \$ 2,312.34 compared with \$ 1,679.30 two years following drug court entry;</p> <p>-average costs for ALL male participants two years prior to entry were lower (1,205.36 vs 2,612.84) than following program entry but mainly due to terminated participants and jail costs entailed. Costs for male graduates were reduced from \$ 643.08 2 years prior to program entry to \$ 261.80 2 years following program entry.</p>	<p>-Level of substance abuse was reduced, based on both UR results and rearrests</p> <p>-Retention rate for both men and women is better than most standard (non-criminal justice related) treatment programs</p> <p>Factors associated with fewer rearrests were (1) greater number of treatment sessions;</p> <p>-graduates tended to have fewer arrest prior to program entry; were slightly more likely to be male, were less likely to use methamphetamine, were more likely to have had treatment prior to drug court, and more likely to score high on the “readiness-for-treatment scale”.</p> <p>-terminated participants were more likely to use methamphetamine, less likely to use alcohol or marijuana, attend fewer treatment sessions and scored lower on the readiness for treatment testing.</p>
54	September 2006	<i>Kalamazoo County, Michigan Adult Drug</i>	Substantial cost savings/avoided costs resulting from fewer re-arrests, less probation time and fewer new court	- drug use decreased over a 12 month period for both females and males

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		<i>Treatment Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	cases. - combined programs saved total of \$ 593,154 over a two year period for persons entering the program during two year study period (2002-3); savings can be anticipated to accrue over additional years.	
55	September 2006	<i>Barry County, Michigan Adult Drug Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	Cost savings for drug court participants of over \$ 3,000 per participant over 2 year period as a result of fewer re-arrests, less probation time and fewer new court cases. - multiplying cost savings by 108 participants since program implementation, total savings have been \$ 353,160. For foist two years sine program entry. - Can expect cost savings to continue following 2 year study period.	All participants (graduates and terminated) consistently showed less drug use than comparison group; for some time period, no positive drug tests for participants during same time period when positive drug tests for comparison group were might higher.
56	March 2004	<i>The Douglas County (Nebraska) Drug Court: Characteristics of Participants, Case Outcomes and Recidivisms. Cassia Spohn and R.K. Piker. Final Report. March 2004</i>		Males significant less likely than females to graduate; Drug court success also affected by age at which offender first used drug and by number of positive drug tests during first six months of prog4ram
57	November 2001	<i>Dallas County DIVERT Court Outcome Evaluation. Monica Turley and Ashley Sibley.</i>	--	Program retention predicted by age; average age of graduates was greater than dropouts; older participants (average of 35 years) more likely to successfully complete treatment than younger participants.
58	January 2003	<i>Initial Process and Outcome Evaluation of Drug Courts in Texas. Criminal Justice Policy Council.</i>	--	Drug court graduates had 3.4% incarceration rate 3 years following program entry vs. 21.4% for noncompleters and 26.6% for comparison group; incarceration rate for all drug court participants was 12%; Frequency of positive drug tests was 9% - 11% for drug court participants compared with 50% for ADAM tested offenders. The effectiveness of drug courts in reducing recidivism merits considering strategies to expand drug courts in Texas.

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59	October 2003	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 1 Evaluation Report. ISED Solutions.</i>	--	<p>Older participants experience lower rates of post-treatment drug use generally and fare better with respect to new arrests</p> <p>Participants with at least a high school education fare better than clients without in terms of being arrested after treatment</p> <p>Gender is not associated with differences in treatment outcomes</p> <p>Race/ethnicity is associated with few differences in outcomes and, where it does, differences exist for Hispanic clients who are more likely to have problems with FTA's and rearrests so may need additional services, particularly for those with limited language skills</p>
60	December 2004	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 2 Evaluation Report. ISED Solutions.</i>	-	<p>Men and women have same treatment completion rate (60%)</p> <p>Caucasians fare better in treatment than African Americans (75% vs. 53% retention)</p> <p>Completion of residential treatment associated with significant reductions in post-treatment drug use, general arrests and failure to appear</p> <p>Participants who successfully complete treatment more likely to graduate than those who don't (44% vs. 8%)</p> <p>Older participants and those with high school education have lower risk of failing to complete program</p>
61	March 31, 2004	<i>Cost Benefit Analysis of the Douglas County, Nebraska Drug Court. R.K.Piper and Cassia Spohn</i>	<p>Average investment cost for drug court participants is \$ 4,803 vs \$ 9,224 for traditionally adjudicated offenders, resulting in cost benefit of \$ 4421 less for each drug court participants;</p> <p>Annual investment cost savings for drug court participants vs traditionally adjudicated offenders is \$ 1,326,414; greatest cost savings were for jail confinement \$ 622,098 and prison (\$1,125,642)</p> <p>Lesser 'up front' investment cost savings of \$ 125,703 for district Court and other agencies involved with prosecuting and processing drug offenders; additional savings of \$ 51,234 realized for County (Lower) courts and agencies at county court level;</p>	

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			<p>Reduced misdemeanor arrests resulted in outcome savings of \$ 346,129 and fewer felony arrests resulted in savings of \$ 533,468, with total annual outcome cost savings of \$ 899,597.</p> <p>Average annual outcome cost savings per drug court participant was \$ 2,999; total annual investment and outcome savings was \$ 2,226,011.</p> <p>Victimization costs (lost wages, medical and mental health care, etc.) savings resulting from reduced recidivism was \$ 1,120,886 for violent crimes reduction and \$ 64,823 for property crimes reduction, or total victimization cost savings of \$ 1,174,809</p>	
62	February 2007	<i>Recidivism in Alaska's Felony Therapeutic Courts.</i> Alaska Judicial Council		<p>-The longer participants stayed in the program, the less likely they were to recidivate even if they did not graduate</p> <p>-54% of participants in the programs graduated</p> <p>- participants who were discharged or left voluntarily had same rate of recidivism as offenders charged with felonies in 1999 who didn't enter these programs</p> <p>- older participants less likely to be rearrested than younger participants (43% of graduates were 40+ ; 33% of terminated participants were 40+</p> <p>- participants in Anchorage Felony DUI Court less likely to be rearrested than those in Anchorage Felony Drug Court and Bethel Therapeutic Court</p> <p>- native participants responded as well to therapeutic court programs as Caucasian participants; Blacks and other ethnicities did not do as well as Caucasian participants</p>
63	October 2006	<i>The Staten Island Treatment Court Evaluation: Planning, Implementation, and Impacts.</i> Kelly O'Keefe and Michael Rempel. Center for Court Innovation.	SITC successful in reducing the between arrest and initial plea date. (2,1 mos. Vs 4,2 av.; 1.5 med mos. Vs. 2.7 moss for comparison group).	Drug court failures significantly more likely to be sentenced to jail or prison than comparison group (96% vs. 27%) and averaged significantly more time sentenced to jail or prison (208 days vs. 39 days). "Therefore, there is some legal risk involved in entering the drug court." Graduating means the complete avoidance of a criminal record since cases are dismissed; but failing involves a longer average sentence than what would have, on average, been imposed had the case been processed using conventional methods.
64	2007	<i>2005/2006 Tennessee Drug Court Annual</i>	n/a	<p>-Drug testing: 82,950 drug screens in FY 2006-2006; 2, 917 positive (3.5%)</p> <p>-overall retention rate of 56% for fiscal year (range between 31% and 82%)</p>

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		<i>Report. Office of Criminal Justice Programs. Dept. of Finance and Administration.</i>		-1,713 graduates and 1,289 participants terminated since inception of reporting programs; graduation rate is 57%.
65	2007	<i>Wyoming Drug Court Performance Measures Project. National Center for State Courts.</i>	n/a	<ul style="list-style-type: none"> -Drug Use Reported: Alcohol: (87.5%); marijuana (65.3%); meth (51.5%); cocaine (8.8%); hallucinogen (3.7%); prescript drug (2.7%); heroin (1%); crack (.3%) -Offenses: drug pos (43.4%); DUI (37%); prob rev (12.5%); property (9.1%); person (7.4%); drug sales (5.7%); Other (11%) -status of admissions: graduated: 48.1%; terminated 16.7%; active: 15.7%; absconded: 10.2%; withdrawn 9.3%) -retention rates: mean days in program: graduates : 402; terminated: 249 -sobriety: Percent positive drug test: 86 (2.1%) -gender: male 76%; average age: 29 years at time of admission -average days in program: 439 Caucasian; 90%) GED/HS degree: 58% Employed: 65%; Single: 4% Prior record: no more than 2 prior arrests in past year: 63%
66	April 2007	<i>Multnomah County, Oregon: The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs. NPC Research</i>	<ul style="list-style-type: none"> Investment costs in drug court were \$ 1,392 less than for ‘business as usual’ processing; savings due to reduced recidivism for drug court participants totaled more than \$ 79 million over 10 year period; - investment cost per participant was \$ 5,16 vs. \$ 6,560 for nondrug court participant -greatest cost benefit due to less use of jail days. 	<ul style="list-style-type: none"> -drug court judges who worked longer with the drug court had better participant outcomes - judges who rotated into drug court twice had better participant outcomes the second time - drug court was effective continuously except for two “rough periods” –(1) first 2 years of the program, during initial implementation period; and (2) in 1996 when drug court moved outside of the courthouse; -during “target Cities” period, comparison group (nondrug court participants) did better than in other periods -some judges showed greater reductions in recidivism than others (range was 4% to 42%) - no difference in recidivism when single court judge or multiple judges were presiding; - early drug court judges did not have as positive outcomes as judges who came later-perhaps attributed to formalization of procedures and training
67	April 2007	<i>Indiana Drug Courts: A Summary of Evaluation Findings in Five Adult</i>	All 5 programs showed cost savings due to reduced recidivism; average cost savings for 2-year follow up period to local agencies and the state ranged between \$	<ul style="list-style-type: none"> -Program participant characteristics varied from program to program except for age (31-33 years) -Wide range of drugs used

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		<i>Programs. NPC Research</i>	314 and \$ 7,040 per participant, based on fewer rearrests; fewer court cases; less probation time; less jail time and less prison time; doesn't count number of drug-free babies born; decrease in health care expenses and drug court participants' taxes resulting from employment. Overall: five courts resulted in savings of over \$ 7 million for the two years. Over time, return to tax payer for investment can be up to \$ 5.35 for every \$ 1.00 invested	-similar graduation rates (50-56%) despite differences in populations
68	Fall 2005	<i>An Evaluation of Treatment in the Maine Adult Drug Courts. Faye S. Taxman, April Pattavina and Jeffrey Bouffard.</i>		58% of participants had some negative behavior resulting in a sanction; sanctions most frequently were incarceration, increased reporting or termination; few sanctions relied on treatment or intensification of treatment, written assignments, etc.; offenders given these sanctions more likely to be expelled than those who received treatment sanctions. Participants involved with DSAT program had reductions in depression, hostility and risk-taking behavior, could identify personal progress and had good relations with staff DSAT curriculum engages many of the participants and reflects a sound treatment approach Control sanctions (e.g. increased reporting, etc., can undermine the treatment program; treatment based sanctions may reinforce the drug court Judiciary should receive education in use of treatment based sanctions and value to the treatment court; Should also use different assessment tools to determine offenders that are less engaged in treatment and less committed to conformity.
69	Spring 2008	<i>Substance Use, Drug Treatment, and Crime: An Examination of Intra-Individual Variation in a Drug Court population. Denise C. Gottfredson, Brook W. Kearley, Shawn D. Bushway.</i>	NA	<ol style="list-style-type: none"> (1) persons who had any treatment last month had 11% probability of using alcohol this month compared with 17.3% for those who didn't receive treatment. (2) substance use is related to increased levels of crime but no correlation between use of alcohol and whether subsequent crime was violent or income generating
70	January 2008	<i>Strafford County [NH] Drug Treatment Court: Performance Evaluation 2. New Hampshire Center</i>	Client load of 37 individuals costs \$ 43 per client per day for treatment, case management, court and administrative services: includes: \$ 15/day for case managers/coordinators; \$ 17/day for treatment and \$ 3/day	<ol style="list-style-type: none"> (1) median days for completion of LADC assessment decreased from 37 to 28 days [goal is 14 days]; overall time from referral to lea decreased from 57 to 53 days. So further work needed in this area (2) continued work to develop standards for termination to improve

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		<i>for Public Policy Studies.</i>	for probation supervision; clients pay \$ 2 per day	<p>consistency and fairness</p> <p>(3) continued opportunity for female-only treatment groups now held on a weekly basis</p> <p>(4) other needed improvements now identified including: (a) clarifying procedures for clients who are not actively participating in group sessions, not fully prepared for treatment, or are under the influence of alcohol or drugs while in attendance; (b) enhanced use of Motivational Enhancement Therapy</p> <p>(5) 137 offenders referred to program of which 67 admitted; reasons for nonadmission most frequently were “can’t meet requirements or comply with rules (30%) or “pursing other program” (25%).</p> <p>(6) Program is 46% [sic female and 51% male; 16% had prior mental health diagnosis and treatment</p> <p>(7) 14 (21%) of all participants admitted have graduated; 13 have moved to final phase; 16 (24% have been terminated.</p> <p>(8) Now using database (enhancement of probation database) developed for program to monitor future operations; info entered by drug court coordinators and case managers and includes demographic data, treatment data and data on court proceedings</p>
71	August 1, 2006	<i>A Process and Site-Specific Outcome Evaluation of Maine’s Adult Drug Treatment Court Programs. Andrew Ferguson et. Al. Dep’t. Of Sociology., University of Southern Maine</i>	<p>(1) Adult drug court has generated net correctional savings of \$ 11,243,726 in cost savings based on incarceration costs that would have been incurred (for 169 participants)</p> <p>(2) For every dollar spent in drug court, overall net correctional savings of \$ 3.30</p>	<p>(1) number of referrals and new admissions to the five adult drug court has declined by 27 % (referrals) and 24% (new admissions)</p> <p>(2) overall graduation rates are 60^ compared with national rate of 48%</p> <p>(3) average length of time from initial referral to admission is 85 days (same as previous year)</p> <p>(4) greater consistency in sanctioning of participants with similar infractions across sites using jail sanctions; 87% of sanctions for first positive test was 7 days or less</p> <p>(5) most drug court participants (57%(able to access an array of ancillary services</p> <p>(6) observations indicated no consistency among the five drug courts in how they interact with participants in the courtroom</p>

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				<p>(7) results of analysis on DSAT clinical pre/post treatment measures indicates many significant improvements in attitudes, coping behaviors and confidence in participants in ability to refrain from drug and alcohol use</p> <p>(8) Androscoggin Co.: older participants (over 27) three times ore likely to graduate than younger ones; first time offenders more likely to graduate and participants who receive “rewards” are nearly 10 times more likely to graduate</p> <p>(9) Penobscot Col: females with no high school education 10 times less likely to graduate</p>
72	August 2007	<i>Benefit-cost calculations for three adult drug courts in Minnesota. August 2007. Paul A. Anton. Wilder Research</i>	Estimate that the rug courts in Stearns, Dodge and St. Louis Counties generated \$ 5.08 of benefit for every dollar of cost.; total benefits were 4.8 million vs costs of 1.3 million for study period; savings based on costs of initial offense; cots of subsequent arrests; and costs of subsequent convictions (used \$ 1,522 cost per case produced by Washington State Institute of Public Policy in 2006; used \$85/day average for prison costs; incarceration costs saved for each program completer are over \$ 46,000; used Washington State Institute for Public Policy study figures of \$ 5,370 arrest costs for drug offenses and other nonviolent crimes and \$ 6,438 for violent crimes	n/a
73	September 2008	<i>California Drug Courts: Costs and Benefits: Superior Court of San Francisco County. Shannon M. Carey et al. NPC Research</i>	Average cost for drug court participant: \$ 9,757; average cost per Drug court graduate: \$ 18,295; vs average cost for traditional case process per person: \$ 16,378 (also provides breakdown in average costs per agency) and differential; net savings is \$ 6,622 per participant; also provides costs per person associated with recidivism, broken down by transaction:\$ 15,647 for graduates and 24,394 for participants vs 31,967 for comparison group; provides similar information broken down by agency	(1) average time in program was 7.2 months
74	January 31, 2004	<i>Evaluation of Maine’s Statewide Adult Drug Treatment Court Program. Interim Report. Donald Anspach, Ph.D. U. of Southern Maine</i>	N/A (but see Nos. 68 and 71 for follow up studies)	<p>1.Statewide graduation rate (50%)</p> <p>2. 20% increase in new admissions over past year</p> <p>3. participants who are tested more frequently more likely to graduate</p> <p>Participants who receive jail sanction 7 times LESS likely to graduate</p> <p>Length of time between referral and final admission increased form 71 days in 2002 to 78 days in 2003</p>

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75	March 2009	<i>Strafford County (New Hampshire): Drug Treatment Court: Final Performance Evaluation. New Hamp Center for Public Policy Studies</i>	N/A	<p>-32 (54%) of participants admitted in first two years graduated from the program;</p> <p>-27 (46%) of participants admitted in first two years terminated and sentenced to incarceration (9 committed new offense while in program- shows most participants don't recidivate while in program</p> <p>-program enhancements of age-specific treatment groups; allowing clients tardy for treatment to participate, and access to transitional housing were important</p> <p>- continuing challenges: (1) length of time offenders wait to enter program (goal is 14 days for initial assessment: referral to plea is actually 2 months – further delays resulting from reduced availability of judge; (2) mental health needs of participants; data problems resulting from small number of participants; (3) smaller number of participants than planned (anticipated 60 clients; as of October 31, 2008 have 33 active participants plus 11 on second year of probation supervision; since January 2006: 221 offenders referred and 102 (46%) admitted. (34% for not being able to comply with rules or requirements)</p>
76	January 2009	<i>Vermont Drug Courts: Rutland County Adult Drug Court Cost Evaluation. Final Report. NPC Research</i>	<p>Program investment cost was \$ 19,405 per drug court participant; cost due to recidivism (rearrests, new court cases, probation, incarceration and victimizations) over 3 years was \$ 48,277 per rug court participant vs. \$ 64,251 per comparison group member, with savings of \$ 15,977 per participant.</p> <p>Total criminal justice system cost per participant during the program is \$ 5,809 less than traditional court processing (\$ 9,749 if victimizations are included)</p> <p>If the program continues to enroll a cohort of 26 new participants annually, savings per participants over 3 years will be \$ 138,441 per cohort; after 5 years, the accumulated savings will be over \$ 2,000,000.</p> <p>Summary: \$ criminal justice system cost savings of \$ 15,977'</p> <p>Criminal justice system costs 59% less during program</p>	<p>As of May 2008, 111 people entered program; 21-25 active participants at any one time; 32 graduated; 59 withdrew or were terminated, and 20 still active</p> <p>Average age of participants was 27 Years, 55% female</p> <p>95% white;</p> <p>Most common drug of choice was heroin (50%), followed by prescription drugs (23%) which reportedly increased significantly in prior year, and cocaine (11%), as well as alcohol.</p>

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			<p>participation compared with costs for nondrug court participants</p> <p>Projected 150% return on investment after 5 years;</p> <p>Projected 300% return on investment after 10 years.</p>	
77	April 2008	<p><i>To Treat or Not to Treat: Evidence on the Prospects of Expanding Treatment to Drug-Involved Offenders.</i></p> <p>Urban Institute. [Avinash Singh Bhati, John K. Roman,</p>	<p>(1) Under current policy regime (which for the most part limits access to treatment for the population we are studying to drug courts) there are about 55,000 individuals treated annually, about 32,000 are at risk of dependence, and 23,500 are at risk of drug abuse. (2) estimate that about \$ 515 million dollars is spent annually to treat those drug court clients and that this yields a reduction in offending which creates more than \$ 1 billion dollars in annual savings.</p> <p>(3) estimate that the current adult drug court treatment regime produces about \$ 2.21 in benefit for every \$ 1 in costs, for a net benefit to society of about \$ 624 million.</p> <p>(4) benefit-cost ratio is higher for those at risk of abuse (2.71) as compared to those at risk of dependence (1.84), even though the abuse group is less prevalent in the drug court population.</p> <p>(5) estimate that there are about twice as many arrestees eligible for drug court (109,922) than there are available drug court treatment slots (55,365). We simulate the effects of treating all of these currently eligible in the four treatment modalities studied by DATOS [Drug Abuse Treatment Outcome Study] and find that the costs of treating these additional clients about doubles, to slightly more than \$ 1 billion. We find that the expansion of drug treatment to this larger population remains cost-effective, although the benefit-cost ratio is fractionally reduced to 2.14 from 2.21. In total, this expansion of treatment yields a benefit to society of more than \$ 1.17 billion dollars....</p> <p>[Re potential value of expanding drug treatment courts]</p> <p>(7) estimate that expanding treatment access to those</p>	<p>(1) for those at risk of drug dependence, longterm residential reduces recidivism by 34%, short term inpatient by 19%, outpatient methadone by 20%, and outpatient drug free by 30%.</p> <p>(2) For those at risk of drug abuse, recidivism reductions are large (27%); outpatient drug free is the most effective modality, reducing recidivism by 33%; long term inpatient reduces recidivism by 27%, short term inpatient by 20% and outpatient methadone by 16.%</p> <p>(3) Small or no reductions in crime observed for the most serious crimes. .</p>

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			<p>with a pending case is cost beneficial, with about \$ 1.65 billion in total benefits. In particular, allowing those with a pending case who are at risk of drug dependence is especially beneficial, with a benefit to cost ratio of 4.13:1.</p> <p>(8) allowing participants with past violence into court supervised treatment is as cost-0beneficial as current practice, with a benefit to cost ratio of 2.15.</p> <p>(9) While the addition of those at risk of abuse with prior violence is cost beneficial (3.14:1), adding those at risk of drug dependence with prior violence is much less cost beneficial (1.38:1).</p> <p>(10) Expanding the program to include those with a history of failed treatment is also cost-beneficial (2.09:1), especially for those at risk of drug abuse (2.29:1)</p> <p>(11) Allowing those with co-occurring alcohol problems into court supervised treatment is cost –beneficial for the entire group treated (1.783:1). For those at risk of dependence, the results are better, with the newly added group estimated to have a benefit to cost ratio of 1.43:1. However, adding those with co-occurring alcohol problems who are at risk of drug dependence is not cost-effective (.70:1).</p> <p>(12) Treating all at risk arrestees would cost more than \$ 13.7 billion and return benefits of about \$ 46 billion. We find that this approach would be cost-effective, with a benefit of \$ 3.36 for every dollar in cost.....”</p>	
78	March 2008	<i>Carey, S. M., Fuller, B. E., & Kissick, K. (Oct. 2007). Michigan DUI Courts Outcome Evaluation: Final Report. NPC Research:</i>	Time enrolled in the program was higher for DUI court participants compared to time spent on probation in the comparison group also in two out of the three programs. Longer time spent in the program predicts success both in completing the program and in reducing recidivism. Overall, these results demonstrate that the DUI court is effective in reducing recidivism and reducing drug and	DUI court participants were re-arrested significantly less often than comparison group offenders who were sentenced to traditional probation. In the example from one DUI court site shown in Figure A, the comparison offenders on traditional probation were re-arrested nearly six times more often in the first year after starting probation for the DUI charge than the DUI court

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		<i>Portland, OR.</i>	alcohol use while using less criminal justice system resources to accomplish these goals.	<p>participants and were re-arrested four times more often in the second year (2) Percent of positive drug tests were measured in three month intervals for DUI court participants. The example in Figure C shows that participants in the DUI Court significantly decreased the percent of positive drug tests over time ($F = 5.340$; $p = .001$). This provides support that the DUI Court was instrumental in reducing the amount of illegal drug use during the first year participants spend in the program</p> <p>In all three DUI courts showed that the rates for DUI court graduation and retention ranged from 54% to 84%. The program retention and completion rates are comparable or higher than the rates for programs following the drug court model in the nation. For example, a study of nine drug courts in California showed an average retention rate of 56% (Carey et al., 2005).¹</p> <p>Data for all of the participants in the DUI Court program were examined to determine what characteristics predicted recidivism. Results showed that those with fewer dependents, lower numbers of previous misdemeanors and felonies, fewer days in treatment, higher number of jail days prior to program start, a higher number of sanctions and being male were more likely to be re-arrested</p>
79	April 2008	<i>Harford County, Maryland Adult District Drug Court Process Evaluation. A report to the Maryland Judiciary, Office of Problem-Solving Courts Crumpton, D., Mackin, J. R., Weller, J. M., Linhares, R., Carey, S. M., & Finigan, M. W. (July 2007).</i>	The total criminal justice system cost savings per participant after 2 years was \$2,767 per drug court participant, regardless of whether or not they graduated. When this figure is multiplied by the 4001 participants who have entered the drug court since its inception, it results in a total savings of \$1,106,800 . If savings continue for each participant at the same rate (which has been shown to occur in other studies, e.g., Finigan, Carey, & Cox, 2007), after 10 years, the savings for these 400 participants will total over \$5.5 million (\$5,534,000)	HCADC participants had consistently fewer drug-related re-arrests following entrance into drug court. HCADC program participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate

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80	March 2008	<p>Carey, S. M., Finigan, M. W., & Pukstas, K. (March 2008). <i>Exploring the Key Components of Drug Courts: A Comparative Study of 18 Adult Drug Courts on Practices, Outcomes and Costs.</i> NPC Research: Portland, OR</p>	<p>The drug court has a single treatment provider (that can make referrals to other treatment as needed). The treatment representative is expected to attend all drug court sessions. Factors that reduce costs The prosecution is expected to attend all drug court team meetings (participant progress meetings). The prosecution is expected to attend all drug court sessions. The defense attorney is expected to attend drug court team meetings (participant progress meetings). The drug court allows non-drug charges. The drug court expects 20 days or less to pass from a participant's arrest to drug court entry. The drug court maintains a caseload of less than 150 clients. The drug court program is expected to take one year or more for participants to complete. Drug court has guidelines on the frequency of group treatment sessions that a participant must receive. Drug court has guidelines on the frequency of individual treatment sessions that a participant must receive. In the first phase of drug court, tests are collected at least 2 times per week. Drug court staff generally has drug test results within 48 hours. The drug court requires participants to have greater than 90 days "clean" before graduation. The drug court decreases the frequency of future treatment sessions as a reward. Only the judge can provide clients with tangible rewards. The judge is assigned to drug court for a term greater than 2 years (or indefinitely). In the first phase of drug court, participants appear before the judge in court once every 2 weeks or less. In the final phase of drug court, the clients appear before the judge in court at least once per month.</p>	<p>Our analysis revealed that despite the availability of benchmarks through the National Association of Drug Court Professionals, drug courts still have a lot of discretion in how they implement the 10 Key Components. Under each of the 10 components, there were both similarities and differences in how drug courts were operated. Differences across drug courts are expected and should not be misinterpreted as negative findings</p>

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			<p>The drug court maintains data critical to monitoring and evaluation in an electronic database (rather than paper files).</p> <p>The drug court collects program statistics and uses them to modify drug court operations.</p> <p>The drug court uses the results of program evaluations to modify drug court operations.</p> <p>The drug court has participated in more than one evaluation conducted by an independent evaluator.</p> <p>Team members received training in preparation for the implementation of the drug court.</p> <p>All new hires to the drug court complete a formal training or orientation.</p> <p>All members of the drug court team are provided with training.</p> <p>The drug court team includes a representative from law enforcement (not including probation)</p>	
81	April 2007	<p><i>Finigan, M. W., Carey, S. M., & Cox, A. A. (2007). The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs: Final Report. NPC Research: Portland, OR.</i></p>	<p>The data from over 10 years of operation show that the Multnomah County Drug Court actually costs less to operate than the cost of “business as usual.” The investment cost per participant for the STOP Program was \$5,168 while the cost per offender for “business as usual” was \$6,560, a difference of \$1,392. These data suggest that the finding in 2003 was not simply relevant to the specific time period. Overall, this means that, independent of avoided system costs accruing from positive outcomes, the Drug Court’s operation itself saved the taxpayer more than \$9 million over the 10-year period. Sources of this investment cost savings include treatment and probation services.</p>	<p>(1)While all judges showed reductions in re-arrests, some judges showed greater reductions than Others. The reductions in re-arrests ranged from 4% to a substantial 42%, demonstrating clear Differences. This suggests that drug court results may vary depending on the judge involved</p> <p>Figure 1 Overall, for the entire population of eligible offenders, the Drug Court significantly reduced the incidence and frequency of criminal recidivism for participants compared to offenders who did not participate. Including all offenders who were eligible for the Drug Court during the total 10-year period, over 5 years from the Drug Court petition hearing, the incidence of re-arrest was reduced by nearly 30%.</p> <p>Figure 1 number of external changes from 1991 to 2001 that might have had an influence on court operations and outcomes were identified. These external changes were categorized</p>

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				as follows: criminal justice system changes, changes in the Multnomah County substance abuse treatment system, and changes in the Oregon managed care system. With one exception, these changes appeared to have no statistically significant impact on subsequent recidivism for this population (drug court and comparison group).
82	March 2007	Carey, S. M., & Waller, M. (March 2007). Guam Adult Drug Court Outcome Evaluation: Final Report. NPC Research: Portland, OR.	N/A	n/a
83	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Monroe County Drug Treatment Court Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for MCDTC drug court participants. The average cost for the MCDTC Program was \$20,067 per participant. This amount is on the highest end of the costs found nationally in other drug courts (\$4,000 to \$20,000) studied by NPC Research (Carey & Finigan, 2004; Carey et al., 2005) and is mainly due to a large amount of resources invested in drug court case management. However, the outcome cost savings indicate that participation in drug court offers a cost-benefit to the Indiana taxpayer due to a low number of subsequent re-arrests and associated incarceration and victimizations.	MCDTC participants consistently showed less drug use as measured by percent positive urine drug screens over 12 months. Figure B illustrates the percent of positive drug tests over time for the drug court group, which includes graduates, terminated participants, and active participants. This figure shows a smaller percentage of positive drug tests for MCDTC participants following program entry. Further, the percent of positive drug tests is extremely small (3% or less) during the course of the program. The areas in which the MCDTC may wish to implement changes to enhance their services are as follows: <ul style="list-style-type: none"> • MCDTC may wish to consider offering more flexibility in the program by adding an additional testing schedule to better accommodate work schedules and school start times. • The drug court team should consider the optimal program dosage and intensity required to maximize accountability and oversight, while promoting successful participation. • Although the MCDTC has developed partnerships with community agencies, they may wish to increase or strengthen these partnerships in order to better meet the needs of participants.

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				<ul style="list-style-type: none"> • The drug court should consider consistently having an independent judge sentence terminated MCDTC participants. • The MCDTC team may want to discuss possible ways to decrease the time interval between participant identification and entry into the drug treatment court. • The hiring of a part-time Spanish interpreter may help the MCDTC reach more of its target population.
84	November 2006	<i>Carey, S. M., Finigan, M. W., Crumpton, D., & Waller, M. S. (2006). California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II in a Statewide Study. Journal of Psychoactive Drugs, 38 (4), 345-356.</i>	Results in the nine sites showed that the majority of agencies save money in processing an offender through drug court. Overall, for these nine study sites, participation in drug court saved the state over \$9 million in criminal justice and treatment costs due to lower recidivism in drug court participants.	Overall, the results of this study demonstrate that drug courts are an effective approach to treating nonviolent drug addicted offenders. The offenders who participated in drug court programs, regardless of whether they completed the programs, had lower recidivism and produced more outcome savings over four years than similar offenders who did not participate. The net benefit, including investment and outcome costs, for the nine drug court programs in this study was over nine million dollars.
85	September 2006	<i>Marchand, G., Waller, M. S., & Carey, S. M. (Oct. 2006). Barry County Adult Drug Court Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Barry County Drug Court participants showed a cost savings of over \$3,000 per participant over a 2-year period. When this per participant savings is multiplied by the 1081 offenders who have participated in the Drug Court Program since implementation (in May 2001), the total Program cost savings (for outcomes over a 24-month period) is \$353,160 .	BCADC participants consistently showed less drug use than the comparison group. Figure 1 illustrates the percent of positive drug tests over time for the Drug Court and comparison Groups. The participant group includes graduates, terminated participants, and active participants. This figure shows a consistently smaller percentage of positive drug tests for BCADC participants following program entry. In fact, for some time periods there are no positive drug tests for BCADC participants at all while positive drug tests for comparison group members remain much higher.
86	February 2006	<i>Pukstas, K., Weller, J. M., Brekhus, J., Crumpton, D., Carey, S. M., Mackin, J. R., & Finigan, M. W. (Feb. 2006). Maryland Drug</i>	Cost analysis of juvenile drug courts and youth centers clearly illustrates the cost savings of working with this population in the community whenever possible. Juvenile drug courts offer specialized intensive services that can result in huge payoffs in terms of future quality of life for participants, their families, and their communities	Preliminary pre-post analysis of juvenile drug court participants in Maryland illustrate substantial reductions in new adjudicated charges, as well as significant reductions in the proportion of youth categorized as chronic offenders (i.e., those youth creating the most serious system and community impacts in terms of cost and public safety).

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		<i>Treatment Courts: Interim Report of the Effectiveness of Juvenile Drug Courts. NPC Research: Portland, OR.</i>		
87	July 2005	<i>Carey, S. M., & Marchand, G. (Jan. 2005). Malheur County Adult Drug Court (S.A.F.E. Court) Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	In general, the S.A.F.E. Court is successfully keeping program costs down while decreasing overall recidivism for its participants. Re-arrests and their associated costs are lower for the majority of participants. Although jail costs increase for many men after S.A.F.E. Court entry, male graduates and all females show a decrease in this taxpayer cost as well. Subsequent evaluation on a larger sample when the S.A.F.E. Court becomes a more mature program is needed to determine the validity of these results	Figure 3 shows that there was a significant reduction in drug-related re-arrests from the pre- S.A.F.E. Court period to 24 months following program entry. Generally, although males were rearrested for drug-related crimes more often than females, both genders had fewer drug-related rearrests after entering the S.A.F.E. Court Program. Females demonstrated the most drastic and significant reduction in drug-related re-arrests. Taken together, these results indicate that participation in the S.A.F.E Court Program achieves the goal of reducing substance use as can be inferred by a reduction in drug-related recidivism
88	July 2003	<i>Carey, S. M. & Finigan, M. W. (July 2003). A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research: Portland, OR.</i>	Does it cost more for drug court than for “business as usual”? A: No. The total investment cost by the agencies involved in drug court2 averaged \$5,927.80 per participant compared to \$7,369.32 for “business as usual.” The “business-as-usual” offenders cost \$1,441.52 more than the drug court participants. Thus, the drug court approach actually saved the taxpayer money in investment costs. This was in a large part due to the use of jail and probation time for “business as-usual” processing, and is also due to significant use of treatment and court resources.	Law enforcement/corrections and the public defender’s office received an immediate savings from the drug court approach. All agencies saved money in outcomes. Data on the utility of a number of less intensive means of gathering costs data showed that in many cases a medium intensity method, generally involving the use of client level administrative data, brought reasonable results
89	February 2004	<i>Carey, S. M. (Feb. 2004). Clackamas County Juvenile Drug Court Outcome Evaluation: Final Report. NPC Research:</i>	N/A	This information, combined with the fact that the number of positive Uas was not correlated with program status (graduation vs. termination), implies that the program response to drug use is successful in guiding participants to reduce use so that they are able to graduate. That is, it is not necessary for participants to have already reduced use at the start of the program in order to graduate.

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		<i>Portland, OR.</i>		The overall trend in outcomes for the CCJDC is consistently positive. The CCJDC program appears to be impacting its youth and families in the intended manner. Further outcome evaluation as the program continues to grow (e.g., through the enhancement grant received from BJA) will allow for a larger sample size and the ability to verify the positive preliminary results achieved in the current evaluation
90	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., & Linhares, R. (April 2007). Indiana Drug Courts: Vanderburgh County Day Reporting Drug Court Evaluation: Final Report. NPC Research: Portland, OR.</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Over a 2-year period, the VCDRDC cost outcomes were \$6,656 per participant compared to \$8,044 per offender that did not participate in Drug Court. When this per participant savings is multiplied by the 203 offenders who have participated in the Drug Court Program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) is \$281,764.	Using the 10 Key Components of Drug Courts (NADCP, 1997) as a framework, NPC examined the practices of the VCDRDC program. The VCDRDC fully satisfies many of the 10 Key Components through its current policies and structure. We found that VCDRDC: <ul style="list-style-type: none"> • Integrates alcohol and other drug treatment services effectively with justice system case processing, • Does an excellent job of using a non-adversarial approach between prosecution and defense counsel, • Provides a very good continuum of treatment services, • Uses frequent alcohol/drug testing to monitor abstinence, • Has a consistent reward and sanction structure for responding to participant compliance, • Graduates participants within VCDRDC's recommended timeframe, • Has had a continuously sitting judge since program implementation, and • Excels at developing partnerships with public and private community agencies and organizations.
91	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Vigo County Drug Court Process,</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Over a 2-year period, the VCDC cost outcomes were \$3,684 per participant compared to \$7,935 per offender that did not participate in drug court.	Using the <i>10 Key Components of Drug Courts</i> (NADCP, 1997) as a framework, NPC examined the practices of the VCDC program. The VCDC satisfies some of the 10 Key Components through its current policies and structures. We found that VCDC: <ul style="list-style-type: none"> • Uses frequent alcohol/drug testing to monitor abstinence, • Has a consistent reward and sanction structure for responding to participant compliance,

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#	Publication Date	Bibliographic Information	System Impact/Cost Savings	Other Findings
		<i>Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	When this per participant savings of \$4,251 is multiplied by the 697 offenders who have participated in the drug court program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) is nearly \$3 million.	<ul style="list-style-type: none"> • Graduates participants within VCDC's recommended time-frame, • Has had a continuously sitting judge since program implementation, and • Excels at developing partnerships with public and private community agencies and organizations.
92	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: St. Joseph County Drug Court Program Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	<p>Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants.</p> <p>Over a 2-year period, the SJCDP cost outcomes were \$3,838 per participant compared to \$7,971 per offender that did not participate in drug court, resulting in a savings of \$4,133 per drug court participant. When the 2-year per participant savings is multiplied by the 465 offenders who have participated in the drug court program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) comes to nearly \$2 million</p>	<p>Using the <i>10 Key Components of Drug Courts</i> (NADCP, 1997) as a framework, NPC examined the practices of the SJCDC program. The SJCDC satisfies many of the 10 Key Components through its current policies and structure. We found that SJCDC:</p> <ul style="list-style-type: none"> • Integrates alcohol and other drug treatment services effectively with justice system case processing, • Does an excellent job of using a non-adversarial approach between prosecution and defense counsel, • Provides a very good continuum of treatment services, • Uses frequent alcohol/drug testing to monitor abstinence, • Has had a continuously sitting Judge since program implementation, • Graduates participants within a recommended time frame, and • The SJCDC program completion and retention rates are high compared to other drug court programs in the U.S. <p>SJCDC participants consistently showed less drug use than the comparison group as measured by percent positive urine drug screens over 12 months. Figure B illustrates the percent of positive drug tests over time for the drug court and comparison group. The participant group includes graduates, terminated participants, and active participants. This figure shows a consistently smaller percentage of positive drug tests for SJCDC participants relative to the comparison group. An important trend over time is the decreasing positive urine screens for the drug court participants. Although the comparison group</p>

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				participants showed a trend of decreasing positive drug tests as well, their overall percentage of positive tests was significantly higher.
93	November 2009	Analysis of the Sisseton-Wahpeton Oyate Tribal Drug Court	Average Sentence for treatment court participants is 5.2 years. Savings are described as obvious no actual hard number	Added benefits of keeping families together Allows participants to keep working and add to the tribal economy.

CICAD Survey Instrument



This publication is being drafted by the Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security of the Organization of American States (OAS); the Justice Programs Office, School of Public Affairs, American University; the Institute for International Research on Criminal Policy (IRCP), Universiteit Gent; the Ministerio Público of Chile (General Prosecutor's Office); and the International Association of Drug Treatment Courts (IADTC). It is being developed in the framework of *the EU-LAC Drug Treatment City Partnerships*, an initiative coordinated by CICAD/OAS and funded by the European Commission. The content of this publication does not necessarily reflect the position of the EU or the OAS.

Establishing Drug Treatment Courts: Strategies, Experiences and Preliminary Outcomes

DTC Program Survey

PART ONE: DTC BACKGROUND INFORMATION

A. Name and contact information for Individual(s) completing this survey form:

Name:

Title

Agency

Address:

Telephone:

Fax:

email:

B. Location(s) of Drug Treatment Court Program:

City:

Country:

C. Drug Court Judge(s):

Name

Court

Address:

Telephone:

Fax:

email:

D. Date DTC Program Began

E. Total Number of Participants:

1. Please provide the most current statistics on your DTC:

- a. total number who have ever enrolled in the DTC program
- b. total number who have successfully completed the program
- c. total number who were terminated unsuccessfully
- d. total number who are currently enrolled

2. Are the number of participants reported above consistent with your expectations regarding program participation when the program was planned? If not, please explain

G. Background Leading Up to Development of the DTC; Goals/Mission of the

Program:

- 1. What was the situation leading to the development of the DTC?
- 2. Were specific goals developed for the program to achieve? If so, what were they?
- 3. To what degree to you feel these goals have been achieved?

PART TWO: DTC PROGRAM DESCRIPTION

A. Summary Program Description:

1. Please briefly describe your DTC and how it differs from the traditional method of dealing with drug involved offenders.
2. Please indicate on the chart below the staff assigned to the DTC:

Position	Number	Full-time	Part-Time
Judge			
Prosecutor			
Defense Attorney			
Substance Abuse Counselor			
Mental Health Counselor			
Social Worker			
Probation Officer			
Nurse			
Psychiatrist			
Other (please describe)			

B. Target Populations; Eligibility Determination

1. What offenders (e.g, "target population") was the DTC established to serve?
2. Have there been any changes in the target population served by the DTC since the DTC began?

If so, please describe the changes and why they were made.

3. DTC Eligibility

- a. Please summarize the eligibility requirements to participate in your DTC
 - (1) Criminal justice characteristics (i.e. nature of offense, prior criminal history, etc.)
 - (2) Substance Use/Treatment needs (i.e. nature/extent, etc.)
 - (3) Other

- b. Have there been any changes in the eligibility requirements since the DTC began? If so, please describe the changes and why they were made.
4. Referral process and stage in the criminal justice process at which DTC eligibility is determined
 - (1) At what stage of the criminal justice process is DTC eligibility determined?
 - (2) How are potential DTC participants identified?
 - (3) On average, how many days after arrest is DTC eligibility determined?

C. Operational Components

1. What incentives, if any, are offered to offenders to become DTC participants?
2. What role does the DTC judge play in your DTC?
(e.g., Does the drug court judge hold periodic hearings to review the progress of TC participants? If so, how frequently? What role, if any, does the drug court judge play in coordinating the services provided to DTC participants?)
3. Monitoring and Responding to Compliance/Noncompliance with DTC requirements
 - a. What method(s) are used to monitor DTC participants' compliance with DTC program requirements?
 - b. What information do you feel is most useful in assessing compliance with DTC requirements?
 - c. What responses/sanctions are given to noncompliance with DTC requirements?
 - d. Are incentives or other positive reinforcement provided for participants who comply with DTC requirements? If so, please describe.
4. Length of the DTC program
 - a. How long is the required period of participation for your DTC?
 - b. Do you feel this period is too short? Too long?

D. Treatment Services

1. Please indicate whether the following services are available to the majority of DTC participants:

Detox

Outpatient

Residential

Acupuncture

Pharmacological interventions (e.g., methadone, suboxone, etc.)

Other (please explain)

2. Please describe generally the nature and extent of drug addiction among participants in your DTC (i.e., types of drugs used, length of drug use, associated physical and/or mental health conditions, etc.)
3. What types of agencies/organizations provide the treatment services for your DTC program participants? (e.g, NGO's, public health department, local hospital, etc.)
4. Since the inception of the DTC, have any changes been made in the nature and/or frequency of treatment services provided to DTC participants? If so, please describe the changes and the reason(s) they were made.

E. Other Program Services

1. Does your DTC provide other services to DTC participants (e.g., housing, dental/medical, employment, etc.)? If so, please summarize the services provided and the types of agenc(ies) that provide them.
2. Are there any additional services you would like to see provided to improve operations? If so, please describe them
3. Are any services provided to participants once they leave the DTC program? If so, please describe them. Are these services voluntary?

F. Legal Process

1. What changes, if any, have been made to the traditional criminal justice process in order to implement the DTC?
2. What is the legal outcome for cases of DTC participants if they:
 - (a) successfully complete the program?
 - (b) do not successfully complete the program?
3. Was special legislation needed to implement the DTC? If yes, what issues did the legislation address? Please provide a copy of the legislation.

G. Building and Maintaining Inter- and Intra-Agency Consensus and Support

1. What strategies were used to develop buy-in and support for the DTC program
 - From the judiciary?
 - From other criminal justice officials?
 - From attorneys?
 - From public health officials?
 - From community leaders?

- From others whose support was needed?
- 2. What obstacles, if any, were encountered in building support for the DTC? How were these addressed?
- 3. What strategies are used to maintain interagency support for the DTC now that it has been implemented?

H. Planning and Testing Feasibility of the DTC

- 1. Was a pilot project used to test the viability of the DTC? If yes, how was its success determined?
- 2. How much time was devoted to planning the DTC, including any pilot testing conducted?

I. Training

- 1. Has any interdisciplinary training been provided for staff involved in the DTC to enhance understanding of the program? If so, please describe the nature of training provided.
- 2. What training/continuing education do you feel is needed to sustain the DTC, particularly as personnel change?

J. Program Costs

- 1. What additional resources/costs, if any, have been required to plan, implement and operate the DTC program and provide DTC services?
- 2. What source(s) have been used to provide these resources/funds?

K. Criteria for Effectiveness

- 1. What criteria are used to measure the effectiveness of the DTC program?
- 2. Are recidivism rates among participants in the DTC noticeably different than those among offenders processed by traditional criminal justice procedures? If so, please describe.
- 3. Are the costs for sending an offender through the DTC noticeably different than those entailed with the traditional criminal justice process? If so, please describe.
- 4. Have any evaluation reports on the DTC been published? If so, please attach a copy. If they are not available, please briefly summarize the results reported.

L. Broader Impact of the DTC

1. What benefit(s), if any, do you feel the DTC provides to the community?
2. Has your city or municipality been involved with the planning and/ or implementation of the DTC? If so, please describe the involvement.

M. Unanticipated Issues That Have Developed

1. Have any unanticipated issues developed since implementing the DTC? If so, please briefly describe them and indicate how they were addressed.

Other Comments:

Please return completed survey by February 15, 2010 to:

Justice Programs Office, School of Public Affairs
American University
Email: justice@american.edu

Attention: Caroline Cooper

With an electronic copy to: Antonio Lomba at: Alomba@oas.org

Thank you for completing this survey. We will recognize each contributor's response in the publication as well as send you a draft compilation of all of the responses shortly.

THE ORGANIZATION OF AMERICAN STATES

The Organization of American States (OAS) is the world's oldest regional organization, dating back to the First International Conference of American States, held in Washington, D.C., from October 1889 to April 1890. At that meeting the establishment of the International Union of American Republics was approved. The Charter of the OAS was signed in Bogotá in 1948 and entered into force in December 1951. The Charter was subsequently amended by the Protocol of Buenos Aires, signed in 1967, which entered into force in February 1970; by the Protocol of Cartagena de Indias, signed in 1985, which entered into force in November 1988; by the Protocol of Managua, signed in 1993, which entered into force on January 29, 1996; and by the Protocol of Washington, signed in 1992, which entered into force on September 25, 1997. The OAS currently has 35 member states. In addition, the Organization has granted permanent observer status to 63 states, as well as to the European Union.

The essential purposes of the OAS are: to strengthen peace and security in the Hemisphere; to promote and consolidate representative democracy, with due respect for the principle of nonintervention; to prevent possible causes of difficulties and to ensure peaceful settlement of disputes that may arise among the member states; to provide for common action on the part of those states in the event of aggression; to seek the solution of political, juridical, and economic problems that may arise among them; to promote, by cooperative action, their economic, social, and cultural development; and to achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the member states.

The Organization of American States accomplishes its purposes by means of: the General Assembly; the Meeting of Consultation of Ministers of Foreign Affairs; the Councils (the Permanent Council and the Inter-American Council for Integral Development); the Inter-American Juridical Committee; the Inter-American Commission on Human Rights; the General Secretariat; the specialized conferences; the specialized organizations; and other entities established by the General Assembly.

The General Assembly holds a regular session once a year. Under special circumstances it meets in special session. The Meeting of Consultation is convened to consider urgent matters of common interest and to serve as Organ of Consultation under the Inter American Treaty of Reciprocal Assistance (Rio Treaty), the main instrument for joint action in the event of aggression. The Permanent Council takes cognizance of such matters as are entrusted to it by the General Assembly or the Meeting of Consultation and implements the decisions of both organs when their implementation has not been assigned to any other body; it monitors the maintenance of friendly relations among the member states and the observance of the standards governing General Secretariat operations; and it also acts provisionally as Organ of Consultation under the Rio Treaty. The General Secretariat is the central and permanent organ of the OAS. The headquarters of both the Permanent Council and the General Secretariat are in Washington, D.C.

MEMBER STATES: Antigua and Barbuda, Argentina, The Bahamas (Commonwealth of), Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica (Commonwealth of), Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, United States, Uruguay, and Venezuela.



Organization of
American States

Inter-American Drug Abuse Control Commission (CICAD)
Secretariat for Multidimensional Security (SMS)





Organization of
American States

***Establishing Drug Treatment Courts: Strategies, Experiences and
Preliminary Outcomes***

**APPENDIX OF ADDITIONAL SUPPORTING MATERIALS
Volume Two (2010)**

Justice Programs Office, School of Public Affairs, American University

Caroline S. Cooper

Brent Franklin

Tiffany Mease

Prepared for Drugs Summit: European, Latin American and Caribbean Mayors and Cities

April 21 -23, 2010 Lugo, Spain

Inter-American Drug Abuse Control Commission (CICAD)

Secretariat for Multidimensional Security (SMS)



Establishing Drug Treatment Courts: Strategies, Experiences and Preliminary Outcomes

VOLUME TWO:

Appendix of Additional Supporting Materials

April 2010

Justice Programs Office, School of Public Affairs, American University

Caroline S. Cooper

Brent Franklin

Tiffany Mease

Prepared for the

Drugs Summit: European, Latin American and Caribbean Mayors and Cities

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This publication was drafted by the Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security of the Organization of American States (OAS); the Justice Programs Office, School of Public Affairs, American University; the Institute for International Research on Criminal Policy (IRCP), Universiteit Gent; the Ministerio Público of Chile (General Prosecutor's Office); and the International Association of Drug Treatment Courts (IADTC). It was developed in the framework of *the EU-LAC Drug Treatment City Partnerships*, an initiative coordinated by CICAD/SMS/OAS and funded by the European Commission. The content of this publication does not necessarily reflect the position of the EU or the OAS.

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From the Justice Programs Office, School of Public Affairs, American University: Caroline S. Cooper. Brent Franklin, and Tiffany Mease; from Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security of the Organization of American States (OAS): Anna McG. Chisman, and Antonio Lomba

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Volume Two: Appendix of Additional Supporting Materials

The materials included in this Volume are organized as follows:

- (1) Legislation and/or regulations enacted to implement the Drug Treatment Court program;
- (2) Program descriptive information provided by the respondents to the CICAD survey; and
- (3) Evaluative information provided by the respondents to the CICAD survey

In view of the growing body of documentation and diversity of materials being developed on global Drug Treatment Courts, reference should be made on an ongoing basis to the various websites on which these materials are posted. A few of them are listed below:

The International Association of Drug Treatment Courts (IADTC):
<http://iadtc.carousel30.com/iadtc-home/>

Drug Court Clearinghouse (American University Justice Programs Office) (includes information on American and international drug courts):
<http://www1.spa.american.edu/justice/project.php?ID=1>

Inter-American Drug Abuse Control Commission (CICAD) Secretariat for Multidimensional Security of the Organization of American States (OAS):
<http://www.cicad.oas.org/>

EU-LAC Drug Treatment City Partnerships:
<http://www.eulacdrugs.org/eulac/>

United Nations Office on Drugs and Crime—Drug courts page (includes many links to national and international drug courts):
<http://www.unodc.org/unodc/en/legal-tools/Drug-Treatment-Courts.html>

Country links:

Australia (New South Wales):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (Queensland):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (South Australia):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (Victoria):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (Western Australia):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Bermuda drug treatment court:

http://www.gov.bm/portal/server.pt?open=512&objID=270&&PageID=1271&mode=2&in_hi_userid=2&cached=true

Canadian Department of Justice drug court program:

<http://www.justice.gc.ca/eng/pi/pb-dgp/prog/dtc-ttt/index.html>

Dublin (Ireland) drug treatment court office (includes contact information and links to other documents):

<http://www.courts.ie/offices.nsf/fd1b5d60ef39f31380256e43003d0107/cfaf3511b9b9639e80256e45005861cf?OpenDocument>

Judges who are interested in developing DTC programs may also find useful the “Solution-Focused Judging Bench Book” by Michael S. King, published by the Australasian Institute of Judicial Administration, Inc. (2009) and available at:

<http://www.aija.org.au/Solution%20Focused%20BB/SFJ%20BB.pdf>

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A. Legislation and Regulations Enacted in Support of Drug Treatment

Courts

Australia:

New South Wales: Drug Court Act 1998 No. 150

Queensland: Drug Court Act 2000

Bermuda

Drug Treatment Programmes: Criminal Code Act 1907. Title 8, Item 31

Jamaica

The Drug Court (Treatment and Rehabilitation of Offenders) Act, 1999

The Drug Court (Treatment and Rehabilitation of Offenders) Regulations, 2000

The Drug Court Act, 1999

Norway

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AUSTRALIA:



New South Wales

Drug Court Act 1998 No 150

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New South Wales

Drug Court Act 1998 No 150

Act No 150, 1998

An Act to provide for the establishment of the Drug Court of New South Wales, for the referral of drug offenders to the Drug Court, and for the supervision of drug programs by the Drug Court; and for other purposes.
[Assented to 8 December 1998]

The Legislature of New South Wales enacts:

Part 1 Preliminary

1 Name of Act

This Act is the *Drug Court Act 1998*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Objects

- (1) The object of this Act is to reduce the level of criminal activity that results from drug dependency.
- (2) This Act achieves that object by establishing a scheme under which drug dependent persons who are charged with criminal offences can be diverted into programs designed to eliminate, or at least reduce, their dependency on drugs.
- (3) Reducing a person's dependency on drugs should reduce the person's need to resort to criminal activity to support that dependency and should also increase the person's ability to function as a law abiding citizen.

4 Definitions

- (1) In this Act:

court includes a Magistrate or Justice.

Drug Court mean the Drug Court of New South Wales constituted by this Act.

drug offender means a person who has been convicted and sentenced by the Drug Court under section 7.

eligible person is defined in section 5.

exercise a function includes perform a duty.

function includes a power, authority or duty.

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eligible person is defined in section 5.

exercise a function includes perform a duty.

function includes a power, authority or duty.

initial sentence, in relation to a person who is convicted and sentenced under section 7, means the sentence imposed on the person under section 7 (2).

Judge means a person appointed to be a Drug Court Judge, as referred to in section 20 (1).

member of staff of the Drug Court means any person appointed as an officer of the Drug Court as referred to in section 28 (1) or whose services are used by the Drug Court as referred to in section 28 (2), and includes any other person prescribed by the regulations.

program, in relation to a person who is convicted and sentenced under section 7, means the program of supervision and control that arises from the conditions accepted by the person and imposed by the Drug Court under section 7 (3) (a).

referring court, in relation to a person who has been referred to the Drug Court under section 6, means the court by which the person has been referred.

registrar means the registrar of the Drug Court.

Senior Judge means the person appointed to be the Senior Judge of the Drug Court, as referred to in section 21 (1).

suspension order, in relation to a person who is convicted and sentenced under section 7, means an order under section 7 (3) (b) by which the person's sentence is suspended for the duration of the person's program.

- (2) In this Act, a reference to the criminal jurisdiction of a Local Court includes a reference to the jurisdiction exercisable by a Magistrate, or by one or more Justices, under the *Justices Act 1902*.

5 Definition of "eligible person"

- (1) A person is an eligible person if:
- (a) the person is charged with an offence, other than an offence referred to in subsection (2), and
 - (b) the facts alleged in connection with the offence, together with the person's antecedents and any other information available to the court, indicate that it is likely that the person will, if convicted, be sentenced to imprisonment, and

- (c) the person has pleaded guilty to, or indicated that he or she intends to plead guilty to, the offence, and
 - (d) the person appears to be dependent on the use of prohibited drugs (within the meaning of the *Drug Misuse and Trafficking Act 1985*) or other drugs prescribed by the regulations, and
 - (e) the person satisfies such other criteria as are prescribed by the regulations.
- (2) A person is not an eligible person if the person is charged with:
- (a) an offence punishable under Division 2 of Part 2 of the *Drug Misuse and Trafficking Act 1985*, not being an offence that (under Part 9A of the *Criminal Procedure Act 1986*) is capable of being dealt with summarily, or
 - (b) an offence involving violent conduct or sexual assault, or
 - (c) any other offence of a kind prescribed by the regulations.

Part 2 Drug Court programs

Division 1 Acceptance into program

6 Courts may refer persons to Drug Court

- (1) This section applies to such courts and proceedings as are prescribed by the regulations.
- (2) It is the duty of a court before which a person is charged with an offence:
 - (a) to ascertain whether the person appears to be an eligible person, and
 - (b) if so, to ascertain whether the person is willing to be referred to the Drug Court to be dealt with for the offence, and
 - (c) if so, to refer the person to the Drug Court to be dealt with for the offence.
- (3) The power conferred on a court by this section is to be exercised as soon as practicable after the person is charged with the offence.

7 Persons accepted into program

- (1) This section applies to a person who has been referred to the Drug Court under section 6.
- (2) The Drug Court may, under this section, convict and sentence a person who has pleaded guilty to the offence for which the person has been referred (whether before the referring court or the Drug Court) if, and only if, it is satisfied as to each of the following matters:
 - (a) that the person is an eligible person,
 - (b) that, having regard to the person's antecedents, it would be appropriate for the person to participate in a program under this Act,
 - (c) that facilities to supervise and control the person's participation in such a program are available, and have been allocated to the person, in accordance with the guidelines prescribed by the regulations,

- (d) that the person accepts the conditions that the Drug Court proposes to impose on the person (whether immediately or at some later date) as a consequence of his or her conviction and sentence under this section,
 - (e) that the person has been informed of the Drug Court's powers under Division 2 and of the respective consequences, as regards the sentence to be imposed under section 12, of the person's compliance or non-compliance with a program.
- (3) On sentencing the person, the Drug Court:
 - (a) must make an order imposing on the person the conditions that the person has accepted as referred to in subsection (2) (d) (the person's *program*), and
 - (b) must make an order suspending execution of the sentence for the duration of the person's program (the person's *suspension order*).
- (4) A person who is convicted and sentenced by the Drug Court under this section with respect to an offence for which the person has been referred to the Drug Court under section 6 may at the same time be convicted and sentenced for any other offence to which he or she has pleaded guilty (other than an offence referred to in section 5 (2)), whether or not the person has been referred to the Drug Court under section 6 in relation to that other offence.
- (5) Nothing in this Act entitles a person to be convicted and sentenced under this section, and no appeal lies against any decision by the Drug Court not to convict or sentence a person under this section.

8 Persons not accepted into program

- (1) This section applies to a person who has been referred to the Drug Court under section 6 but whom the Drug Court has not convicted and sentenced under section 7.
- (2) The Drug Court may, under this section, convict and sentence a person who has pleaded guilty to the offence for which the person has been referred (whether before the referring court or the Drug Court) if, and only if, the person consents to being dealt with under this section.

- (3) If the person does not consent to being dealt with under this section, the Drug Court is to refer the person back to the referring court.
- (4) If the Drug Court refers a person back to the referring court, the proceedings against the person are to be continued before the referring court at a time and place specified in the order, as if:
 - (a) the person had not been referred to the Drug Court, and
 - (b) the proceedings had merely been adjourned to the time and place specified in the order.
- (5) A person who is convicted and sentenced by the Drug Court under this section with respect to an offence for which the person has been referred to the Drug Court under section 6 may at the same time be convicted and sentenced for any other offence to which he or she has pleaded guilty (other than an offence referred to in section 5 (2)), whether or not the person has been referred to the Drug Court under section 6 in relation to that other offence.

Division 2 Administration of program

9 Variation of conditions of program

- (1) The Drug Court may from time to time, in accordance with a drug offender's program, vary the program by adding new conditions to, or varying or revoking existing conditions of, the program.
- (2) No appeal lies against any decision by the Drug Court to vary a drug offender's program under this section.

10 Proceedings for non-compliance with program

- (1) If it is satisfied, on the balance of probabilities, that a drug offender has failed to comply with his or her program, the Drug Court:
 - (a) may, in accordance with the program, impose any one or more of the sanctions specified in the program as sanctions that the Court may impose on the drug offender, or
 - (b) if it is also satisfied that there is no useful purpose to be served in the drug offender's further participation in the program, may decide to terminate the program.

- (2) Without affecting the other circumstances in which a drug offender is taken to have failed to comply with his or her program, a drug offender is taken to have failed to comply with the program if the drug offender is charged before a court with an offence referred to in section 5 (2).
- (3) No appeal lies in relation to any action taken or decision made by the Drug Court under this section.

11 Termination of program

- (1) The Drug Court may terminate a drug offender's program:
 - (a) if the drug offender successfully completes the program, or
 - (b) if the drug offender requests the Drug Court to terminate the program, or
 - (c) if the Drug Court decides to terminate the program as referred to in section 10 (1) (b).
- (2) No appeal lies against the Drug Court's termination of a drug offender's program.

12 Imposition of final sentence

- (1) On terminating a drug offender's program, the Drug Court must reconsider the drug offender's initial sentence.
- (2) In reconsidering a drug offender's initial sentence, the Drug Court must take into consideration:
 - (a) the nature of the drug offender's participation in his or her program, and
 - (b) any sanctions that have been imposed on the drug offender during the program.
- (3) After reconsidering a drug offender's initial sentence, the Drug Court is to determine the drug offender's final sentence:
 - (a) by making an order setting aside the initial sentence and discharging the drug offender, either unconditionally or conditionally on his or her entering into a recognizance to be of good behaviour of the kind referred to in section 556A (1)(b) of the *Crimes Act 1900*, or

- (b) by making an order setting aside the initial sentence, deferring the passing of sentence and releasing the drug offender conditionally on his or her entering into a recognizance to be of good behaviour of the kind referred to in section 558 (1) of the *Crimes Act 1900*, or
 - (c) by making an order setting aside the initial sentence and imposing instead any sentence that it could have imposed for the offence to which the initial sentence related, or
 - (d) by making an order confirming the initial sentence.
- (4) The final sentence determined for a drug offender in relation to an offence is not to be greater than the initial sentence imposed on the drug offender in relation to that offence.
- (5) Part 15 of the *Crimes Act 1900*:
 - (a) applies to a recognizance under subsection (3) (a) in the same way as it applies to a recognizance under section 556A (1) (b) of that Act, and
 - (b) applies to a recognizance under subsection (3) (b) in the same way as it applies to a recognizance under section 558 (1) of that Act.

13 Revocation of suspension order

On sentencing a drug offender under section 12, the Drug Court is to revoke the drug offender's suspension order.

Division 3 Miscellaneous

14 Arrest warrants

- (1) If it suspects that a drug offender may have failed to comply with his or her program, the Drug Court may issue a warrant for the drug offender's arrest.
- (2) A warrant under this section authorises any police officer to arrest the drug offender and to bring the drug offender before the Drug Court to be dealt with under this Act.
- (3) The *Bail Act 1978* does not apply to a drug offender who is arrested on the authority of a warrant under this section.

15 Sentences imposed by Drug Court

- (1) The sentences that may be imposed by the Drug Court under this Part are as follows:

- (a) in the case of an indictable offence (including an indictable offence for which an election to have the offence dealt with on indictment has been duly made under Part 9A of the *Criminal Procedure Act 1986*), any penalty that could have been imposed by the District Court had the offence been dealt with on indictment by the District Court,
 - (b) in the case of a summary offence (including an indictable offence for which an election to have the offence dealt with on indictment has not been duly made under Part 9A of the *Criminal Procedure Act 1986*), any penalty that could have been imposed by a Local Court had the offence been dealt with summarily by a Local Court.
- (2) Except for the purposes of the *Criminal Appeal Act 1912*, a person sentenced by the Drug Court for an offence referred to in subsection (1)(a) is taken to have been convicted of the offence on indictment.

16 Conditions of program

- (1) The conditions of a program may allow the Drug Court to confer the following kinds of rewards on a drug offender who maintains a satisfactory level of compliance with the program:
 - (a) conferral of specified privileges,
 - (b) an appropriate change in the frequency of counselling or other treatment,
 - (c) a decrease in the degree of supervision to which the drug offender is subject,
 - (d) a decrease in the frequency with which the drug offender must undergo testing for drugs,
 - (e) a decrease in the amount of any monetary penalty payable to the Drug Court, as referred to in subsection (2) (e),
 - (f) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which the drug offender is required to attend vocational and social services.
- (2) The conditions of a program may allow the Drug Court to impose the following kinds of sanctions on a drug offender who fails to comply with the program:
 - (a) withdrawal of privileges conferred on the person, as referred to in subsection (1) (a).

- (b) an appropriate change in the frequency of counselling or other treatment,
 - (c) an increase in the degree of supervision to which the drug offender is subject,
 - (d) an increase in the frequency with which the drug offender must undergo testing for drugs,
 - (e) a requirement that the drug offender pay a monetary penalty to the Drug Court,
 - (f) a requirement that the drug offender be subjected to imprisonment in a correctional centre for up to 14 days in respect of any one failure to comply with the requirements of the order,
 - (g) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which the drug offender is required to attend vocational and social services.
- (3) Any monetary penalty payable by a drug offender, as referred to in subsection (2) (e), is recoverable by the registrar of the Drug Court as a debt in any court of competent Jurisdiction.
- (4) This section does not limit the conditions that may form part of a program apart from this section.

17 Immunity from prosecution for certain offences

A person is not liable to prosecution for any offence comprising the unlawful possession or use of drugs:

- (a) as a result of any admission made for the purposes of seeking a referral under Division 1, not being an admission of facts giving rise to an offence referred to in section 5 (2) (a), or
- (b) as a result of any admission made for the purposes of satisfying the Drug Court that the person should be accepted into a program, or
- (c) as a result of any admission made in connection with the Drug Court's supervision of his or her program,

nor may any such admission be admitted as evidence in proceedings for any offence comprising the unlawful possession or use of drugs that are brought as a result of the admission.

18 Application of Criminal Procedure Act 1986

In the application of the *Criminal Procedure Act 1986* to proceedings before the Drug Court:

- (a) the provisions of Part 6 of that Act that enable the Drug Court, when sentencing a person for one offence, to take other offences into account in determining the penalty to impose on the person do not enable the Drug Court to take into account any offence of the kind referred to in section 5 (2), and
- (b) the provisions of Part 9A of that Act are subject to such modifications (if any) as are prescribed by the regulations under this Act.

Part 3 The Drug Court

Division 1 Constitution of Drug Court

19 Constitution of Drug Court

There is constituted by this Act a court of record to be known as the Drug Court of New South Wales.

20 Judges

- (1) The Governor may, by commission under the public seal of the State, appoint as a Drug Court Judge any person who is a Judge of the District Court.
- (2) A person ceases to be a Drug Court Judge on ceasing to be a Judge of the District Court.
- (3) In this section, a reference to a Judge of the District Court includes a reference to an acting Judge of the District Court.

21 Senior Judge

- (1) The Governor may, by a person's commission as a Judge or by a subsequent commission under the public seal of the State, appoint one of the Drug Court Judges to be the Senior Judge of the Drug Court.
- (2) Subject to subsection (3), the Senior Judge holds office as Senior Judge while he or she holds office as Judge.
- (3) With the approval of the Governor, the Senior Judge may resign office as Senior Judge without resigning office as Judge.

22 Acting Senior Judge

- (1) The Minister may appoint a Judge to be acting Senior Judge during any absence from duty or vacancy in office of the Senior Judge.

- (2) An acting Senior Judge has the functions of the Senior Judge and anything done by the acting Senior Judge in the exercise of those functions has effect as if it had been done by the Senior Judge.

Division 2 Procedure of Drug Court

23 Single Judge to constitute Drug Court

All proceedings in the Drug Court, and all matters arising out of any such proceedings, are to be heard and disposed of before a Judge, who constitutes the Court.

24 Jurisdiction of Drug Court

- (1) The Drug Court has the following jurisdiction:
- (a) the criminal jurisdiction of the District Court,
 - (b) the criminal jurisdiction of a Local Court,
 - (c) such other jurisdiction as is vested in the Drug Court by this or any other Act.
- (2) For the purpose of enabling it to exercise its jurisdiction, the Drug Court has the following functions:
- (a) all of the functions of the District Court that are exercisable in relation to its criminal jurisdiction,
 - (b) all of the functions of a Local Court that are exercisable in relation to its criminal jurisdiction, including all the functions exercisable by a Magistrate or Justice under the *Justices Act 1902*,
 - (c) such other functions as are conferred or imposed on it by or under this or any other Act.

25 Sittings

- (1) The Drug Court is to sit at such places and times as the Senior Judge may direct.
- (2) Two or more sittings of the Drug Court may be held at the same time.

26 Court proceedings

- (1) This section applies to proceedings before the Drug Court in the exercise of its jurisdiction under this Act, but does not apply to proceedings before the Drug Court in the exercise of the criminal jurisdiction of the District Court or the criminal jurisdiction of a Local court.

- (2) Proceedings before the Drug Court are to be conducted:
 - (a) in accordance with the directions of the Judge presiding in the proceedings, and
 - (b) subject to paragraph (a), with as little formality and technicality, and with as much expedition, as the requirements of this Act and the regulations and the proper consideration of the matters before the Court permit.
- (3) The Drug Court is not bound by the rules of evidence, but may inform itself on any matter in such manner as it considers appropriate.
- (4) The Drug Court may adjourn its proceedings from time to time.

27 Rules of court

The Senior Judge may make rules of court, not inconsistent with this Act, for or with respect to any matter relating to the practice or procedure of the Drug Court, including:

- (a) any matter for or with respect to which rules may be made under the *District Court Act 1973* in relation to the criminal jurisdiction of the District Court, and
- (b) any matter for or with respect to which rules may be made under the *Justices Act 1902* in relation to the criminal jurisdiction of a Local Court.

Division 3 Administration

28 Court officers

- (1) A registrar and such other officers as are necessary for the proper administration of this Act are to be appointed under Part 2 of the *Public Sector Management Act 1988*.
- (2) Arrangements may be made for the use by the Drug Court of the services of any staff (by secondment or otherwise) or facilities of a Government department.

29 Court business

- (1) The Senior Judge is responsible for the administration of the business of the Drug Court.
- (2) The registrar may exercise:
 - (a) such of the administrative functions of the Court as are conferred or imposed on the registrar by the regulations or the rules of court, and

- (b) such of the functions of a registrar of the District Court as are relevant to the exercise by the Drug Court of the criminal jurisdiction of a District Court, and
- (c) such of the functions of a Clerk of a Local Court as are relevant to the exercise by the Drug Court of the criminal jurisdiction of a Local Court.

30 Delegation

- (1) The Senior Judge may delegate to a Judge any of the Senior Judge's functions, other than this power of delegation.
- (2) The registrar may delegate to any other officer of the Court any of the registrar's functions, other than this power of delegation.

Part 4 Miscellaneous

31 Provision of information to Drug Court

- (1) This section applies to such persons as are prescribed by the regulations for the purposes of this section, being persons who are involved in the administration of, or who provide services in connection with, a drug offender's program.
- (2) It is the duty of a person to whom this section applies:
 - (a) to promptly notify the registrar of any failure by a drug offender to comply with the drug offender's program, and
 - (b) to promptly comply with the requirements of the regulations with respect to the giving of information to the registrar.
- (3) The following provisions apply to and in respect of any information provided for the purposes of this section (*protected information*):
 - (a) the provision of the information does not constitute a breach of professional etiquette or ethics or a departure from accepted standards of professional conduct,
 - (b) no liability for defamation is incurred because of the provision of the information,
 - (c) the provision of the information does not constitute a ground for civil proceedings for malicious prosecution or for conspiracy,
 - (d) the information is not admissible in evidence in any proceedings before a court, tribunal or committee,
 - (e) a person is not compellable in any proceedings before a court, tribunal or committee to disclose the information or to produce any document that contains the information.
- (4) The provisions of subsection (3) (d) and (e) do not apply to or in respect of the provision of protected information:
 - (a) in proceedings before the Drug Court or any court hearing or determining an appeal from a decision of the Drug Court, or
 - (b) in support of, or in answer to, any charge or allegation made in proceedings against a person in relation to the person's exercise of functions under this Act.

- (5) A drug offender is taken to have authorised the communication of protected information:
 - (a) from any person to whom this section applies to the registrar, and
 - (b) from the registrar to any person to whom this section applies, and
 - (c) from any member of staff of the Drug Court to any other member of staff of the Drug Court.
- (6) A provision of any Act or law that prohibits or restricts the disclosure of information does not operate to prevent the provision of information in accordance with this section.

32 Regulations

The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular, for or with respect to:

- (a) the forms to be used for the purposes of this Act,¹ and
- (b) the fees to be charged under this Act, and
- (c) the postponement, waiver or remittal of fees charged under this Act.

33 Amendment of other Acts

Each Act referred to in Schedule 1 is amended as set out in that Schedule.

34 Savings, transitional and other provisions

Schedule 2 has effect.

35 Review of Act

- (1) The Minister is to review this Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.

- (2) The review is to be undertaken as soon as possible after the period of 2 years from the date of assent to this Act.
- (3) A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of 2 years.

Schedule 1 Amendment of other Acts

(Section 33)

1.1 Bail Act 1978 No 161

[1] Section 4 Definitions

Insert after paragraph (c) of the definition of *court* in section 4 (1):

(c1) the Drug Court, or

[2] Section 6 Grant of bail for certain periods

Insert after section 6 (g8):

(g9) the period between a person being referred to the Drug Court under section 6 of the *Drug Court Act 1998* and the person being brought before the Drug Court consequent on the referral.

(g10) the period between a person being referred back to a court under section 8 of the *Drug Court Act 1998* and the person being brought before that court consequent on the referral,

1.2 Children (Criminal Proceedings) Act 1987 No 55

Section 7 Jurisdiction of Children's Court not to be exercised by certain other courts

Insert at the end of the section:

(2) The Drug Court may not hear or determine criminal proceedings that a Children's Court has jurisdiction to hear and determine.

1.3 Criminal Appeal Act 1912 No 16

[1] Section 5AE

Insert after section 5AD:

5AE Appeals from sentences imposed by the Drug Court

- (1) Section 5AA applies to and in respect of a person convicted of an offence by the Drug Court in the exercise of its jurisdiction under Part 2 of the *Drug Court Act 1998* (in relation only to a final sentence determined by the Court under section 12 of that Act) in the same way as it applies to a person referred to in section 5AA (1).
- (2) For the purposes of this section, a reference in section 5AA to the Supreme Court is to be construed as including a reference to the Drug Court.
- (3) The power of the Court of Criminal Appeal to hear and determine an appeal under this section is to be exercised by such single judge of the Supreme Court as the Chief Justice may direct.

[2] Section 10 Time for appealing

Omit "or 5AD" from section 10 (4).

Insert instead ". 5AD or 5AE".

1.4 Criminal Procedure Act 1986 No 209

Section 20 Definitions

Insert after paragraph (d) of the definition of court in section 20 (1):

the Drug Court, or

1.5 Justices Act 1902 No 27

[1] Section 51A Effect of plea of guilty in 'committal proceedings

Insert after section 51A (6) (a):

- (a1) is being dealt with in accordance with Part 2 of the *Drug Court Act 1998*, or

[2] Section 121B No appeal in certain cases

Insert after section 121B (2):

- (3) Despite section 122, there is no appeal to the District Court in relation to any order made on the conviction of a person by the Drug Court under the provisions of the *Drug Court Act 1998*.

1.6 Search Warrants Act 1985 No 37

Section 3 Definitions

Insert "or the registrar of the Drug Court" after "Local Court" in paragraph (b) of the definition of *authorised justice*.

1.7 Victims Compensation Act 1996 No 115

Section 78 Application of Part

Insert "the Drug Court," after "the District Court," in section 78 (1) (b).

Schedule 2 Savings, transitional and other provisions

(Section 34)

Part 1 Preliminary

1 Savings and transitional regulations

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts:

this Act
- (2) Such a provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or a later day.
- (3) To the extent to which such a provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
 - (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of that publication, or
 - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of that publication.

Part 2 Provisions consequent on enactment of Drug Court Act 1998

2 Transitional provision for past offences

Part 2 applies to and in respect of an offence committed before the commencement of that Part in the same way as it applies to and in respect of an offence committed after that commencement, and so applies whether proceedings for the offence were commenced before or after that commencement.

[Minister's second reading speech made in—
Legislative Assembly on 27 October 1998
Legislative Council on 25 November 1998]



Queensland

Drug Court Act 2000

Reprinted as in force on 1 July 2008

Reprint No. 3

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This Act is reprinted as at 1 July 2008. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- use different spelling consistent with current drafting practice (s 26(2))
- use standard punctuation consistent with current drafting practice (s 27)
- use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- when provisions commenced
- editorial changes made in earlier reprints.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

Drug Court Act 2000

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Drug Court Act 2000

[as amended by all amendments that commenced on or before 1 July 2008]

An Act to provide a drug court program for intensive drug rehabilitation of drug dependent offenders

Part 1 Preliminary

1 Short title

This Act may be cited as the *Drug Court Act 2000*.

2 Commencement

This Act commences on a day to be fixed by proclamation.

3 Objects of this Act

(1) The objects of this Act are—

- (a) to reduce the level of drug dependency in the community and the drug dependency of eligible persons; and
- (b) to reduce the level of criminal activity associated with drug dependency; and
- (c) to reduce the health risks associated with drug dependency of eligible persons; and
- (d) to promote the rehabilitation of eligible persons and their re-integration into the community; and
- (e) to reduce pressure on resources in the court and prison systems.

(2) The objects are to be achieved by establishing drug courts.

4 Relationship with Penalties and Sentences Act 1992

- (1) A drug court magistrate—
 - (a) must have regard to the principles stated in the *Penalties and Sentences Act 1992*, section 9;¹ and
 - (b) may exercise the powers and make the orders a magistrate may exercise or make under that Act.
- (2) Subsection (1) applies unless a contrary intention appears.

4A Notes in text

A note in the text of this Act is part of the Act.

Part 2 Definitions and important terms

5 Definitions

The dictionary in the schedule defines particular words used in this Act.

6 Who is an *eligible person*

- (1) A person charged with an offence is an *eligible person* if—
 - (a) the person is not a person who must be dealt with as a child under the *Juvenile Justice Act 1992*; and
 - (b) the person is drug dependent and that dependency contributed to the person committing the offence; and
 - (c) it is likely the person would, if convicted of the offence, be sentenced to imprisonment; and
 - (d) the person satisfies any other criteria prescribed under a regulation.

¹ *Penalties and Sentences Act 1992*, section 9 (Sentencing guidelines)

- (2) Without limiting subsection (1)(d), the regulation may require that the person be someone who resides within a stated locality at the time—
 - (a) the person is referred for an indicative assessment; or
 - (b) the person is referred for an assessment; or
 - (c) an intensive drug rehabilitation order is made for the person.
- (3) The person is not an *eligible person* if—
 - (a) the person is serving a term of imprisonment other than a community term of imprisonment; or
 - (b) the person is the subject of a parole order that is cancelled by a parole board and the person is to serve the unexpired portion of the person's period of imprisonment; or
 - (c) a charge against the person for a disqualifying offence is pending in a court.

Note for subsection (3)(a)—

A person released on parole is taken to be still serving the sentence imposed on the person: *Corrective Services Act 2006*, section 214.

- (4) For the purpose of deciding whether a person ordered to serve a term of imprisonment under a law of another State or the Commonwealth (the *relevant law*) is a person serving a term of imprisonment for subsection (3)(a)—
 - (a) the *Corrective Services Act 2006*, section 214 applies; and
 - (b) a reference in the *Corrective Services Act 2006*, section 214 to parole includes a reference to a release under the relevant law that is similar to parole.
- (5) In this section—

parole order includes a release under a law of another State or the Commonwealth that is similar to a parole order.

7 What is a *disqualifying offence*

- (1) A *disqualifying offence* is—
-

Drug Court Act 2000

- (a) an offence of a sexual nature; or
 - (b) an offence involving violence against another person, other than an offence charged under any of the following provisions of the Criminal Code—
 - section 335
 - section 340(a), but only if the offence is the assault of another with intent to resist or prevent the lawful arrest or detention of the person or of any other person
 - section 340(b)
 - section 413.²
- (2) For section 6(3)(b), a reference in subsection (1) to a provision of the Criminal Code includes a reference to a corresponding provision of a law of another State or the Commonwealth.
- (3) For subsection (1), an offence of a sexual nature does not include an offence by a prostitute in providing prostitution, or in offering or accepting an offer to provide prostitution.
- (4) For subsection (1)(b), an offence involving violence against another person is an offence that involves any allegation of personal violence, whether as an element of the offence or as an act of violence associated with the offence.

Examples of offences involving violence other than as an element of the offence—

- operating a vehicle dangerously involving dragging a person behind the vehicle
- operating a vehicle dangerously involving intentionally colliding with another vehicle or a person
- breaching a domestic violence order involving a wilful injury

² Criminal Code, section 335 (Common assault), 340 (Serious assaults), 413 (Assault with intent to steal)

7A What is a *community term of imprisonment*

- (1) A term of imprisonment in relation to a person is a *community term of imprisonment* if the person is ordered to serve the term of imprisonment—
 - (a) by way of intensive correction in the community under an intensive correction order made under the *Penalties and Sentences Act 1992*, section 112; or
 - (b) in a similar way under an order made under a law of another State or the Commonwealth.
- (2) However, a term of imprisonment is not a *community term of imprisonment* if the order mentioned in subsection (1) was revoked and the person was committed to prison.

8 What is a *relevant offence*

- (1) Each of the following is a *relevant offence*—
 - (a) a simple offence;
 - (b) an indictable offence that may be dealt with summarily;
 - (c) a prescribed drug offence;
 - (d) another offence prescribed under a regulation that is punishable by imprisonment for a term of not more than 7 years.
- (2) A relevant offence does not include a disqualifying offence.

Part 3 Drug courts and drug court magistrates

9 Drug courts

- (1) The Governor in Council, by regulation, may declare 1 or more Magistrates Courts to be drug courts.
 - (2) A court is a drug court under subsection (1) whether or not it is constituted by a drug court magistrate.
-

- (3) However, a power of a drug court magistrate may be exercised only in a drug court.

10 Drug court magistrates

- (1) The Chief Magistrate must allocate the functions of a drug court magistrate to 1 or more magistrates.
- (2) Nothing in this Act prevents a drug court magistrate exercising the jurisdiction of a Magistrates Court at any time.

11 Functions, additional jurisdiction and powers of drug court magistrates

- (1) A drug court magistrate has the functions given by this Act.
- (2) For the performance of a drug court magistrate's functions, a drug court magistrate has jurisdiction to deal with a person appearing before the magistrate charged with a prescribed drug offence.
- (3) A drug court magistrate has power to do all things necessary or convenient to be done for the performance of the magistrate's functions.
- (4) A drug court magistrate must conduct proceedings under this Act quickly and in a way that avoids unnecessary technicalities and facilitates the fair and practical conduct of the proceedings.
- (5) In a proceeding under this Act, the drug court magistrate is not bound by the rules of evidence, but may inform himself or herself in any way the magistrate considers appropriate.

12 Other functions of drug court magistrates

- (1) This Act does not affect the application of the *Magistrates Act 1991* to a drug court magistrate.
 - (2) For example, a drug court magistrate, in addition to exercising functions as a drug court magistrate, must—
 - (a) exercise other functions as a magistrate as directed by the Chief Magistrate; and
-

- (b) comply with reasonable directions given, or requirements made, by the Chief Magistrate.

Part 3A Indicative assessment of drug dependency

12A Application of pt 3A

This part applies if—

- (a) a person charged with a relevant offence appears before a magistrate in a Magistrates Court prescribed under a regulation for this section; and
- (b) the person has pleaded guilty to the offence or has indicated that he or she intends to plead guilty to the offence; and
- (c) the magistrate is satisfied the person may be drug dependent; and
- (d) the person appears, to the magistrate, to be an eligible person; and
- (e) the maximum number of active intensive drug rehabilitation orders prescribed under a regulation has not been exceeded.

12B Referral for indicative assessment

- (1) The magistrate may decide to refer the person for an indicative assessment.
 - (2) If the magistrate decides to refer the person for an indicative assessment, the magistrate may adjourn the proceedings and—
 - (a) remand the person in custody to appear before a drug court magistrate; or
 - (b) release the person on bail to appear before a drug court magistrate.
-

- (3) If the magistrate adjourns the proceedings to refer the person for an indicative assessment, the magistrate must require—
 - (a) the person to attend at the times and places decided by the chief executive (health) for an indicative assessment by an appropriately qualified health professional decided by the chief executive (health); and
 - (b) the chief executive (health) to prepare and submit to a drug court magistrate, within the time allowed by the magistrate, a report (an *indicative assessment report*) containing an indicative assessment of the person by the appropriately qualified health professional.
- (4) The magistrate may require the indicative assessment report to be given orally or in writing.
- (5) If the magistrate remands the person in custody, the chief executive (corrective services) must ensure the person—
 - (a) is assessed by an appropriately qualified health professional decided by the chief executive (health); and
 - (b) appears before a drug court magistrate to be dealt with as required by the drug court magistrate.
- (6) After the indicative assessment report is submitted to a drug court magistrate, the prosecuting authority appearing before the court and the person's legal representatives may make submissions about whether the proceedings should continue in the drug court or the matter should be dealt with by a magistrates court.

12C Indicative assessment reports

- (1) When required to do so by a magistrate, the chief executive (health) must arrange for an appropriately qualified health professional to prepare an indicative assessment report for a drug court magistrate about a stated person remanded or required to appear before the drug court magistrate.
 - (2) The indicative assessment report must be given to the drug court magistrate within the time allowed under section 12B(3) by the magistrate.
 - (3) The drug court magistrate must give a copy of the indicative assessment report to—
-

- (a) the prosecuting authority that appeared before the court when the offender was referred for an indicative assessment; and
 - (b) the person's legal representatives; and
 - (c) the chief executive (corrective services).
- (4) The drug court magistrate must ensure the prosecuting authority and the person's legal representatives have sufficient time before the proceedings to consider and respond to the report.

12D Additional matters for indicative assessment report

- (1) The drug court magistrate may order that the report, or part of the report, not be shown to the person.
- (2) A report purporting to be an indicative assessment report made by an appropriately qualified health professional is evidence of the matters contained in it.
- (3) An objection must not be taken or allowed to the evidence on the ground that it is hearsay.
- (4) To remove any doubt, it is declared that this section does not limit the jurisdiction and powers of the drug court magistrate under section 11.

Part 4 Referral for assessment

13 Application of pt 4

This part applies if—

- (a) a person charged with a relevant offence appears before a drug court magistrate; and
 - (b) there is evidence the person is drug dependent.
-

14 Referral to be decided as soon as practicable

- (1) The powers conferred on a drug court magistrate under this part must be exercised as soon as practicable after the person first comes before the drug court for a relevant offence.
- (2) Despite subsection (1), the powers may be exercised at any time before the court sentences the person or commits the person for trial or sentence for the offence.

15 Deciding whether to refer for assessment

- (1) The drug court magistrate must decide whether the person appears to be an eligible person.
- (2) If the person appears to be an eligible person, the drug court magistrate may decide to refer the person for assessment if satisfied—
 - (a) the person has pleaded guilty to the offence or has indicated that he or she intends to plead guilty to the offence; and
 - (b) the person is willing to be assessed for suitability for rehabilitation and to appear before a drug court magistrate to be dealt with for the offence; and
 - (c) the maximum number of active intensive drug rehabilitation orders prescribed under a regulation has not been exceeded.

16 Referral for assessment

- (1) If the drug court magistrate (the *referring magistrate*) decides to refer the person for assessment, the referring magistrate may adjourn the proceedings and—
 - (a) remand the person in custody to appear before a drug court magistrate; or
 - (b) release the person on bail to appear before a drug court magistrate.
 - (2) If the referring magistrate adjourns the proceedings, the referring magistrate must require the chief executive (corrective services) to prepare and submit to a drug court magistrate, within the time allowed by the referring
-

magistrate, a pre-sentence report under the *Corrective Services Act 2006*, section 344³ that contains—

- (a) an assessment of the person's suitability for rehabilitation; and
 - (b) if the person is suitable, a proposed rehabilitation program.
- (3) Also, if the referring magistrate adjourns the proceedings, the referring magistrate must require the chief executive (health) to prepare and submit to a drug court magistrate, within the time allowed by the referring magistrate, a written report (an *assessment report*) containing an assessment of the person by an appropriately qualified health professional.
- (4) If the referring magistrate releases the person on bail, the grant of bail must be made subject to the condition that, for the purpose of preparing the pre-sentence report and assessment report, the person—
- (a) reports to an authorised corrective services officer within a stated time; and
 - (b) reports to other persons at the times and places directed by an authorised corrective services officer, including to an appropriately qualified health professional decided by the chief executive (health) for assessment.
- (5) If the referring magistrate remands the person in custody, the chief executive (corrective services) must ensure the person—
- (a) is assessed by an appropriately qualified health professional decided by the chief executive (health); and
 - (b) appears before a drug court magistrate to be dealt with as required by the drug court magistrate.

16A Assessment report

- (1) When required to do so under section 16(3) by a referring magistrate, the chief executive (health) must arrange for an appropriately qualified health professional to prepare an assessment report for a drug court magistrate about a stated

3 *Corrective Services Act 2006*, section 344 (Pre-sentence report)

person remanded or required to appear before the drug court magistrate.

- (2) The assessment report must be given to the drug court magistrate within the time allowed by the referring magistrate.
- (3) The drug court magistrate must give a copy of the assessment report to—
 - (a) the prosecuting authority that appeared before the court when the offender was referred for assessment; and
 - (b) the person's legal representatives; and
 - (c) the chief executive (corrective services).
- (4) The drug court magistrate must ensure the prosecuting authority and the person's legal representatives have sufficient time before the proceedings to consider and respond to the assessment report.

16B Additional matters for assessment report

- (1) The drug court magistrate may order that the assessment report, or part of the assessment report, not be shown to the person.
 - (2) A report purporting to be an assessment report made by an appropriately qualified health professional is evidence of the matters contained in it.
 - (3) An objection must not be taken or allowed to the evidence on the ground that it is hearsay.
-

Part 5 Intensive drug rehabilitation orders

Division 1 Preliminary

17 Application of pt 5

- (1) This part applies if a person charged with a relevant offence (the *offender*) appears before a drug court magistrate—
 - (a) on proceedings adjourned under part 4; or
 - (b) if expressly provided in relation to a provision of this part, on other proceedings.
- (2) In deciding whether to make an order under this part, it does not matter whether the offence was committed before or after the commencement of this Act.

Division 2 Making an order

18 Drug court magistrate may make order only if conviction recorded

- (1) A drug court magistrate may make an intensive drug rehabilitation order for the offender for a relevant offence only if the magistrate records a conviction.
- (2) Subsection (1) also applies if the proceedings for the offence are before the magistrate other than on adjournment under part 4.

19 Making of order

A drug court magistrate may make an order (*intensive drug rehabilitation order*) for the offender for an offence if satisfied—

- (a) the offence is a relevant offence; and
 - (b) the offender is an eligible person; and
 - (c) the offender has pleaded guilty to the offence; and
-

- (d) the magistrate would, apart from this Act, sentence the offender to a term of imprisonment; and
 - (e) the offence is—
 - (i) a prescribed drug offence, or an offence against the *Drugs Misuse Act 1986* that may be prosecuted summarily, for which the offender may be adequately punished with imprisonment of not more than 3 years; or
 - (ii) another offence for which the offender may be adequately punished with imprisonment of not more than 4 years; and
 - (f) the offender is not suffering from any mental condition that could prevent the offender's active participation in a rehabilitation program; and
 - (g) the maximum number of active intensive drug rehabilitation orders prescribed under a regulation has not been exceeded; and
 - (h) the facilities to supervise and control the offender's participation in a rehabilitation program are available for allocation to the offender under guidelines prescribed under a regulation; and
 - (i) there are reasonable prospects the offender would satisfactorily comply with an intensive drug rehabilitation order and it would be otherwise appropriate for an intensive drug rehabilitation order to be made, having regard to all relevant matters including, for example—
 - (i) the pre-sentence report and assessment report mentioned in section 16; and
 - (ii) whether a charge for an offence that can not be dealt with under this Act (other than a disqualifying offence) is pending in a court against the offender, and if so, the nature and seriousness of the offence and when the charge is likely to be dealt with.
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20 Contents of order

- (1) If the drug court magistrate decides to make an intensive drug rehabilitation order for the offender, the order must contain—
 - (a) an order—
 - (i) sentencing the offender to serve a term of imprisonment (the *initial sentence*); and
 - (ii) suspending the whole of the term of imprisonment under this Act; and
 - (b) the requirements of the order; and
 - (c) a rehabilitation program decided by the drug court magistrate for the offender.
- (2) For subsection (1)(a)(i), the intensive drug rehabilitation order may contain an order sentencing the offender to serve a term of imprisonment of more than 3 years only if the prosecuting authority appearing before the court and the offender have consented to the offence being prosecuted summarily on the ground that the defendant will be adequately punished on summary conviction.

21 Delaying suspension of sentence

If the drug court magistrate is satisfied sufficient grounds exist, the magistrate may—

- (a) direct that the commencement of the suspension of the sentence be delayed for not more than 15 days; and
- (b) order that the offender be detained in custody in a prison until the earlier of the following days—
 - (i) the day the chief executive (corrective services) is given a release authority in the approved form signed by the clerk of the court of a drug court;
 - (ii) the day the 15 day period ends.

Example—

The drug court magistrate is satisfied the offender requires detoxification but suitable facilities for detoxification are not immediately available.

22 Core conditions of intensive drug rehabilitation order

An intensive drug rehabilitation order is subject to the following core conditions—

- (a) the offender must not commit an offence, in or outside Queensland, during the period of the order;
- (b) the offender must notify an authorised corrective services officer of every change of the offender's place of residence or employment within 2 business days after the change happens;
- (c) the offender must not leave or stay out of Queensland without an authorised corrective services officer's permission;
- (d) the offender must comply with every reasonable direction of an authorised corrective services officer, including a direction to appear before a drug court magistrate at a stated time and place;
- (e) the offender must attend before a drug court magistrate at the times and places stated in the order.

23 Additional requirements of order

- (1) The intensive drug rehabilitation order may also contain requirements that the offender—
 - (a) make restitution, or pay compensation; and
 - (b) satisfactorily perform community service of up to 240 hours for the period stated in the order, as and when directed by an authorised corrective services officer; and
 - (c) do another thing that a drug court magistrate considers may help the offender's rehabilitation.
 - (2) A requirement to make restitution may be made for property—
 - (a) in relation to which an offence was committed; or
 - (b) taken in the course of, or in connection with, the commission of the offence.
 - (3) A requirement to pay compensation may be made—
-

- (a) to a person for any loss or destruction of, damage caused to, or unlawful interference with, property—
 - (i) in relation to which an offence was committed; or
 - (ii) in the course of, or in connection with, the commission of the offence; and
 - (b) for personal injury suffered by a person, whether or not the person is the victim against whom an offence was committed, because of the commission of the offence.
- (4) In deciding whether to require the offender to perform community service under subsection (1)(b), the drug court magistrate must consider the number of hours of community service the offender has outstanding under another order and when the hours must be completed.
- (5) If the drug court magistrate decides to require the offender to perform community service under subsection (1)(b), the drug court magistrate must consider whether the offender is in a residential rehabilitation facility and is able to complete the community service.
- (6) The *Penalties and Sentences Act 1992*, part 3, division 4, does not apply to restitution or compensation under an intensive drug rehabilitation order.
- (7) The *Penalties and Sentences Act 1992*, part 5, divisions 2 and 3, do not apply to community service under an intensive drug rehabilitation order.
- (8) A requirement under subsection (1) is not a sentence within the meaning of the *Penalties and Sentences Act 1992*, section 4.

24 Contents and requirements of rehabilitation program

- (1) The intensive drug rehabilitation order must, as far as practicable, state the details of the rehabilitation program the offender must undertake, including, for example, that the offender must—
 - (a) report to, or receive visits from, an authorised corrective services officer; or
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- (b) report for drug testing to an authorised corrective services officer; or
 - (c) attend vocational education and employment courses; or
 - (d) submit to medical, psychiatric or psychological treatment.
 - (2) As part of the medical, psychiatric or psychological treatment, the offender may be required to remain at a place, and for a time, stated in the program.
 - (3) The offender's rehabilitation program must also state that a drug court magistrate may, at any time, commit the offender to a prison if, in the magistrate's opinion, the committal is necessary to facilitate—
 - (a) detoxification of the offender; or
 - (b) assessment of the offender's participation in the program.
 - (4) However, the offender must not be committed to a prison for detoxification unless the drug court magistrate is satisfied no other suitable facilities are immediately available.
 - (5) If a drug court magistrate commits an offender to prison to facilitate detoxification, the offender is committed to the prison until the earliest of the following—
 - (a) 22 days after the offender is committed to prison for detoxification;
 - (b) the chief executive (corrective services) or chief executive (health) is satisfied the offender is detoxified;
 - (c) a drug court magistrate, on the offender's application, orders the committal of the offender end.
 - (6) If an offender is committed to prison for an assessment of the offender's participation in the program, the committal must not be for more than—
 - (a) if the assessment is because the offender has failed to attend on a person or at a place as stated in the rehabilitation program—30 days; or
 - (b) otherwise—15 days.
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- (7) If a drug court magistrate commits an offender to prison under subsection (5) to facilitate detoxification, the drug court magistrate must order that after the committal ends the person must appear before a drug court magistrate at the time and place stated.
- (8) If a drug court magistrate commits an offender to prison under subsection (6) for assessment, the drug court magistrate must state that after the committal ends the offender must—
 - (a) appear before a drug court magistrate at the times and places stated; or
 - (b) attend at another place at the times stated.

25 Explaining orders

- (1) Before making an intensive drug rehabilitation order, the drug court magistrate must explain, or cause to be explained, to the offender the following matters—
 - (a) that the intensive drug rehabilitation order has 3 parts—
 - (i) the sentence of imprisonment and the suspension of the sentence; and
 - (ii) the core conditions and additional requirements of the order; and
 - (iii) the rehabilitation program;
 - (b) the purpose and effect of the order;
 - (c) what may happen if the offender does not comply with the order;
 - (d) that, subject to divisions 4 and 5, the requirements of the order or the rehabilitation program may be amended or a rehabilitation program terminated on a drug court magistrate's own initiative or on application by—
 - (i) the offender; or
 - (ii) an authorised corrective services officer; or
 - (iii) the commissioner of the police service; or
 - (iv) the director of public prosecutions.
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- (2) If the offender is charged with a prescribed drug offence, the magistrate must also explain—
 - (a) the offender would normally be dealt with in the Supreme Court for the offence; and
 - (b) the magistrate is dealing with the offender on the condition the offender successfully complete the rehabilitation program; and
 - (c) if the offender does not successfully complete the rehabilitation program, the offender will be dealt with in the Supreme Court for the offence.
- (3) The explanation must be made in language, or in a way, likely to be readily understood by the offender.

26 Offender to agree to making or amending of order

- (1) The drug court magistrate may make an intensive drug rehabilitation order for the offender only if the offender agrees to the order being made, including the core conditions, and agrees to comply with it.
- (2) The drug court magistrate may amend the requirements of an intensive drug rehabilitation order or a rehabilitation program only if the offender agrees to the order being amended and agrees to comply with it.

27 Copy of order to offender

- (1) The clerk of the court of the drug court must give the offender a copy of the intensive drug rehabilitation order.
 - (2) A copy of the core conditions must be included in, or attached to, the intensive drug rehabilitation order.
 - (3) The offender must acknowledge receipt of the copy of the intensive drug rehabilitation order in writing.
 - (4) Until subsections (1) and (3) are complied with, the offender must remain in the custody of a police officer.
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28 Multiple offences

- (1) Under section 19,⁴ the drug court magistrate (*magistrate*) may make more than 1 intensive drug rehabilitation order (*order*) for the offender for more than 1 offence.
- (2) If the magistrate makes an order for the offender in proceedings adjourned before the magistrate under part 4, the magistrate may also make an order under section 19 for the offender in relation to another relevant offence even though proceedings for the other offence are before the magistrate other than on adjournment under part 4.
- (3) However, in no case may the magistrate make more than 1 order for the offender for more than 1 offence if the total period of imprisonment for which the offender would be sentenced under section 20(a)(i)⁵ would be more than 4 years.
- (4) The orders may be included in a single form of order that specifies each offence for which an intensive drug rehabilitation order is made.

Division 3 Not making an order**29 Dealing with offenders if no intensive drug rehabilitation order made**

If the drug court magistrate decides not to make an intensive drug rehabilitation order for the offender, the magistrate must exercise the jurisdiction of a Magistrates Court and deal with the offender according to law.

Division 4 Rewards and sanctions**30 Application for reward or sanction**

A reward or sanction under this division may be given or imposed on the application of an authorised corrective

4 Section 19 (Making of order)

5 Section 20 (Contents of order)

services officer or the offender or on the drug court magistrate's own initiative.

31 Rewards

- (1) A drug court magistrate may give the following kinds of rewards to the offender if the magistrate is satisfied on the balance of probabilities the offender is satisfactorily complying with the offender's intensive drug rehabilitation order—
 - (a) stated privileges;
 - (b) a decrease in the amount of any monetary penalty payable, but not yet paid, by the offender under section 32;
 - (c) a decrease in the frequency of drug testing of the offender;
 - (d) a decrease in the level of supervision of the offender by a drug court magistrate or someone else;
 - (e) a change in—
 - (i) the nature of the vocational education and employment courses the offender attends; or
 - (ii) the nature of medical, psychiatric or psychological treatment the offender is undergoing;
 - (f) a decrease in the frequency with which the offender must attend the courses or treatment;
 - (g) a decrease in the amount of community service the offender must perform under the order.
- (2) The magistrate may, if necessary, amend the requirements of the offender's intensive drug rehabilitation order or the offender's rehabilitation program to give the reward.

32 Sanctions

- (1) A drug court magistrate may impose the following kinds of sanctions on the offender if the magistrate is satisfied on the balance of probabilities the offender is not complying with the offender's intensive drug rehabilitation order—
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Drug Court Act 2000

- (a) the withdrawal of stated privileges;
 - (b) the imposition of a monetary penalty payable to the clerk of the court of a drug court;
 - (c) an increase in the level of supervision of the offender by a drug court magistrate or someone else;
 - (d) a change in—
 - (i) the nature of the vocational education and employment courses the offender attends; or
 - (ii) the nature of medical, psychiatric or psychological treatment the offender is undergoing;
 - (e) an increase in the frequency with which the offender must attend the courses or treatment;
 - (f) a term of imprisonment for up to 15 days for each failure to comply with the order, but not so as to impose a term of more than 22 days at any 1 hearing under this section;
 - (g) an increase in the amount of community service the offender must perform, but—
 - (i) not more than 40 hours community service for each failure to comply with the order; and
 - (ii) not so as to impose more than 40 hours community service at any 1 hearing under this section; and
 - (iii) not so as to increase the total number of hours to be performed under this section and under the order to more than 240 hours.
- (2) In deciding whether to increase the amount of community service the offender must perform under subsection (1)(g), the drug court magistrate must consider—
- (a) the number of hours of community service the offender has outstanding under another order and when the hours must be completed; and
 - (b) whether the offender is in a residential rehabilitation facility and is able to complete the community service.
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- (3) The magistrate may, if necessary, amend the requirements of the offender's intensive drug rehabilitation order or the offender's rehabilitation program to give the sanction.
- (4) A monetary penalty imposed under subsection (1)(b) is not a penalty within the meaning of the *Penalties and Sentences Act 1992*, section 4.
- (5) A term of imprisonment imposed under subsection (1)(f) is not a sentence within the meaning of the *Penalties and Sentences Act 1992*, section 4.⁶

Division 5 Amending orders and terminating rehabilitation programs

33 Amending intensive drug rehabilitation orders

- (1) A drug court magistrate may, on application under this division or on the magistrate's own initiative, amend the requirements of an intensive drug rehabilitation order or a rehabilitation program.
- (2) If the magistrate amends the order, the magistrate must give reasons.
- (3) This section is subject to section 26(2).⁷

34 Terminating rehabilitation programs

- (1) A drug court magistrate may, on application under this division or on the magistrate's own initiative, terminate a rehabilitation program decided for the offender if—
 - (a) the offender asks the magistrate to terminate the rehabilitation program; or
 - (b) if the magistrate proposes to amend the order—
 - (i) the offender does not agree to the order being amended; or

⁶ *Penalties and Sentences Act 1992*, section 4 (Definitions)

⁷ Section 26 (Offender to agree to making or amending of order)

- (ii) the offender does not agree to comply with the amended order; or
 - (c) the offender does not attend before a drug court magistrate as required under the offender's intensive drug rehabilitation order or otherwise; or
 - (d) the offender has otherwise failed to comply with the intensive drug rehabilitation order; or
 - (e) the magistrate is satisfied, on the balance of probabilities, there are not reasonable prospects of the offender satisfactorily complying with the offender's intensive drug rehabilitation order.
- (2) If the magistrate terminates the rehabilitation program, the magistrate must give reasons.
- (3) If the magistrate terminates the rehabilitation program and the offence in relation to which the intensive drug rehabilitation order for the offender was made is a prescribed drug offence, the magistrate must—
- (a) revoke the conviction recorded for the offence; and
 - (b) vacate the intensive drug rehabilitation order; and
 - (c) under the *Justices Act 1886*, section 113,⁸ commit the offender to the Supreme Court for sentence, even though the magistrate has not addressed the defendant as required under section 104(2).

35 Process for application to amend intensive drug rehabilitation order or terminate rehabilitation program

- (1) An application under section 33 or 34 may be made by any of the following persons—
- (a) the offender;
 - (b) an authorised corrective services officer;
 - (c) a prosecuting authority.
- (2) The application may be made—

⁸ *Justices Act 1886*, section 113 (Procedure if defendant pleads guilty)

Drug Court Act 2000

- (a) if the offender is before a drug court magistrate—without notice; or
 - (b) if the offender is not before a drug court magistrate—after giving notice in the approved form and as required under subsection (3), (4), (5) or (6).
- (3) If an application is made by the offender, notice must be given by the court to the chief executive (corrective services) and the prosecutor.
 - (4) If an application is made by an authorised corrective services officer, notice must be given to the court, the offender and the prosecutor.
 - (5) If an application is made by a prosecuting authority, notice must be given to the court, the offender and the chief executive (corrective services).
 - (6) Notice under subsection (3), (4) or (5) must be given to the person at least the day before the application is to be heard before the magistrate.
 - (7) In this section—
prosecutor means the prosecuting authority that appeared before the court when the intensive drug rehabilitation order was made.

35A Inclusion of new rehabilitation program

- (1) This section applies when an offender is brought before a drug court magistrate after the offender's rehabilitation program has been terminated by a magistrate in the offender's absence for a reason mentioned in section 34(1)(c) or (d).
 - (2) Unless the offender's intensive drug rehabilitation order has been vacated under section 34(3), the drug court magistrate may amend the intensive drug rehabilitation order to include a new rehabilitation program.
 - (3) The drug court magistrate may amend the intensive drug rehabilitation order to include a new rehabilitation program only if—
 - (a) the drug court magistrate is satisfied of the matters mentioned in section 19 and is satisfied the offender has
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reasonable prospects of successfully completing the new rehabilitation program; and

- (b) the offender agrees to the order being amended and agrees to comply with it.

36 Final sentence to be decided on completion or termination of rehabilitation program

- (1) This section applies when an offender's rehabilitation program ends—
 - (a) if the offence for which the offender's intensive drug rehabilitation order was made was a prescribed drug offence—because the offender has successfully completed the rehabilitation program under the order; or
 - (b) if the offence for which the offender's intensive drug rehabilitation order was made was not a prescribed drug offence—for any reason unless a new rehabilitation program is included in the offender's intensive drug rehabilitation order under section 35A.
- (2) The magistrate must reconsider the offender's initial sentence, vacate the intensive drug rehabilitation order and impose a final sentence.
- (3) When reconsidering the initial sentence, the magistrate must consider the extent to which the offender participated in his or her rehabilitation program, including, for example—
 - (a) whether any rewards or sanctions were given to or imposed on the offender; and
 - (b) if sanctions were imposed on the offender that included the imposition of a term of imprisonment under section 32(1)(f), the number and length of the terms imposed.
- (4) The final sentence may be—
 - (a) for a prescribed drug offence—any sentence that a magistrate could impose for an offence against the *Drugs Misuse Act 1986* on proceedings taken summarily under section 13⁹ of that Act; or

9 *Drugs Misuse Act 1986*, section 13 (Certain offences may be dealt with summarily)

- (b) for any other relevant offence—any sentence that the magistrate could have imposed for the offence.

Note to subsection (4)—

See also the Criminal Code, section 552H(1)(b) for an express extension of a drug court magistrate's power to impose a maximum penalty of 4 years imprisonment on summary conviction under section 552A or 552B of the Code.

- (5) The magistrate must revoke the conviction recorded for the offence—
 - (a) if the *Penalties and Sentences Act 1992*, section 16 or 22¹⁰ applies; or
 - (b) otherwise, if the magistrate has a discretion not to record a conviction and decides not to record a conviction.
- (6) If the magistrate sentences the offender to serve a term of imprisonment with or without suspending the sentence, the term of imprisonment must not be greater than the term imposed in the initial sentence.
- (7) It is declared that in applying the *Penalties and Sentences Act 1992*, section 161,¹¹ to a sentence for a term of imprisonment imposed on an offender under this section, time spent in custody under this Act, other than under section 32(1)(f), is taken to be imprisonment already served under the sentence.

Division 6 General

36A Drug court magistrate must consider views of drug court team

- (1) This section applies if a drug court magistrate is making a decision (a *relevant decision*) about any of the following matters—

10 *Penalties and Sentences Act 1992*, section 16 (Court may make order under this division if it does not record conviction) or 22 (Court may make order under this division if it does not record conviction)

11 Section 161 has been renumbered as section 159A—see the *Corrective Services Act 2006*, section 496 and the *Acts Interpretation Act 1954*, section 14H.

- (a) whether an offender's rehabilitation program should include medical, psychiatric or psychological treatment (*health treatment*);
 - (b) what matters should be included in an offender's rehabilitation program about the offender's health treatment;
 - (c) where the offender should be placed for health treatment, including, for example, in a residential rehabilitation facility, an outpatient facility or with a particular service provider;
 - (d) how often the offender should meet with the persons providing or supervising the offender's rehabilitation program, including health treatment;
 - (e) how often the offender should appear before a drug court magistrate;
 - (f) whether or not to give a reward to, or impose a sanction on, an offender;
 - (g) whether or not an intensive drug rehabilitation order or a rehabilitation program for an offender should be amended;
 - (h) whether or not an intensive drug rehabilitation order for an offender should be terminated.
- (2) The drug court magistrate must consider the views of the members of the offender's drug court team in making the relevant decision.
- (3) In this section—
- drug court team*, for an offender, means the persons who—
- (a) act for an interested entity; and
 - (b) attend a hearing at which a relevant decision is made about the offender.
- interested entity* means any of the following—
- (a) Legal Aid (Queensland);
 - (b) a prosecuting authority;
 - (c) the department in which the *Corrective Services Act 2000* is administered;
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Editor's note—

Corrective Services Act 2000—see the Acts Interpretation Act 1954, section 14H and Corrective Services Act 2006.

- (d) the department in which the *Health Services Act 1991* is administered.

37 Immunity from prosecution

- (1) A person is not liable to be prosecuted for an offence as a result of an admission made by the person—
 - (a) for the purposes of deciding whether the person—
 - (i) is, or appears to be, an eligible person; or
 - (ii) is suitable for rehabilitation; or
 - (b) to someone responsible for the person's supervision or treatment under this Act.
- (1A) To remove any doubt, it is declared that subsection (1) does not prevent a prosecution if there is evidence, other than the admission or evidence obtained as a result of the admission, implicating the accused.
- (2) The admission, and any evidence obtained as a result of the admission, is not admissible against the person in proceedings for an offence.
- (3) However, this section does not apply to—
 - (a) a disqualifying offence; or
 - (b) an indictable offence, other than an indictable offence mentioned in the Criminal Code, section 552B¹² or the *Drugs Misuse Act 1986*, section 13;¹³ or
 - (c) an offence committed in connection with an offence mentioned in paragraph (a) or (b).

12 Criminal Code, section 552B (Charges of indictable offences that may be dealt with summarily)

13 *Drugs Misuse Act 1986*, section 13 (Certain offences may be dealt with summarily)

38 Random drug testing

If a rehabilitation program under an intensive drug rehabilitation order includes a requirement that the offender must report for drug testing and states the frequency for the testing, an authorised corrective services officer—

- (a) may decide when and where the offender is to report; and
- (b) may require the offender to report for further random testing as directed by the officer.

39 Disclosure of compliance and related information

(1) A prescribed person—

- (a) must promptly give the chief executive (corrective services), or a drug court magistrate, any compliance information the prescribed person has about the offender; and
- (b) may enter in the drug court database any compliance information or related information the prescribed person has about the offender.

(2) Subsection (1) applies despite any Act, oath, rule of law or practice that prohibits or restricts the disclosure of information.

(3) In this section—

compliance information means any information about the offender's compliance with, or failure to comply with—

- (a) the requirements of the offender's intensive drug rehabilitation order; or
- (b) the offender's rehabilitation program.

drug court database means a database for the drug court diversion program to which only a prescribed person has access.

information includes a document.

prescribed person means a person involved in the administration of, or who provides services in connection

with, an offender's rehabilitation program who is prescribed under a regulation.

related information means any information, other than compliance information, about the offender obtained in the administration of, or in the provision of services in connection with, the offender's rehabilitation program.

39A Disclosure of relevant information

- (1) A person who is a member of a drug court team for an offender may give another member of the drug court team any relevant information the person has about the offender.
- (2) In this section—

compliance information see section 39.

drug court team, for an offender, means any of the following persons who are responsible for attending the drug court and providing reports to the drug court magistrate about the performance of the offender under the intensive drug rehabilitation order—

- (a) a corrective services officer;
- (b) a police officer;
- (c) a person employed for the purposes of the *Director of Public Prosecutions Act 1984*;
- (d) a health service employee under the *Health Services Act 1991*;
- (e) a Legal Aid employee under the *Legal Aid Queensland Act 1997*.

related information see section 39.

relevant information means—

- (a) compliance information; or
- (b) related information; or
- (c) any other information prescribed under a regulation for this section;

but does not include information to which legal professional privilege attaches.

39B Protection from liability

- (1) This section applies if—
 - (a) a person who is a health professional gives an indicative assessment report to the chief executive (health) or a drug court magistrate; or
 - (b) a person who is a health professional gives an assessment report to the chief executive (health) or a drug court magistrate; or
 - (c) a prescribed person gives the chief executive (corrective services) or a drug court magistrate compliance information under section 39; or
 - (d) a prescribed person enters compliance information or related information in the drug court database under section 39; or
 - (e) a person who is a member of a drug court team for an offender gives another member of the team relevant information under section 39A.
 - (2) The person is not liable, civilly, criminally or under an administrative process, for giving the report, or giving or entering the information, honestly and on reasonable grounds.
 - (3) Also, merely because the person gives the report, or gives or enters the information, the person can not be held to have—
 - (a) breached any code of professional etiquette or ethics; or
 - (b) departed from accepted standards of professional conduct.
 - (4) Without limiting subsections (2) and (3)—
 - (a) in a proceeding for defamation, the person has a defence of absolute privilege for publishing the report or information; and
 - (b) if the person would otherwise be required to maintain confidentiality about the report or information under an Act, oath or rule of law or practice, the person—
 - (i) does not contravene the Act, oath or rule of law or practice by giving the report or giving or entering information; and
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- (ii) is not liable to disciplinary action for giving the report or giving or entering information.

39C Protection of personal information about offenders

- (1) This section applies if a personal information document about an offender is given to a drug court.
- (2) The clerk of the court of a drug court may give a copy of a personal information document to a person, other than the offender to whom the document relates, only if—
 - (a) the person applies to the drug court for a copy of the document; and
 - (b) the court is satisfied the person has a sufficient interest in the document; and
 - (c) the court orders the person is to be given a copy of the document.
- (3) A regulation may provide for the storage of personal information documents to ensure the confidentiality of information in the document.

Example for subsection (3)—

A regulation may provide that a medical report about an offender, kept in the offender's file, is to be stored in a sealed envelope.

- (4) This section applies despite any other Act, including the *Justices Act 1886*, section 154.
- (5) In this section—

personal information document means a document that is prescribed, under a regulation, to be a document to which this section applies.

40 Arrest warrants

- (1) A drug court magistrate may issue a warrant for the offender's arrest if the magistrate—
 - (a) reasonably suspects an offender has failed to comply with his or her rehabilitation program; or
 - (b) terminates the offender's rehabilitation program.
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- (2) The warrant authorises any police officer to arrest the offender and to bring the offender before a drug court magistrate.
- (3) The *Bail Act 1980* does not apply to an offender who is arrested on the authority of a warrant under this section.
- (4) If the drug court magistrate decides to refer the offender for an assessment as to whether the offender should continue with the offender's intensive drug rehabilitation order or to reserve making a decision about terminating the offender's rehabilitation program, the magistrate may remand the offender in custody to appear before a drug court magistrate.
- (5) The period for which an offender may be remanded in custody is as follows—
 - (a) an initial period of not more than 30 days;
 - (b) a further period or periods of not more than 8 days.
- (6) If the drug court magistrate remands the offender in custody, the chief executive (corrective services) must ensure the person appears before a drug court magistrate to be dealt with as required by the drug court magistrate.
- (7) The clerk of the court of a drug court may perform the magistrate's functions under subsection (1).

41 Warrants of commitment

- (1) A drug court magistrate may issue a warrant of commitment for the purposes of section 21 or 32(1)(f).¹⁴
- (2) The clerk of the court of a drug court may perform the magistrate's functions under subsection (1).

42 When no appeal

- (1) An appeal does not lie against—
 - (a) an initial sentence; or
 - (b) a decision to do or not to do any of the following—

¹⁴ Section 21 (Delaying suspension of sentence) or 32 (Sanctions)

- (i) remand a person to appear before a drug court magistrate;
 - (ii) make an intensive drug rehabilitation order for a person;
 - (iii) amend an intensive drug rehabilitation order or terminate a rehabilitation program for an offender;
 - (iv) give a reward to or impose a sanction on an offender.
- (2) Subsection (1) applies despite the *Justices Act 1886*, section 222 and the Criminal Code, chapter 67.¹⁵

42A Application of Penalties and Sentences Act 1992, s 188

To remove any doubt, it is declared that the *Penalties and Sentences Act 1992*, section 188 applies to initial sentences and final sentences imposed under this Act.

Part 6 General

43 Regulation-making power

- (1) The Governor in Council may make regulations under this Act.
- (2) A regulation prescribing the maximum number of active intensive drug rehabilitation orders may prescribe the maximum number of active intensive drug rehabilitation orders applicable for persons who reside within a stated locality.
- (3) A regulation may prescribe guidelines for drug courts or a particular drug court.

¹⁵ *Justices Act 1886*, section 222 (Appeal to a single judge) and Criminal Code, chapter 67 (Appeal—pardon)

- (4) Without limiting subsection (3), a regulation may prescribe guidelines for drug courts or a particular drug court about the following matters—
- (a) the requirements of an intensive drug rehabilitation order;
- Example—*
- the maximum number of attendances ordinarily required before a drug court magistrate during a particular period
- (b) the contents and requirements of a rehabilitation program;
- Example—*
- the maximum number of times an offender must ordinarily report for drug testing during a particular period
- (c) the ordinary requirements for successful completion of a rehabilitation program.
- (5) A regulation may prescribe the minimum frequency with which offenders must be drug tested under the offenders' intensive drug rehabilitation orders.

44 Approved forms

The chief executive may approve forms for this Act.

Part 7 Transitional provisions

Division 1 Transitional provision for Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002

46A Transitional provisions for Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002

- (1) Sections 6 and 19,¹⁶ as in force immediately before the commencement of this subsection, continue to apply in relation to an intensive drug rehabilitation order made before the commencement.
- (2) The release under section 16(1)¹⁷ during the transitional period of a person on bail subject to a condition that the person report to persons at the times and places directed by a community correctional officer is taken instead to have been subject to a condition that the person report to persons at the times and places directed by a corrective services officer.
- (3) In this section—
transitional period means the period beginning on 1 July 2001 and ending immediately before the commencement of subsection (2).

Division 2 Transitional provisions for Drug Legislation Amendment Act 2006

47 Definition for div 2

In this division—

commencement means the commencement of this division.

16 Sections 6 (Who is an *eligible person*) and 19 (Making of order)

17 Section 16 (Referral for assessment)

48 References to Act

In an Act or document, a reference to the *Drug Rehabilitation (Court Diversion) Act 2000* may, if the context permits, be taken as a reference to this Act.

49 Transitional provision for courts

A Magistrate Court that was, immediately before the commencement, declared to be a pilot program court is, on the commencement, taken to be a drug court.

50 Transitional provision for magistrates

A magistrate who, immediately before the commencement, had been allocated the functions of a pilot program magistrate is, on the commencement, taken to have been allocated the functions of a drug court magistrate.

51 Transitional provision for proceedings

If proceedings before a pilot program court had been started but not finished before the commencement, the proceedings may continue as if they had been started after the commencement.

Schedule Dictionary

section 5

active intensive drug rehabilitation order means an intensive drug rehabilitation order other than—

- (a) an intensive drug rehabilitation order, the rehabilitation program for which has been terminated under section 34; or
- (b) an intensive drug rehabilitation order that has been vacated.

appropriately qualified, for a health professional, means having the qualifications or experience to carry out an indicative assessment or assessment of a person.

approved form see section 44.

assessment, of a person, means an assessment of the following to help decide the person's capacity to undertake treatment—

- (a) the person's physical and mental health;
- (b) the person's past and present drug dependency and drug use;
- (c) the treatment options appropriate for the person.

assessment report see section 16(3).

authorised corrective services officer see *Penalties and Sentences Act 1992*, section 4A.¹⁸

chief executive (health) means the chief executive of the department in which the *Health Services Act 1991* is administered.

community service means any activity declared by the chief executive (corrective services) to be community service for

¹⁸ *Penalties and Sentences Act 1992*, section 4A (Meaning of *authorised corrective services officer*)

Schedule (continued)

the *Corrective Services Act 2006* or the *Penalties and Sentences Act 1992*.

community term of imprisonment see section 7A.

core condition, of an intensive drug rehabilitation order, means a condition mentioned in section 22.

corrective services officer see the *Corrective Services Act 2006*.

corresponding provision means a corresponding provision of a law of another State or the Commonwealth.

disqualifying offence see section 7.

drug means—

- (a) a dangerous drug within the meaning given by the *Drugs Misuse Act 1986*; or
- (b) another drug prescribed under a regulation.

drug court means a Magistrates Court declared to be a drug court under section 9.

drug court magistrate means a magistrate to whom functions are allocated under section 10(1).

eligible person see section 6.

health professional has the meaning given by the *Health Services Act 1991*, section 60.

health service facility means a place at which a health service, within the meaning of the *Health Services Act 1991*, section 3, is provided.

indicative assessment, of a person, means an assessment as to whether the person is drug dependent.

indicative assessment report see section 12B.

initial sentence see section 20(a)(i).

intensive drug rehabilitation order see section 19.

offender see section 17.

Schedule (continued)

period of imprisonment means the unbroken duration of imprisonment that an offender is to serve for 2 or more terms of imprisonment, whether—

- (a) ordered to be served concurrently or cumulatively; or
- (b) imposed at the same time or different times;

and includes a term of imprisonment.

prescribed drug offence means an offence under the *Drugs Misuse Act 1986*—

- (a) for which the maximum penalty is 20 years imprisonment; and
- (b) that is prescribed under a regulation.

prison means a prison within the meaning of the *Corrective Services Act 2006*.

prosecuting authority means the commissioner of the police service or the director of public prosecutions.

referring magistrate see section 16(1).

rehabilitation program means a rehabilitation program under an intensive drug rehabilitation order.

relevant offence see section 8.

term of imprisonment means the duration of imprisonment imposed for a single offence.

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2008. Future amendments of the Drug Court Act 2000 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	13 June 2000	7 July 2000
1A	2000 Act No. 46	25 October 2000	8 November 2000
1B	2000 Act No. 58	17 November 2000	27 November 2000

Reprint No.	Amendments included	Effective	Notes
1C	2002 Act No. 23	19 July 2002	
1D	2002 Act No. 41	25 October 2002	
2	2003 Act No. 55	18 September 2003	
2A rv	2004 Act No. 43	3 December 2004	
2B	2006 Act No. 8	3 July 2006	
2C	2006 Act No. 29	28 August 2006	
2D	2007 Act No. 37	28 September 2007	
3	2007 Act No. 37	1 July 2008	

5 List of legislation

Drug Court Act 2000 No. 3 (prev Drug Rehabilitation (Court Diversion) Act 2000)

date of assent 8 March 2000

ss 1–2 commenced on date of assent

remaining provisions commenced 13 June 2000 (2000 SL No. 103)

amending legislation—

Statute Law (Miscellaneous Provisions) Act 2000 No. 46 ss 1, 3 sch

date of assent 25 October 2000

commenced on date of assent

Justice and Other Legislation (Miscellaneous Provisions) Act 2000 No. 58 ss 1–2 sch

date of assent 17 November 2000

s 2 sch amdt 4 commenced on date of assent (amdt could not be given effect)

remaining provisions commenced on date of assent

Criminal Law Amendment Act 2002 No. 23 ss 1, 2(3), pt 5

date of assent 23 May 2002

ss 1–2 commenced on date of assent

remaining provisions commenced 19 July 2002 (2002 SL No. 157)

Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002 No. 41

date of assent 12 September 2002

ss 1–2 commenced on date of assent

remaining provisions commenced 25 October 2002 (2002 SL No. 279)

Evidence (Protection of Children) Amendment Act 2003 No. 55 pts 1, 9A

date of assent 18 September 2003

commenced on date of assent

Justice and Other Legislation Amendment Act 2004 No. 43 pts 1, 9, s 3 sch

date of assent 18 November 2004

ss 1–2 commenced on date of assent

remaining provisions commenced 3 December 2004 (2004 SL No. 263)

Drug Legislation Amendment Act 2006 No. 8 pts 1–2

date of assent 15 March 2006

ss 1–2 commenced on date of assent

remaining provisions commenced 3 July 2006 (2006 SL No. 151)

Corrective Services Act 2006 No. 29 ss 1, 2(2), 518 sch 3

date of assent 1 June 2006

ss 1–2 commenced on date of assent

s 518 sch 3 amds 5, 6 and 8 (to the extent it amds def “corrective services office”)

commenced 28 August 2006 (amds could not be given effect)

remaining provisions commenced 28 August 2006 (2006 SL No. 213)

Justice and Other Legislation Amendment Act 2007 No. 37 pts 1, 11, s 51 sch

date of assent 29 August 2007

ss 1–2 commenced on date of assent

ss 52–61 commenced 1 July 2008 (2008 SL No. 197)

remaining provisions commenced 28 September 2007 (2007 SL No. 241)

6 List of annotations

Title sub 2006 No. 8 s 4**Short title**

s 1 sub 2006 No. 8 s 5

Objects of this Act

s 3 sub 2006 No. 8 s 6

Relationship with Penalties and Sentences Act 1992

s 4 amd 2006 No. 8 s 7

Notes in text

s 4A ins 2002 No. 41 s 4

Who is an “eligible person”

s 6 amd 2002 No. 41 s 5; 2006 No. 8 s 8; 2006 No. 29 s 518 sch 3; 2007 No. 37 s 52

BERMUDA:

DRUG TREATMENT PROGRAMMES

Drug treatment programmes

68 (1) There is established a special magistrates court to be known as the Drug Treatment Court.

(2) The Chief Justice may designate any magistrate as a judge of the Drug Treatment Court.

(3) Where an accused other than a corporation—

(a) pleads guilty to or is found guilty of an offence;

(b) appears to the court to satisfy the eligibility criteria; and

(c) is willing to undergo an assessment by a qualified person to determine his suitability for a drug treatment programme,

the court may by order direct the offender to appear before the Drug Treatment Court.

(4) The Drug Treatment Court on being satisfied—

- (a) that the offender is suitable for enrollment in a drug treatment programme;
- (b) that it is in the best interests of the offender that he be enrolled in such programme; and
- (c) that the offender agrees to be enrolled in such programme,

may, instead of convicting the offender, order that he be enrolled in a drug treatment programme of such description, for such period and subject to such conditions as the Drug Treatment Court may specify in the order.

(5) Where an offender has been enrolled in a drug treatment programme, the Drug Treatment Court shall monitor the progress of the offender throughout the duration of the programme.

(6) Where the offender fails, without reasonable excuse, to comply with the rules of a drug treatment programme or any conditions set out in an order under subsection (4), the Drug Treatment Court may—

- (a) (i) impose any sanction, including, imprisonment for a period not exceeding 20 days, that it could have imposed for the offence in respect of which the order was made; and
- (ii) require the offender to continue in the drug treatment programme; or
- (b) (i) revoke the order,
- (ii) convict the offender of the offence in respect of which the order was made, and
- (iii) impose any sentence that could have been imposed if the offender had been convicted at the time the order was made.

(7) For the avoidance of doubt it is declared that where an accused

- (a) has pleaded guilty to an offence; and
- (b) has been enrolled in a drug treatment programme,

the plea is irrevocable.

(8) For the purposes of the Rehabilitation of Offenders Act 1977 a person shall be deemed to have become a rehabilitated person if he successfully completes a drug treatment programme pursuant to an order under subsection (4).

CRIMINAL CODE ACT 1907

(9) In this section—

- (a) "drug treatment programme" means a drug treatment and rehabilitative programme approved by the Minister of Health and Family Services;
- (b) "eligibility criteria" means eligibility criteria for participation in a drug treatment programme that are approved by the Minister of Health and Family Services and are published in the Gazette;
- (c) "qualified person" means a person approved by the Minister of Health and Family Services as qualified to conduct an assessment under this section.

[Section 68 repealed and substituted by 2001:29 effective 29 October 2001]

JAMAICA:

THE DRUG COURT (TREATMENT AND REHABILITATION OF OFFENDERS) ACT, 1999

The Drug Court (Treatment and Rehabilitation Of Offenders) Regulations, 2000

In exercise of the power conferred upon the Minister by section 18 of the Drug Court Act, 1999, and of every other power hereunto enabling, the following Regulations are hereby made:-

- | | | |
|--|----------|---|
| Citation. | 1. | These Regulations may be cited as the Drug Court (Treatment and Rehabilitation of Offenders) Regulations, 2000. |
| Approval of treatment providers. | 2. | The Minister may in writing, designate any individual or organization as an approved treatment provider if he is satisfied as to the kind of care, treatment or rehabilitation which is to be provided by that individual or organization. |
| Criteria for eligibility. | 3. | A person is an eligible person for the purposes of section 5(c) of the Act if that person -

(a) is at least seventeen years of age; and

(b) is not suffering from any mental condition that could prevent or restrict the person's active participation in a prescribed treatment programme. |
| Procedure for referring persons to Drug Court. | 4. - (1) | For the purposes of section 6 of the Act (procedure after arrest) the person arrested shall be brought before the court on the first sitting of the court following the date of arrest. |
| | (2) | Where , pursuant to section 6 (2) of the Act, a recommendation is made to the court that a person be referred to the Drug Court, the Resident Magistrate shall -

(a) ascertain whether the person is an eligible person;

(b) explain to the person the reasons why he is being referred to the Drug Court and the consequences of such referral; and

(c) require the person to signify in writing ,his consent to being so referred. |
| Procedure in Drug Court. | 5. - (1) | The Drug Court shall, in relation to a person referred to it under section 6 of the Act or brought directly before it under section 7 of the Act –

(a) explain to the person that he will be assessed by an approved treatment provider in order to determine his suitability for participation in a prescribed treatment programme; |

- (b) if the person agrees to undergo such assessment, adjourn the case for a period of two weeks to facilitate the carrying out of the assessment during that period.

(2) Where the approved treatment provider recommends to the Drug Court that a drug offender is suitable to participate in a prescribed treatment programme and furnishes to that Court, a plan of that programme, the Drug Court shall, if satisfied as to the matters specified in section 9 (1) of the Act -

- (a) require the drug offender to signify in writing his consent to such participation;
- (b) require a probation officer to carry out a means test in relation to the drug offender in order to determine the amount of contribution, if any, to be made by that offender in relation to such participation; and
- (c) make an order in relation to that offender in accordance with section 9 (2) of the Act.

(3) Where an assessment is not completed at the end of the period referred to in paragraph (1) (b), the Drug Court shall adjourn the case for such further period as it thinks fit to facilitate the completion of the assessment.

(4) An assessment shall include the following in relation to a drug offender -

- (a) social, economic and family background;
- (b) health profile;
- (c) history of drug use and previous treatment, if any;
- (d) level of education;
- (e) vocational achievements;
- (f) previous convictions, if any.

(5) The provisions of paragraphs (1) (a) and (2) shall apply in relation to a person who is convicted of a relevant offence before a regular sitting.

Conditions. 6. - (1) The conditions which may be imposed by the Drug Court pursuant to section 9 (1) (c) of the Act in relation to a drug offender's participation in a prescribed treatment programme may include the advantages specified in paragraph (2) and the sanctions specified in paragraph (3).

(2) The following advantages may be specified by the Drug Court on the recommendation of the approved treatment provider in relation to a drug offender who maintains a satisfactory level of compliance with the programme -

- (a) specified privileges;
- (b) a change in the frequency of counselling or other treatment;
- (c) a decrease in the degree of supervision to which the drug offender is subject;
- (d) a decrease in the frequency with which the drug offender is required to undergo drug tests;
- (e) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which he is required to attend those services.

(3) The following sanctions may be specified by the Court on the recommendation of the approved treatment provider in relation to a drug offender who fails to comply with the programme -

- (a) withdrawal of privileges referred to in paragraph (2) (a);
- (b) an appropriate change in the frequency of counselling or other treatment;
- (c) an increase in the degree of supervision to which the drug offender is subject;
- (d) an increase in the frequency with which the drug offender is required to undergo drug tests;
- (e) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which he is required to attend those services.

Means test. 7. In carrying out a means test pursuant to regulation 5 (2) (b), the probation officer shall take into account such factors as he considers relevant, including -

- (a) the nature of the offence committed by the drug offender ;
- (b) the drug offender's income and expenses;
- (c) the drug offender's property, if any;
- (d) the ability and willingness of the offender's relatives, friends or employers to make the contribution referred to in regulation 5(2)(b).

Duration of programme. 8. - (1) A prescribed treatment programme shall commence on the date specified by the Court in the order under section 9 (2) of the Act and shall, unless it is sooner terminated pursuant to section 12 (1) (b) or (c) of the Act, be for such period as the Court shall specify in the order.

(2) Before the commencement of the prescribed treatment programme, the approved treatment provider shall conduct an intake interview with the drug offender, in the form of a discussion of the following -

- (a) the goals and objectives for participation, including abstinence from the use of drugs during the period of the programme;
- (b) counselling and education requirements;
- (c) attendance requirements;
- (d) drug testing requirements;
- (e) payment of contribution, if any;
- (f) the place and times for participation;
- (g) reasons for termination of the programme;
- (h) rules which will relate to the drug offender.

(3) The drug offender shall sign the rules referred to in paragraph (2) (h) in duplicate and one copy shall be given to the offender and the other shall be kept in the record of the offender's participation in the programme.

(4) The following documents shall be used for enrollment of a drug offender in the prescribed treatment programme -

- (a) registration form containing the information referred to in paragraph (2) ;
- (b) a form permitting the release of confidential information concerning the drug offender to the Drug Court;
- (c) an agreement to be signed by the drug offender and the approved treatment provider, listing the services to be provided under the programme, the amount of contribution, if any, payable by the offender, attendance requirements and the reasons for termination of the programme.

(5) One copy of the signed agreement shall be given to the drug offender and a copy shall be kept in the record of his participation in the programme.

Reports.	9. The progress report required under section 11 of the Act shall be submitted to the Drug Court by an approved treatment provider at such intervals as the Court may direct.
Termination of programme.	10. - (1) Where an approved treatment provider intends to report to the Drug Court that there is no useful purpose to be served by a drug offender's continued participation in a prescribed treatment programme, the treatment provider shall inform the drug offender of that intention. (2) On receipt of a report referred to in paragraph (1), the Drug Court shall permit the drug offender to show cause why the approved treatment programme should not be terminated in accordance with section 12 (1) (c) of the Act. (3) A conditional discharge of a drug offender by the Drug Court upon his successful completion of a prescribed treatment programme shall have effect for such period, not exceeding twelve months, as the Court may specify.
Register.	11. The register required by section 14 of the Act shall contain the particulars specified in the First schedule.
First Schedule.	
Plan of prescribed treatment programme.	12. A plan of a prescribed treatment programme shall include the matters specified in the Second Schedule.
Second Schedule.	

FIRST SCHEDULE

(Regulation 11)

Particulars to be entered in register kept pursuant to section 14 of the Act.

1. Name and address of each drug offender.
2. Nature of relevant offence and date and place of arrest.
3. Date of first appearance in regular sitting and date of reference to the Drug Court.
4. Date of appearance in Drug Court and whether the prosecution of the offence is deferred or sentence is deferred after a guilty plea.
5. Name of approved treatment provider making an assessment and recommendation under section 8 (1) of the Act.

6. Date of adjournment for assessment and date of completion of assessment.
7. Whether the drug offender is -
 - (a) considered suitable or unsuitable for participation in an approved treatment programme; or
 - (b) not willing to be dealt with by the Drug Court.
8. Date of trial by the Drug Court of offence specified in section 7 (3) of the Act.
9. Date of order made under section 9 (2) of the Act.
10. Date of commencement and period of prescribed treatment programme.
11. Date of termination of prescribed treatment programme and basis of termination.
12. Where the drug offender failed to complete the prescribed treatment programme -
 - (a) if the prosecution was deferred under section 7 (2) (a) of the Act -
 - (i) the date of the order for trial of the relevant offence and the outcome; or
 - (ii) the date of any order requiring the offender to undergo a new treatment programme and date of commencement and period of that programme;
 - (b) where sentence was deferred under section 7 (2) (b) of the Act, the nature of the sentence imposed;
 - (c) date of confirmation of any sentence, the execution of which was deferred pursuant to section 9 (4) of the Act.
 - (d) where trial was deferred by a regular sitting, the date of reference back to that sitting.
13. Date of warrant of arrest in respect of a person who has failed to comply with specified conditions.
14. Date of notification under section 17 of the Act of a drug offender's failure to comply with the prescribed treatment programme.

SECOND SCHEDULE**(Regulation 12)****Plan of Prescribed Treatment Programme**

The following matters shall be included in a plan of a prescribed treatment programme

Educational Sessions -

- (1) a minimum of 8 weekly educational sessions of at least 60 minutes (excluding time allowed for breaks) for each drug offender.
- (2) Information on -
 - (a) the effects of drug use on the individual, the foetus, the family and society;
 - (b) the physiological and psychological facets of drug use;
 - (c) the nature of addiction;
 - (d) HIV/AIDS, intravenous drug use and sex and sexuality;
 - (e) Alternatives to drug use;
 - (f) Relapse prevention;
 - (g) Stress management;
 - (h) Conflict resolution

Group Counselling Sessions -

- (1) a minimum of 12 weekly group sessions, at times convenient to the programme structure following the initial educational sessions;
- (2) at least 90 minutes in length, excluding time allowed for breaks;
- (3) conducted in such a manner as to -
 - (a) encourage participants to talk and share ideas and information in order to identify and resolve drug related problems;
 - (b) provide an opportunity for participants to examine their own personal attitudes and behaviour;
 - (c) provide support for positive changes in life style to facilitate reduction or elimination of drug use.

One-to-One Sessions -

- (1) a minimum of four separate sessions with each participant.
- (2) Conducted for the purpose of -

- (a) reviewing the participant's progress related to the treatment and recovery plan;
- (b) identifying problems which may be barriers to accomplishing the goals of that plan;
- (c) developing action plans to address the matters specified in (a) and (b);
- (d) evaluating the participant's need for voluntary referral to ancillary services, such as residential or additional non-residential services.

- (3) The frequency of one-to-one sessions shall be increased whenever the approved treatment provider or the participant determines that additional time is required.

Drug Testing -

- (1) Minimum monthly random urinalyses.
- (2) The frequency of testing shall increase whenever the approved treatment provider determines that additional drug tests are necessary
- (3) Positive results will not necessarily exclude a participant from the programme but will be used to arrive at a decision based on evaluation of the participant's progress in the programme and evaluate the participant's level of treatment intensity.

Treatment/Recovery Plan

- 1. Each participant shall have an individual written treatment/ recovery plan based on the information obtained in the process of intake and assessment.
- 2. The treatment/recovery plan shall be developed within 30 days of the date of commencement of the programme.
- 3. The treatment/recovery plan shall be reviewed and updated at least every 60 days
- 4. The treatment/recovery plan shall include the following -
 - (a) statement of problems to be addressed;

- (b) time-limited goals to be achieved which address the problem;
- (c) steps to be taken by the treatment provider and the participant to achieve the goals;
- (d) target date for achievement of steps and goals, and where possible, dates of resolution;
- (e) a description of the type and frequency of counselling services to be provided.

Dated this 28th day of December , 2000.



Minister of National Security and Justice

THE DRUG COURT ACT, 1999

Consent of Drug Offender to Participate in a Prescribed Treatment Programme
(Under Regulation 5 (2) (a))

I,
of
being a drug offender who *having been referred to the Drug Court/* being brought
before the Drug Court/* being convicted of a relevant offence before a regular sitting,
and the Drug Court has made an order in relation to me under section 9(2) of the Drug
Court Act, 1999, declare that the Resident Magistrate has -

(a) explained to me that I will be required to undergo a treatment programme
and that I will have to comply with the specified conditions imposed by the
Drug Court in relation to my participation in the prescribed treatment
programme; and

(b) informed me of the consequences of my failure to comply with the specified
conditions,

do hereby signify my consent to participate in the prescribed treatment programme and
to comply with the specified conditions, including, if applicable, a condition that I
undergo

drug tests at such times as are specified in the order.

.....
Signature of Offender

.....
Date

.....
Signature of Clerk of the Courts

.....
Date

*Cross out which is inapplicable

THE DRUG COURT (TREATMENT AND
REHABILITATION OF OFFENDERS) ACT

ARRANGEMENT OF SECTIONS

1. Short title.
2. Interpretation.
3. Objects of Act.
4. Declaration and jurisdiction of Drug Court.
5. Eligible persons.
6. Procedure after arrest for relevant offence.
7. Persons who may be brought directly before Drug Court.
8. Assessment of offender and determination of relevant offence.
9. Jurisdiction of Drug Court.
10. Variation of conditions.
11. Reports.
12. Termination of programme.
13. Procedure on termination.
14. Register.
15. Arrest warrant.
16. Immunity from prosecution for certain offences.
17. Provision of information.
18. Regulations.

SCHEDULE.

[The inclusion of this page is authorized by L.N. 112/2002]

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

3

THE DRUG COURT (TREATMENT AND
REHABILITATION OF OFFENDERS) ACT

Act
40 of 1999.

[15th January, 2001.]

Short title

1. This Act may be cited as the Drug Court (Treatment and Rehabilitation of Offenders) Act.

Interpreta-
tion.

2. In this Act, unless the context otherwise requires—

“approved treatment provider” means an individual or organization approved by the Minister to carry out prescribed treatment programmes for the purposes of this Act;

“drug” includes alcohol and any dangerous drug falling within Parts III, IIIA and IV of the Dangerous Drugs Act;

“Drug Court” means the sitting of the Resident Magistrate’s Court declared to be a Drug Court pursuant to section 4;

“drug offender” means a person who is referred to the Drug Court under section 6(2)(b) or brought before the Drug Court pursuant to section 7;

“eligible person” means a person described in section 5;

“regular sitting” means a sitting of the Resident Magistrate’s Court other than the Drug Court;

“prescribed treatment programme” means a programme for treatment and supervision prescribed by the Drug Court pursuant to section 9;

“relevant offence” means any offence triable by a Resident Magistrate.

[The inclusion of this page is authorized by L.N. 112/2002]

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

Objects of
Act.

3. The objects of this Act are to—

- (a) reduce the incidence of drug use and dependence by persons whose criminal activities are found to be linked to such dependence;
- (b) reduce the level of criminal activity that results from drug abuse;
- (c) provide such assistance to those persons as will enable them to function as law abiding citizens.

Declaration
and juris-
diction of
Drug Court.

4.—(1) The Resident Magistrate presiding in each parish shall declare a sitting of the Resident Magistrate's Court to be a Drug Court for the purposes of this Act.

Schedule.

(2) The Drug Court shall be constituted in accordance with the provisions of the Schedule and when so constituted and sitting shall have the jurisdiction and powers conferred upon it by this Act.

Eligible
persons.

5. A person is an eligible person for the purposes of this Act if—

- (a) the person is charged with a relevant offence;
- (b) the person appears to be dependent on the use of drugs; and
- (c) the person satisfies such other criteria as may be prescribed.

Procedure
after arrest
for relevant
offence.

6.—(1) Subject to section 7, where a person is arrested and charged with a relevant offence and the arresting officer has reasonable cause to believe that the person is dependent on any drug, the arresting officer shall include in the police report, a note of the facts giving rise to that belief.

(2) As soon as practicable after the person is charged with the offence, the Clerk of Courts in the parish in which the person is arrested—

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- (a) shall review the police report and the person's criminal record; and
- (b) may, if satisfied that the person is eligible, recommend to the Court that the person be referred to the Drug Court to be dealt with in accordance with section 8.

7.—(1) A person who is arrested and charged with a relevant offence specified in subsection (3) shall be brought before the Drug Court to be dealt with in accordance with section 9.

(2) The Drug Court may, on the recommendation of the prosecution in relation to a person brought before it pursuant to subsection (1)—

- (a) defer prosecution of the offence; or
- (b) defer the imposition of a sentence for the offence after a guilty plea.

(3) The offences referred to in subsection (1) are offences under the Dangerous Drugs Act as follows—

- (a) possession of not more than—
 - (i) one ounce of prepared opium;
 - (ii) eight ounces of ganja;
 - (iii) one-tenth of an ounce of cocaine, heroin or morphine, as the case may be;
- (b) possession of any pipes or other utensils for use in connection with the smoking of opium or ganja, as the case may be, or any utensils used in connection with the preparation of opium for smoking;
- (c) smoking or otherwise using ganja or prepared opium, as the case may be;
- (d) frequenting any place used for the purpose of smoking opium.

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Assessment
of offender
and deter-
mination of
relevant
offence.

8.—(1) A person referred to the Drug Court under section 6 or brought before it pursuant to section 7 shall be assessed by an approved treatment provider who shall make a recommendation to the Drug Court as to the person's suitability for participation in a prescribed treatment programme and shall furnish to the Court, a plan of that programme.

(2) Where—

- (a) based upon an assessment by an approved treatment provider, a person is not considered suitable for participation in a prescribed treatment programme; or
- (b) a person is not willing to be dealt with by the Drug Court,

the relevant offence in relation to that person shall, subject to subsection (3), be heard and determined in a regular sitting.

(3) A relevant offence specified in section 7 (3) shall be heard and determined by the Drug Court.

Jurisdiction
of Drug
Court.

9.—(1) The Drug Court may act in accordance with subsection (2) in relation to a person referred to it under section 6 or brought before it pursuant to section 7 if the Court is satisfied that—

- (a) the person is an eligible person;
- (b) having regard to the person's antecedents, it would be appropriate for the person to participate in a prescribed treatment programme;
- (c) the person accepts the conditions to be imposed by the Drug Court (whether immediately or at some later date) in relation to his participation in a prescribed treatment programme;

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(d) the person has been informed of the Drug Court's powers under this Act and of the respective consequences of the person's compliance or non-compliance with a prescribed treatment programme.

(2) The Drug Court shall make an order—

(a) requiring the drug offender to undergo a prescribed treatment programme and to comply with the conditions imposed by the Court pursuant to paragraph (b);

(b) imposing such conditions as the Court deems fit (hereinafter referred to as specified conditions) in relation to the drug offender's participation in the prescribed treatment programme.

(3) Where the Drug Court makes an order under subsection (2), it shall inform the drug offender of the consequences of any failure to comply with the specified conditions.

(4) The Drug Court may make an order under subsection (2) in relation to an offender who is convicted of a relevant offence before a regular sitting, and in such a case the regular sitting shall defer execution of the sentence during the period for which that order is in force.

(5) Where the Court makes an order under subsection (2), the drug offender to whom it relates shall be required to signify his consent in writing to participate in the prescribed treatment programme, and to comply with the specified conditions, including, where applicable, a condition that the offender undergo drug tests at such times as are specified in the order.

10. The Drug Court may, from time to time, on the recommendation of the approved treatment provider, vary or revoke the conditions imposed pursuant to section 9 (2).

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Reports.

11.—(1) An approved treatment provider shall submit to the Drug Court, at such intervals as may be prescribed, a progress report in respect of each drug offender who participates in a prescribed treatment programme.

(2) A report under subsection (1) shall include, in any case where the drug offender fails to comply with any directions given by the approved treatment provider or any specified condition, the nature of the non-compliance and the effect or likely effect on the offender's successful completion of the prescribed treatment programme.

Termination
of pro-
gramme.

12.—(1) The Drug Court shall terminate a prescribed treatment programme in relation to a drug offender if—

- (a) the offender successfully completes the programme;
- (b) the offender requests the Drug Court to terminate the programme; or
- (c) based on the report of the approved treatment provider, the Drug Court is satisfied that there is no useful purpose to be served by the drug offender's continued participation in the prescribed treatment programme.

(2) Where a prescribed treatment programme is terminated, the records of any tests performed on the person concerned shall not be admissible in evidence in any proceedings against that person.

Procedure
on termina-
tion.

13.—(1) As soon as may be reasonably practicable after the termination of a prescribed treatment programme, the drug offender shall be brought before the Drug Court to be dealt with in accordance with subsection (2) or (3), as the case may require.

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(2) If the offender has successfully completed the prescribed treatment programme, the Drug Court shall discharge the offender in relation to the relevant offence and that discharge may be either absolute or conditional as the Court thinks fit.

(3) If the offender has failed to complete the prescribed treatment programme the Drug Court may—

(a) if the trial was deferred pursuant to section 7(2)(a)—

- (i) hear and determine the relevant offence; or
- (ii) if the Court considers that the circumstances of the case so warrant, make an order requiring the offender to undergo a new prescribed treatment programme for such period and subject to such conditions as the Court may, on the recommendation of an approved treatment provider, specify;

(b) if sentencing was deferred pursuant to section 7(2)(b), impose any sentence which it could have imposed for the relevant offence;

(c) if the execution of a sentence was deferred pursuant to section 9(4), make an order confirming that sentence;

(d) if the trial was deferred by a regular sitting, refer the relevant offence back to the regular sitting to be heard and determined by that sitting, unless it is an offence specified in section 7(3).

(4) Subject to subsection (5), a conviction in respect of a relevant offence shall not form part of the criminal record of any person who successfully completes a prescribed treatment programme.

(5) Subsection (4) shall not apply in any case where

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OF OFFENDERS)*

a person is convicted of a relevant offence on more than two occasions.

Register.

14. The Clerk of Courts in each parish shall keep a register containing such particulars as may be prescribed in respect of persons who are dealt with by the Drug Court in accordance with this Act.

*Arrest
warrant.*

15. Where, based upon a report by an approved treatment provider under section 11, the Drug Court is satisfied that a drug offender has failed to comply with the specified conditions, the Court may issue a warrant authorizing a constable to arrest the offender and bring him before the Drug Court to be dealt with under this Act.

*Immunity
from
prosecution
for certain
offences.*

16.—(1) A person shall not be liable to prosecution for any offence comprising the unlawful possession or use of drugs as a result of any admission made—

- (a) for the purpose of seeking a referral to the Drug Court under this Act;
- (b) for the purpose of satisfying the Drug Court that the person should participate in a prescribed treatment programme;
- (c) in connection with the supervision of the prescribed treatment programme in relation to that person.

(2) An admission referred to in subsection (1) shall not be admissible in evidence against the person making it, in proceedings brought as a result of the admission, for an offence referred to in that subsection.

*Provision of
information.*

17.—(1) Every approved treatment provider shall forthwith notify the Drug Court of any failure by a drug offender to comply with the prescribed treatment programme.

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(2) The following provisions apply to and in respect of information furnished in accordance with this section (hereinafter referred to as protected information)—

- (a) the provision of the information—
 - (i) does not constitute a breach of professional etiquette or ethics or a departure from accepted standards of professional conduct on the part of the person furnishing it;
 - (ii) shall not give rise to any action for defamation against that person;
 - (iii) shall not constitute a ground for civil proceedings for malicious prosecution or for conspiracy;
- (b) the information shall not be admissible in any proceedings before a court, tribunal or committee;
- (c) a person shall not be compellable in any such proceedings to disclose the information or to produce any document that contains the information.

(3) The provisions of subsection (2) (b) and (c) shall not apply to or in respect of the provision of protected information—

- (a) in proceedings before the Drug Court; or
- (b) in support of, or in answer to, any allegation made in proceedings against a person in relation to the exercise of his functions under this Act.

(4) A drug offender shall be taken to have authorized the provision of protected information—

- (a) by an approved treatment provider to the Drug Court;
- (b) by any member of staff of the Drug Court to any other member of staff.

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Regulations. 18. The Minister may make regulations generally for giving effect to the provisions of this Act.

SCHEDULE (Section 4)

1. The Minister shall, in each parish, appoint to a special panel of Justices, those Justices whom he may consider to be specially qualified to deal with cases before the Drug Court, and no Justice of the Peace shall be qualified to sit as a member of the Drug Court unless he is a member of such a panel.

2. A Drug Court shall be constituted of a Resident Magistrate as chairman, and two Justices one of whom shall be a woman and both of whom shall be members of the panel referred to in paragraph 1:

Provided that subject to paragraph 3—

- (a) the Court shall be deemed to be fully constituted where the chairman and only one such Justice sit;
- (b) until the panel referred to in paragraph 1 is prepared, the Court shall be constituted of a Resident Magistrate alone.

3. Where a Drug Court conducts a trial to determine guilt or innocence, the Court shall be constituted of a Resident Magistrate alone.

NORWAY:

Regulations relating to a trial scheme for court-controlled drug programmes

Laid down by Royal Decree xxxxx pursuant to the General Civil Penal Code (the Penal Code) no 10 of 22 May 1902 section 53 subsection 6, cf. Act no 92 of 17 June 2005 relating to amendments to the Penal Code sections 53 and 54 (trial scheme for court-controlled drug programmes). Proposed by the Ministry of Justice and the Police.

Section 1 Establishment and objective

A three-year trial scheme for court-controlled drug programmes (drug courts) in the municipalities of Oslo and Bergen will be established with effect from 1 January 2006, cf. section 14.

The objective of the trial scheme is to prevent new crime and to promote the rehabilitation of convicted persons. It is also intended to help improve the practical support and treatment offered to problem drug users covered by the scheme. Completion of the drug programme will require a combined effort from and binding cooperation between different sectors and administrative levels.

Section 2 Scope of the trial scheme

The trial scheme applies to problem drug users convicted of drug-related crimes, where the court has stipulated a condition that the convicted person complete a court-controlled drug programme. The drug user must reside in one of the trial municipalities and illicit drugs must be the main substance abused. Only courts with jurisdiction in the trial municipalities are authorised to stipulate completion of a drug programme as a condition.

Section 3 Definitions

By drug-related crime is meant violations of the Penal Code section 162 and the Act relating to medicines etc. section 31 second paragraph, crimes committed under the influence of illicit drugs, and crimes committed in order to finance personal drug abuse.

By trial municipalities is meant the municipalities in which a trial scheme for drug courts is established, cf. the Regulations section 1.

Section 4 Consent

The court may only stipulate completion of a drug programme as a condition with the consent of the convicted person. Consent shall be given in a declaration of consent that shall also contain necessary exemptions from the duty of confidentiality. For consent to participate to be valid the person charged must have been given and have understood sufficient information on the implications of giving his/her consent.

The declaration of consent shall be signed by the person charged in connection with the social inquiry, cf. section 5. The person charged can withdraw his/her consent at any time. If the person charged is under the age of 18, the provisions conferring rights of a party on guardians in the Criminal Procedure Act sections 83-84 shall apply.

Section 5 *Social inquiry*

Pursuant to the provisions of the Criminal Procedure Act chapter 13, the prosecuting authority or the court may decide to carry out a social inquiry of a person charged. In its decision, the prosecuting authority or the court shall state that it wishes the person charged to be assessed with a view to completion of a drug programme. A social inquiry shall always be carried out prior to a conviction in which it may be an option to stipulate completion of a drug programme as a condition of sentence. The correctional service is responsible for carrying out the social inquiry. The social inquiry is carried out by the correctional service's representative on the team in cooperation with the other team members. The person charged shall be given detailed information about the drug programme in connection with the social inquiry, including the consequences of violating the conditions stipulated for the programme and of the withdrawal of his/her consent to participate in the programme.

Section 6 *Conditions*

Pursuant to the Penal Code section 53 subsection 3, a court can stipulate special conditions for suspended sentences, including completion of a court-controlled drug programme. Before the case is brought to court, the team must prepare a plan for the drug programme including proposed conditions for the completion of the programme. The correctional service is responsible for monitoring that the conditions are complied with. The provisions relating to investigations in the Execution of Sentences Act section 56 apply correspondingly.

Section 7 *Contents and completion of the drug programme*

A drug programme is an individually adapted rehabilitation programme and a condition for a suspended criminal sentence. The programme can contain individually adapted treatment plans, referral to interdisciplinary specialist treatment for problem drug users, treatment by the municipal health service, educational and employment measures, residential follow-up, recreational plans, follow-up by social services and other measures of importance to the individual's rehabilitation and integration into society.

The contents of the drug programme shall be based on the individual's need for measures that reduce the risk of new crimes being committed and further the convicted person's rehabilitation. The contents of each individual programme shall be the result of the team's professional evaluations arrived at in cooperation with the convicted person and of the conditions stipulated by the court, for example that during completion of the programme the convicted person shall comply with the provisions laid down by the correctional service with respect to place of domicile, place of residence, work, training or treatment. The team shall prepare an intensive programme of regular and frequent appointments, continuity and work with a view to integrating the individual concerned into society.

The drug programme shall be described in an implementation plan. The plan shall contain compulsory measures, including a requirement for the submission of regular urine samples, which is compulsory for all convicted persons, and individual measures planned in cooperation with the individual. The implementation plan shall be formulated in a manner that makes the conditions for participating in the programme predictable and clear to the convicted person. If an individual plan already exists for the convicted person pursuant to the Act relating to the municipal health services section 6-2a, the Act relating to specialist health service section 2-5, the Mental Health Act Section 4-1 or the Act relating to social services section 4-3, the team shall attempt to coordinate the implementation plan with such existing plan.

The drug programme shall be carried out in four phases. The phases are designated the instigation phase, the stabilisation phase, the responsibility phase and the continuation phase. The phases are decided on the basis of an individual assessment and of what constitutes realistic progress. The contents of the phases and the conditions for progressing from one to the next shall be stated in the implementation plan.

Section 8 *The team*

The correctional service shall set up local interdisciplinary teams that will be responsible for the professional implementation of the drug programme, and it shall help provide a comprehensive programme of treatment and rehabilitation for each convicted person. Teams shall consist of a team coordinator, who shall be an employee of the correctional service, and representatives from the correctional service, municipal social services, the educational sector and the specialist health service. Which other bodies shall be represented on the team shall be assessed locally. The team coordinator is the administrative manager of the centre and organises the team's work, chairs team meetings and facilitates cooperation within the team. The coordinator shall also ensure documentation of the project, contribute to marketing and follow up important principles. The coordinator shall also prepare more detailed descriptions of team roles and work processes. The public bodies involved are responsible for the sub-tasks within their respective areas of responsibility.

Section 9 *Centre*

The correctional service shall establish a day centre in each trial municipality. The purpose of the day centre is to meet the professional requirement that convicted persons participating in the scheme receive a comprehensive service. The centre shall be the base for the team's activities. Unless otherwise agreed, the centre shall also be the place attended regularly by the convicted person. At the centre, the team shall coordinate studies, planning and follow-up of convicted persons. It is a precondition that the ordinary treatment and intervention services are used as part of the programme, but follow-up at the centre will be important, during the start-up phase in particular, until the participants are gradually transferred to ordinary services outside the centre. Moreover, as a part of its role in crime prevention and the rehabilitation of convicted persons, the centre should offer evening and weekend activities.

Section 10 *Changes in conditions etc.*

When justified by the convicted person's situation, the court may, if petitioned by the correctional service during the probationary period, decide to revoke or change stipulated conditions, or stipulate new conditions. If the court finds it necessary, it can also prolong the probationary period, not, however, such that it totals more than five years. The correctional service's petition shall be based on the discussions and conclusions of the team. The regional director or person authorised to act on his/her behalf shall submit the petition to the court. The correctional service shall notify the prosecuting authority when it submits a petition for a court ruling.

If the court decides that it is justified by the convicted person's situation, it may, on petition from the correctional service, rule that the convicted person shall proceed to the next phase of the programme. The correctional service's petition shall be based on the discussions and conclusions of the team. The regional director or person authorised to act on his/her behalf shall submit the petition to the court. The correctional service shall notify the prosecuting authority when it submits a petition for a court ruling.

Section 11 *Violation of conditions*

If the convicted person seriously or repeatedly violates the conditions stipulated by the court or if he/she withdraws his/her consent to participate, the court may, on petition from the correctional service, rule that the sentence be fully or partially enforced. Instead of ordering that the sentence be served, the court may order a new probationary period and stipulate new conditions if it finds this more expedient. Moreover, on petition from the correctional service, the court may also rule that the convicted person be returned to a phase with stricter conditions. The correctional service's petition pursuant to the second and third sentences, shall be based on team discussions and conclusions. The regional director or person authorised to act on his/her behalf shall submit the petition to the court. The correctional service shall notify the prosecuting authority when it submits a petition for a court ruling.

If the convicted person refuses to provide a urine sample aimed at detecting the use of illegal intoxicants or narcotic substances, this shall be regarded as a violation. This also applies to failure to attend treatment appointments and other appointments that have been made with the involved bodies.

The correctional service may, in the event of violations deemed to be less serious, give the convicted person a written warning about the consequences of repeated violations. The correctional service may also decide to enforce more rigorous testing of urine samples for a certain period of time or decide that the convicted person shall undergo intensive programmes aimed at improving drug control.

If the convicted person commits a criminal offence during the probationary period, the court may, pursuant to the Penal Code section 54 subsection 3, hand down a combined sentence for both criminal acts or a separate sentence for the new criminal act. The prosecuting authority is responsible for bringing the criminal case to court, and the correctional service is obliged to notify the police/prosecuting authority if it learns that the convicted person has committed any criminal acts during the probationary period.

Section 12 Evaluation

The trial scheme for drug programmes shall be evaluated during the trial period. By evaluation is meant a research-based process and assessment of results. The main objective of the evaluation is to arrive at a recommendation on whether the programme should be concluded after three years or whether it should be continued. Confidential information to be used during the evaluation shall as a rule be anonymised. If this is not the case, the convicted person must give his/her consent.

Section 13 Amendments and supplementary provisions to the regulations

The Ministry of Justice and the Police may make amendments to the regulations and issue additional provisions concerning the consent of convicted persons, the contents and completion of drug programmes, the team, the centre, the evaluation and the processing of personal information. Any proposed amendments or additional provisions must be clarified with the involved ministries before the proposal is adopted.

Section 14 Entry into force

These regulations enter into force on 1 January 2006.

UNITED STATES:

In addition to the federal Crime Bill Authorizing funding to state and local drug courts (H.R. 3355, Title V-Drug Courts. Violent Crime Control and Law Enforcement Act of 1994), statutes have been enacted in the following state and territories regarding the funding and/or other matters relating to drug court programs: Alaska; Arizona; Arkansas; California; Colorado; Connecticut; Delaware; District of Columbia; Florida; Georgia; Guam; Hawaii; Idaho; Illinois; Indiana; Iowa; Kentucky; Louisiana; Maine; Michigan; Mississippi; Missouri; Montana; Nebraska; Nevada; New Jersey; New Mexico; New York; North Carolina; North Dakota; Ohio; Oklahoma; Oregon; Puerto Rico; Rhode Island; South Carolina; South Dakota; Tennessee; Texas; Utah; Vermont; Virginia; Washington; West Virginia; and Wyoming. The following Tribal Councils have enacted Drug Court Statutes: Eastern Band of Cherokee Indians (North Carolina) and Spokane Tribe (State of Washington)²

² See Selected Statutes and Resolutions Relating to Drug Courts Enacted by State Legislatures and Tribal Councils. Compiled by Caroline S. Cooper, BJA Drug Court Clearinghouse, American University. May 2008. at www.american.edu/justice

B. PROGRAM DESCRIPTIVE INFORMATION

Australia Drug Courts: An Overview

New South Wales

Queensland

South Australia

Victoria

Western Australia

Brazil: Therapeutic Justice Program:

Partial Data in Four States

Sao Paulo St.

Pernambuco St.

Rio de Janeiro St.

Rio Grande do Sul St.

About the Therapeutic Justice Program in Brazil:

General Information

Jamaica:

The Jamaican Drug Court – Life Style Changes

“The Importance of the Drug Rehabilitation Programme and
Why I should be a Member of It. “ By Davian Smith, Age 19

New Zealand

Christchurch Youth

Norway

The establishment of the drug treatment court in Norway

The Norwegian Way. Bergen. May 2006. Ingunn Seim

United States:

BJA Drug Court Clearinghouse: Drug Court Activity Update:

June 1, 2009

AUSTRALIA:

Australia Drug Courts

An Overview

Australia's drug court program jurisdiction is bound by state borders within Australia. The states with drug court activity are New South Wales, Queensland, South Australia, Victoria, and Western Australia. Formation processes and procedures differ across jurisdiction. The purpose of this overview is to provide information on the drug court program being implemented in each of the states and to extract relevant information in relation to the OAS drug treatment court preliminary report.

New South Wales

Source: *Australian Government-Australian Institute of Criminology*.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- The New South Wales Drug Court was established by the *Drug Court Act of 1998* and exercises both local and district court jurisdiction.
- Eligible defendants are referred from other courts within the catchment area.
- Acceptance into the program results in a custodial remand for detoxification and assessment. This takes up to two weeks and each participant leaves with an individual treatment plan.
- Successful completion of the three phase treatment program can take up to 12 months.
- The court can impose a series of sanctions or award privileges during that time. If the program is not completed successfully the participant returns to court and may be re-sentenced.
- NSW magistrates can place defendants whose offending may not be as significant as those entering the Drug Court and are likely to be granted bail, into the Magistrates Early Referral into Treatment (MERIT) program. MERIT involves completing compulsory treatment as a condition of bail.
- The State has operated a Youth Drug and Alcohol Court since 2000 which functions under the Children's Court.

Reasons for Establishment of the Drug Court³

-Research has consistently shown that there is an association between illicit drug use, particularly heroine, and income-generating crime. The study by Stevenson and Forsythe revealed that

³ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 7. 2002.

burglars who use heroine reported a higher median rate of burglary (13.0 per month compared to 8.7 per month) and generated a much higher weekly income from their burglaries than burglars who did not use heroine.

-In NSW up to 80% of the adult male prison population has committed a drug related crime, a figure that may be even higher among women in prison.

Objectives of the Court

-The Drug Court Act, which commenced on Feb. 5, 1998, outlines the objectives of the Act in section 3:

1. The object of the act is to reduce the level of criminal activity that results from drug dependency.
2. This Act achieves that object by establishing a scheme under which drug dependent persons who are charged with criminal offenses can be diverted into programs designed to eliminate, or at least reduce, their dependency on drugs.
3. Reducing a person's dependency on drugs should reduce the person's need to resort to criminal activity to support that dependency and should also increase the person's ability to function as a law-abiding citizen. (Drug Court Act s.3)

Court Procedures²

-Court procedures conducted by the Court itself outlined ten components of U.S. drug courts that were applied by the NSW Drug Court:

- Treatment is integrated into the criminal justice system
- Prosecution and defense lawyers work together as part of a drug court team
- Eligible offenders are identified early
- Participants have access to a continuum of quality treatment and rehabilitation services which meet their health needs
- Participants are frequently monitored for illicit drug use
- Any non-compliance by a participant results in a swift and certain sanction by the court
- There is ongoing judicial supervision and regular judicial interaction with each participant
- There is evaluation of the rehabilitation outcomes achieved through the drug court
- The drug court team and others associated with the court receive ongoing interdisciplinary education
- Networks are forged with other drug courts, law enforcement authorities, public bodies, treatment providers and the community'. (NSW Drug Court 1999a, point 3.10)

Addition critical components of the NSW Drug Court include ongoing case management and the provision of the social support necessary to achieve reintegration into the community (NSW Drug Court 1999a).⁴

Structure of the Drug Court Team⁵

-The Drug Court team in NSW consists of:

- Ø Senior Judge
- Ø Senior Judge's Associate
- Ø Registrar
- Ø Prosecutors (from the Office of the Director of Public Prosecutions)
- Ø Solicitors (Legal Aid Commission)
- Ø Inspector of Police (NSW Police Service)
- Ø Nurse Manager (CHS)

Drug Treatment Court Eligibility⁶

In NSW, the Drug Court exercises the functions of the criminal jurisdictions of both the District Court and the Local Court, which means that offenders appearing before both Local and District Courts can be referred to the Drug Court.

Under the Drug Court Act: it is the duty of a court before which a person is charged with an offence:

- a) To ascertain whether the person appears to be an eligible person, and
- b) If so, willing to be referred to the Drug Court to be dealt with for the offence, and
- c) If so refer the person to the Drug Court to be dealt with for the offence.' (Drug Court Act s. 6 (2))

Section 6 of the Drug Court Regulation lists the courts that are required to determine whether the person appearing before the court appears to be eligible for referral to the Drug Court. Criminal proceedings brought before the District Court sitting in Campbelltown, Liverpool, Parramatta or Penrith, and Local Courts in Bankstown, Blacktown, Burwood, Campbelltown, Fairfield, Liverpool, Parramatta, Penrith, Richmond, Ryde or Windsor are listed.

An assessment of an offender's potential eligibility for participation in the Drug Court

⁴ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 8. 2002.

⁵ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 61-64. 2002.

⁶ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 11-12. 2002.

Program may be made either by the presiding judge/magistrate at the District/Local Court, or following a request by the offender or his/her legal representative.

For a referral to be successful, the following eligibility criteria must be met. The Drug Court Act outlines the eligibility criteria as follows: if

- a) The person is charged with an offence, other than an offence referred to in subsection (2), and
- b) The facts alleged in connection with the offence, together with the person's antecedents and any other information available to the court, indicate that it is highly likely that the person will, if convicted, be required to serve a sentence of full-time imprisonment, and
- c) The person has pleaded guilty to, or indicated that he or she intends to plead guilty to the offence; and
- d) The person appears to be dependent on the use of prohibited drugs (within the meaning of the *Drug Misuse and Trafficking Act 1985*) or other drugs prescribed by the regulations, and
- e) The person satisfies such other criteria as are prescribed by the regulations.' (Drug Court Act s. 5 (1)).

Further criteria are provided to determine persons who cannot be considered eligible for the Drug Court Program. These criteria include persons charged with:

- a) An offence punishable under Division 2 of Part 2 of the Drug Misuse and Trafficking Act 1985, not being an offence that (under Part 9A of the Criminal Procedure Act 1986) is capable of being dealt with summarily, or
 - b) An offence involving violent conduct or sexual assault; or
 - c) Any other offence of a kind prescribed by the regulations.
- (Drug Court Act s. 5 (2))

In his Second Reading speech introducing the Drug Court Bill into Parliament, the Minister for Police noted that the types of offences which are eligible for referral to the Drug Court are break, enter and steal, fraud, forgery, stealing from person, unarmed robberies (with no violence), possession and use of prohibited drugs, or dealing in quantities of prohibited drugs below the indictable limit (Hansard 27/10/1998, p. 9031).

Drug Court Regulation prescribes further criteria that a person must satisfy in order to be an eligible person within the meaning of the Act:

- a) The person's usual place of residence must be within one of the following local government areas, namely, Auburn, Bankstown, Baulkham Hills, Blacktown, Campbelltown, Fairfield, Hawkesbury, Holroyd, Liverpool, Parramatta or Penrith,

- b) The person must not be suffering from any mental condition that could prevent or restrict the person's active participation in a program under the Act,
- c) The person must be of or above the age of 18 years,
- d) Criminal proceedings against the person for the offence with which the person is charged must not be criminal proceedings that are within the Children's Court jurisdiction to hear and determine'. (Drug Court Regulations s. 5)

****There are numerous other eligibility conditions and assessments, including a procedure for Referral to the NSW Drug Court, a Preliminary Health Assessment, and additional Conditions for Acceptance into the Program. See Evaluation report for further information.⁷**

Treatment and Supervision Services⁸

- Treatment and services are provided by the Corrections Health Service (Detoxification Unit) (CHS), the Probation and Parole case managers, and health treatment providers.
- Participants are only sent to the Detoxification Unit following the preliminary assessment if there is a high probability that they will be accepted onto the Drug Court Program.
- Staff at the Detoxification Unit undertake the detoxification, stabilization and development of treatment plans for Drug Court participants, and provide health services to participants on sanctions, including treatment reviews.
- Two detoxification Units were established. One for men and another for women.

Queensland

Source: *Australian Government-Australian Institute of Criminology.*

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- In Queensland. Five drug courts have been established under the *Drug Rehabilitation (Court Diversion) Act* as a pilot project. The Act and regulations limit the number of people who can enter the system from each court each year.
- In August 2005, Queensland Premier Peter Beattie issued a media statement announcing that the drug courts would be made permanent.
- To be eligible, defendants must be adults, dependant on illicit drugs, and this dependency must be a contributing factor to their offending. They must be sentenced to prison, not subject to a pending violent or sexual offence charge, and live within the prescribed areas and plead guilty.

⁷ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. 2002.

⁸ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 68-73. 2002.

- Participants receive an intensive drug treatment order which includes treatment, drug testing, and court supervision.
- These orders generally run for up to 18 months. During that time the participant may receive added privileges or sanctions.
- Successful completion is taken into account when sentencing is conducted at the end of the order.

Queensland Drug Court Act 200-Drug Court Regulation 2006. [See Appendix, Section A.]

South Australia

Source: *Australian Government-Australian Institute of Criminology.*

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- South Australia's Drug Court operates in the Adelaide Magistrates Court.
- Participants must live within the Adelaide metropolitan area, be over 18 years of age, plead guilty to the most serious and bulk of offences and be dependent on illicit drugs.
- The participants do not have to be charged with a drug offence but their offending must have resulted from their drug addiction.
- Those accepted into the program are given an individual treatment regime, which can include electronically monitored home detention bail, urinalysis, treatment and vocational training.
- Successful completion of the program will be taken into consideration at sentencing.

⁹Program Entails:

- Withdrawal management-including in-patient detoxification if necessary
- Pharmacological treatment if necessary-for example methadone
- Relapse prevention-for example counseling, group therapy
- Group Therapy and individual counseling to develop pro-social thoughts and behaviors
- Prevention of further offending behavior through restricted bail
- Referral and assistance to manage physical and mental health issues
- Referral to access education or vocational training
- Provision of accommodation from up to 15 months and referral to access long term housing
- Assistance to restore family relationships
- Referral to obtain income support and manage financial issues
- Support to find or maintain employment
- Practical assistance on leaving detention with basic personal items and food items until income support is arranged

*Funding is set aside to purchase services where none exist.

⁹ Obtained from the Courts Administration Authority-South Australia.

http://www.courts.sa.gov.au/courts/drug_court/index.html. Accessed on March 26, 2010.

Victoria

Source: Australian Government-Australian Institute of Criminology.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- The Victorian Drug Court is located in Dandenong and services defendants within a specific geographical catchment area.
- Only adult defendants who are addicted to illicit drugs, likely to be imprisoned for a drug related offence and prepared to plead guilty are eligible.
- If they are willing to enter the program, they are placed on a Drug Treatment Order.
- Drug Treatment Orders have two components; a custodial sentence of not more than two years and a treatment and supervision component. Failure to complete the order renders the participant liable for re-sentencing.
- Other Victorian courts can place defendants within the Court Referral and Evaluation for Drug Intervention and Treatment (CREDIT) program.
- The 12 week program provides assessment, treatment and support for defendants on bail.

Western Australia

Source: Australian Government-Australian Institute of Criminology.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- In Western Australia, the drug court operates in the Perth Magistrates' Court and the Perth Children's Court.
- The Magistrates' Court drug court is supported by the *Magistrates' Court Act 2004*, which enables the Chief Magistrate to establish divisions within the court to deal with specific classes of cases or offenders, such as drug cases or family violence cases.
- Following a plea of guilty, defendants are placed within one of three regimes depending on their level of previous offending and the type of drug involved.
- The brief intervention regime is a pre-sentence option for second or third time cannabis offenders and involves three sessions of drug education.
- Supervised treatment intervention is for mid-range offenders who are required to undertake case managed treatment before sentencing.
- The drug court regime consists of more intensive treatment and judicial case management.
- Additionally, a drug court style program operates in Geraldton in the form the Geraldton Alternative Sentencing Regime (GASR). The GASR has a broader remit that includes alcohol and solvent abuse cases, domestic violence and other offending behaviors.
- It does not replace other sentencing options but offers alternative pathways for selected offenders: the Court Supervision Regime which involves the offender being managed by a court management team for a period of four to six months whilst participating in rehabilitation programs; and the Brief Intervention Regime which also includes offender participation in rehabilitation programs but without the supervision of the court management team.

BRAZIL:

Therapeutic Justice Program – Brazil

Partial data in 4 States

São Paulo St.

Source: Promotoria de Justiça Criminal de Santana

Address: Rua Benvinda de Andrade, 150 Bairro SantanaZC: 02403-030

São Paulo – SP

Phone: 55 – 11 – 2281.1800

pjcrimsantana@mp.rs.gov.br

Data reported: During the year 2009, this “court” had 120 drug abuse offenders going to treatment instead of a criminal trial.

Pernambuco St.

Source: Judge Flavio Fontes

flavioafl@uol.com.br

Data reported: In Recife (state capital city) there are two “courts” which apply the Justice Therapeutic Program, i.e., treatment instead of criminal trial for drug abuse offenders. No other info provided.

Rio de Janeiro St.

Source: Prosecutor Marcos Kac

mkac@globo.com

Data reported: In the St. of Rio de Janeiro there are 20 “courts” for adults and 10 for juveniles which apply the Justice Therapeutic Program, i.e., treatment instead of criminal trial for drug abuse offenders. No other info provided.

Rio Grande do Sul St.

Source: Brazilian Association of Therapeutic Justice

Data reported: In Porto Alegre (state capital city) there are 09 “courts” for adults and 03 for juveniles which apply the Justice Therapeutic Program, i.e., treatment instead of criminal trial for drug abuse offenders.

Further information:

For juvenile:

Pilot carried through 2001 - 2003

- reduction in use drugs and offenses

- enhancement on education, family relationships, health and professional training
- enhancement on parenting

For adults:

- most judges offer treatment as alternative to the criminal trial and incarceration for drug users offenders
- 2001 – 2006 for each 10 offenders, 7 used to accept treatment instead of criminal trial
- 2007 à Prosecutors proposed 589 offenders to TJP (DTC)
- 2008 à Prosecutors proposed 989 offenders to TJP (DTC)

About the Therapeutic Justice Program in Brazil

General information

Legal Procedures to apply the TJP (DTC) in Brazil

- **2.1 Pre-judgement phase**
- * “Transaction” – a kind of bargain
- * Procedure suspended
- **2.2 Judgement phase**
- * Up to 4 years in jail à alternative punishment + treatment
- * More than 4 years in jail à punishment + treatment
- **2.3 Post-judgement phase à executing punishment**
- * Probation (Conditional suspense of the punishment)
- * Parole (Conditional freedom)

Treatment through the TJP (DTC) in Brazil

Is provided by the public health system (which is not sufficient) and private health services.

JAMAICA:

The Jamaican Drug Court - Life Style Changes

The majority of our clients are from inner cities, socially disadvantaged backgrounds and single parent families. In the rehabilitation of the offender and in order to carry out the objectives of the Drug Court Act, we adapt the holistic approach:

In achieving our goals, help is given by:

Justices of the Peace who sit with The Drug Court Judge

Treatment Provider

Probation Officers

Defence Attorneys

Friend's of the Drug Court

Government Organizations

Non Government Organizations

Our clients receive advice and support in the following areas:

Family and Emotional Support

Self esteem building

Conflict management

- Counselling with parents, partners, siblings

Education

Referred to institutions of further education

National Youth Service

Illiterates are referred to remedial classes

Heart Academy for skills training

Employment

Referred to Employment Agencies

Assistance in job application, resumé, interview techniques

If enter program unemployed, encouraged to find employment before graduation

Business Loans Secured

Development of Social Skills

Dress, deportment

Development of interpersonal skills

Legal Counselling

Successes in Life Style changes of our Graduates

Germaine From carrying a gun to carrying books to school.
Now married, they are expecting their first child.

Kadia From spear fisherman to fire fighter

Conroy From sitting on the corner smoking ganja and drinking to motivational speaker and making presentations to our present clients about safe sex

Judith From an 18 year old prostitute and cocaine addict to a University Student. Married to an executive chef and now able to travel abroad because she has a clean record.

Nicholas From a dejected angry orphan to a happy educated youngman reunited with his mother in Belgium. In college and speaks three languages.

Recently one of our clients, Davian Smith, took leave of absence from the program without permission. He was asked to write a letter giving reasons why he should be re-admitted to the program. The attached letter speaks for itself.

We feel the Drug Court Program is making a difference in the lives of our clients. They not only kick the habit but their souls are mended.

Winsome Henry (Ms)
Senior Resident Magistrate
St. James
May, 2008

THE IMPORTANCE OF THE DRUG REHABILITATION PROGRAMME & WHY I SHOULD BE A MEMBER OF IT

Davian Smith
Age 19

The drug rehabilitation programme is a programme which is offered in Jamaica to provide our strong youths with a second chance.

It is a group which is well organized by the country's government body that includes a Judge with the members of the Justice's of the Peace, a Probation Officer and a Drug Rehabilitation centre of course with a counselor.

For a young man to be a part of the programme is after he is caught smoking or with the possession of marijuana and is brought before the jury, he is instantly seen as committing a criminal offence so automatically he have achieve a criminal record.

The law of the country states that if anyone has been confined by a criminal record to his file, he /she shouldn't be able to travel to or from abroad.

Knowing that you have made a mistake and you have pursue a bad record, you won't be able to apply for a legal visa which is very challenging to live with. That is where one of the benefits of the Drug Rehabilitation Programme is quite beneficial to the future of the youth of today.

If a survey was done on the graduates of the drug programme, it could show that more than sixty (60) percent of the youths who has been through it is continually to achieve successfully with their lives and has also manage to overcome the addiction of the drug.

If you have entered the drug rehabilitation programme without working or schooling, you should be able to find a permanent or a simple job, if not you should be able to go and try to be certified or try to get a proper qualification at a tertiary school.

As a member of the programme I would like to thank the programme for the great effort they are trying exerts to direct the footsteps of our youths.

The constructive speeches which has been delivered is really helping our youths to visualized that life is really out there for all of us to be successful. Being apart of the programme you have to keep active at all times and keep preparing for the upcoming future.

One of the largest opportunity which is been offered by the rehabilitation programme to our youths, other than clearance of records and motivation towards the future is that they provides the chance to be drug free. Without been drug free you will have very serious consequences to be faced, so there it leaves you with no choice than to give marijuana a instant break. The programme is there to help the youths see that they don't have to be under the influence of drug but they can keep the vibes natural. Most after leaving the programme is a changed person, getting to understand that have both negative and positive impact is liable to overthrow the positive. For the fear of the negative impact most change the route while a few continue on their addiction.

Therefore I see the drug rehabilitation programme playing a very important role, because after getting a bad record it give the opportunity to get a new start and it allow we as youth to be drug free.

The reason I feel that I should be apart of the programme is because, after abusing or using the drug marijuana for almost half my life, definitely I would like to give it a break and not only a break I would like to ceased it permanently. With the help of the programme you have to be drug free for at least a six month period and to be free from it so long I really don't think that I should continue the same journey.

To be on this programme is really helping in different ways, because to be addicted for such a long time I didn't expect the day would really exist when I would be telling myself that I can carry on without the influence of marijuana. This programme don't only help us by offering a second chance by freeing our records from criminology.

We hear the term " **experience teaches knowledge**" quite often and I don't think it should be taken lightly because our youth of today really needs experience. To receive enough of that we will have to do a little traveling, and with a criminal record I can say that it is quite impossible to travel and seek for whether a job, school, training or even vacationally.

From my point of view I think that the Drug Rehabilitation Programme should be highly recommended for the great changes which they delivers to the lives of our youth. Without the program I don't think that some of our youth would be able to be drug free, a clean record and really get on with their lives.

Done by


.....
Davian Smith

New Zealand:

Christchurch Youth Drug Court Pilot:

The Christchurch Youth Drug Court pilot (YDC) was established by the Ministerial Taskforce on Youth Offending and started operating on 14 March 2002.

The pilot's overall objectives are to:

- Improve the young people's health and social functioning and to decrease their alcohol and/or drug use
- Reduce crime associated with alcohol and/or drug use
- Reduce criminal activity

Reasons Why the Christchurch Youth Drug Court Pilot was established:

1. The perceived intensity of the drug problems amongst the Youth Court population.
2. The relatively high number of young persons going through the Youth Court.
3. The services available for alcohol and other drug treatment.
4. Youth Specialty Services in Christchurch performs dual diagnosis of alcohol and other drug and forensic mental health with young people.
5. The geographical layout of Christchurch meant that one Youth Court serviced a large metropolitan area where other areas such as Wellington were more geographically dispersed with disparate services.
6. There was an assumption that there would be a reasonably culturally homogenous population so that the pilot program could be designed and evaluated relatively easily. Other centers such as Manukau have many different cultured groups that would need to be considered in the design.

Entry into the Youth Drug Court pilot:

The criteria and process for selecting participants for the YDC pilot includes: identifying young people to be screened by Youth Specialty Services (YSS) clinicians, the YSS full assessment, the role of the Family Group Conference (FGC), and acceptance onto the pilot.

- The pilot targets young offenders appearing at Youth Court who have been identified as having moderate to severe alcohol and/or other drug dependency that is linked to their offending behavior.
- To be eligible for the YDC young people should meet the following criteria:
 - Age 14-17
 - Moderate to severe alcohol and/or drug dependency linked to offending behavior
 - Recidivist offender defined as appearing in the Youth Court two or more times in the previous 12 months
 - Sexual offending is excluded
 - Some violent offending may be excluded and is assessed on a case by case basis
 - The offenses before the Youth Court have been proved or have not been proved

Linkage Between Alcohol and/or other drug use and offending:

1. offending under the influence
2. offending to obtain alcohol and/or other drugs
3. drug offenses

Acceptance on to the Youth Drug Court:

The process from screening to acceptance in the Youth Drug Court for the first 30 participants took an average of 4.5 weeks. This timeframe is slightly longer than the initial 4 weeks proposed. The time ranged from 2 to 7.5 weeks due to a variety of factors including timing of FGCs and YSS assessments. The length of time attending the YDC varied greatly from five to 74 weeks, with the mode 48 weeks and the median 45 weeks.

Programmes and Services Utilized by YDC participants:

- Alcohol and other Drug Services
 - Alcohol and other drug services are classified into three categories for the purpose of this evaluation
 1. Residential
 2. Day Programme
 3. Counselling

Types of Alcohol and Drug Treatment Services Required:

The key respondents considered that any residential facility should be well resourced with a constructive programme based on international models of best practice working with young people.

Some key respondents emphasized that working with young people requires a very different approach; for example, a much higher staff to client ratio is required to treat young people. A youth residential programme also requires more flexibility because of the range in maturity of the young people.

For young people who were required to be in custody, the YDC team considered that a medical detoxification facility attached to Kingslea may be appropriate. However, it was also noted that international research shows that the place of incarceration should be physically separate from the treatment facility, possibly to ensure that the treatment programme is not negatively associated with the incarceration facility.

The Youth Drug Court Team is made up of the following practitioners:

- Judge
- YDC Social Worker (Department of Child, Youth and Family Services)
- YJ Coordinator (Department of Child, Youth and Family Services)
- Police Prosecutor (NZ Police)
- Youth Advocates (lawyers) representing TDC participants
- Youth Specialty Services coordinator of the alcohol and other drug steam and mental health team (Ministry of Health)
- Group Special Education Team Leader (Ministry of Education)
- YDC Court Clerk (Ministry of Justice)

Source:

Dr. Carswell, Sue, *Process Evaluation of the Christchurch Youth Drug Court*

Pilot. Ministry of Justice. Wellington, New Zealand. November 2004.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

NORWAY:

The establishment of the drug treatment court in Norway

On January 1, 2006, two “Drug treatment courts” were established in Norway as pilot projects in the cities of Oslo and Bergen. According to the US National Association of Drug Courts Professionals, a drug court is “... a special court given the responsibility to handle cases involving substance-abusing offenders through comprehensive supervision, drug testing, treatment services and immediate sanctions and incentives” (<http://www.nadcp.org/whatis>). In Norway, drug treatment courts deal with offenders of all ages and of both sexes, with an established relationship between a pattern of serious drug misuse and offending. The aim of the drug treatment court is to reduce or eliminate offenders' dependence on drugs and to reduce the level of drug-related criminal activity.

In the juridical sense, the drug treatment court sentence is a suspended sentence where participation in drug treatment court programs is a condition. The offender has to agree to participate in the drug treatment court programme. The programmes include court-controlled treatment and rehabilitation activities. The programme consists of four phases, and is specially designed for each individual client. Flexibility is an essential feature of the programme in order to meet the client's various needs. Some may need a 24-hour a day treatment at an institution, while others may need policlinic treatment. A supervision and treatment team is responsible for the design of the program. The team consists of representatives from the correctional service, the social service, the health service and the educational and employment service. Other organizations may also be represented in the team, like the police, the child protection agency etc. The permanent members of the team work together at a drug treatment court centre, and some of the client's activities also take place there. The drug treatment court programme transforms the roles of the criminal justice practitioners as well as other involved parties, and one of the aims for the pilot project is to develop good models for cooperation between the services.

A special feature of the Norwegian model is that the court's involvement in the program is not as prominent as for example in the Irish or the Scottish model. However, the programme is supervised by the court, and all the time during the programme, the offender is accountable to the court. It is the court that rewards progress, by for example moving the client to the next phase, or sanctions non-compliance. Naturally, it is also the court that responds to criminal activity during the program. The punishment for not complying with the conditions as well as for new criminality may be imprisonment.

The Norwegian Way

Bergen may 2006

Ingunn Seim

In Norway there were established a working group with participants from different ministries in the government. Their mandate was to make a report on whether the Drug Court system should be implemented in the Norwegian legal system or not, and if so: how to implement it.

The report was presented in September 2004, and the conclusion was that the results from other drug-court countries were so good that this was something Norway should try. The report suggested that the court should lead the drug treatment program.

The report was send out for comments to a lot of different agencies and also all the courts. A lot of agencies, and especially the Supreme Court, was very sceptic to a system where the courts would be so involved in the serving of a sentence. This would break the legal principle of the courts independence to the public administration. The result of the hearing was that when the bill was presented to the Parliament (Stortinget) it suggested that Norway should implement what they called a drug treatment program supervised/controlled by the court (not led by). This resulted in a new statutory provision in the Criminal Code, section 53 and 54. I have enclosed the two sections (document "strl. §§ 53 og 54"). I'm sorry I could not find these in English. The new section also decided that the Ministry of Justice should give administrative regulation to the drug-treatment program. (Enclosed in the document "Forskriften på engelsk"). Both I and Hans-Gunnar were involved in making the administrative regulations for the drug treatment program. The new statutory provision in the Criminal code and the administrative regulations came into force on the 1st of January 2006.

Description of the procedure from a person getting arrested by the police until sentences to a suspended sentence with the condition of attending the drug treatment program supervised by the court:

- ☐ Arrest
- ☐ Usually custody while the police are investigating the crimes
- ☐ A public prosecutor from the police (or the court) has to apply to the drug treatment program- team to write a social inquiry report on the person charged. The team has to conclude whether the charged is suitable for the program or not. This report will be used in court to decide what kind of sentence the judge will give. The court can theoretically come to another conclusion than the team. (Very often a defence lawyer takes the initiative to get a social inquiry report for this purpose, but they still have to apply through the public prosecution. I have spent a lot of time giving information about the drug treatment program to: lawyers, judges, police officers, public prosecutors, prison officers, social workers, health workers, people working with education for grown-ups, and you name it. So the chance for someone to know about this possibility for drug-addicts is good. Theoretically all these different people can guide the drug-addict into getting a sentence like this, as long as it is the public prosecution/the court that formally asks for the social inquiry report).

The team usually needs 4-5 weeks to finish the report. We talk to the charged and we get information from other agencies. Then the team work closely together to conclude on suitability. That is one of our most difficult and major tasks at the moment – finding the right persons to attend the program.

- ☐ When we have finished the report we send it back to the public prosecutor.
- ☐ Then we have to wait until the main hearing is over and the judge passing the sentence, then we formally start the serving of the sentence.

I have enclosed the document “The establishment of Drug Court in Norway”, made by Berit Johnsen. She is a researcher working at the Prison and Probation staff education centre. Here she explains a lot about how the system is supposed to work in Norway.

The Prison and Probation staff education centre is also responsible for evaluating the drug treatment program.

There is only one district court in Bergen and one court in Oslo. It is the ordinary court with all of the judges there, who can pass a suspended sentence and put the condition to attend the drug-treatment program. The correctional service is responsible for the execution of the sentence.

When the convicted has qualified to be transferred to the next phase in the program, the court has to say an order to do so. And also when the convicted has broken any of the conditions the court has to say a sentence that the convict has to go to jail or put other conditions to the sentence.

In Bergen there will be 5 judges (Drug Court judges) in the district court who will follow up the convicted every time they have qualified to be transferred to the next phase or when there is a breach of conditions. One of these 5 judges is probably not the same judge that pronounced the sentence (but it can be). Other than that, the judges will not be part of the team and there will be no pre-court meetings. There is no legal authority for this in Norway. The court is only involved when there is a petition, there is no routinely review.

The team in Bergen consists of:

- ☐ A coordinator (me), employed by the regional level of the correctional service. I have a law degree, and have worked as a public prosecutor, a probation officer and a legal advisor for the correctional service. Hans-Gunnar has almost the same background.
- ☐ A social worker employed by the local council.
- ☐ A psychologist employed by the local health service. (In Oslo a nurse).
- ☐ A probation officer also employed by the correctional service.
- ☐ An educational adviser employed by the county administration.

All the different ministries involved grant money to the project. All the team-members get their salary from their own agency, and the correctional service is responsible for the operating costs.

Where are we today?

We are working on a lot of social inquiry reports. It is a big challenge finding the right persons for the program. Who can we help with this program? How addicted can they be? How mentally ill can they be? Do they need a safe place to live before we start working with them? We have a lot of questions, and very few answers. But we are getting more and more experienced every day.

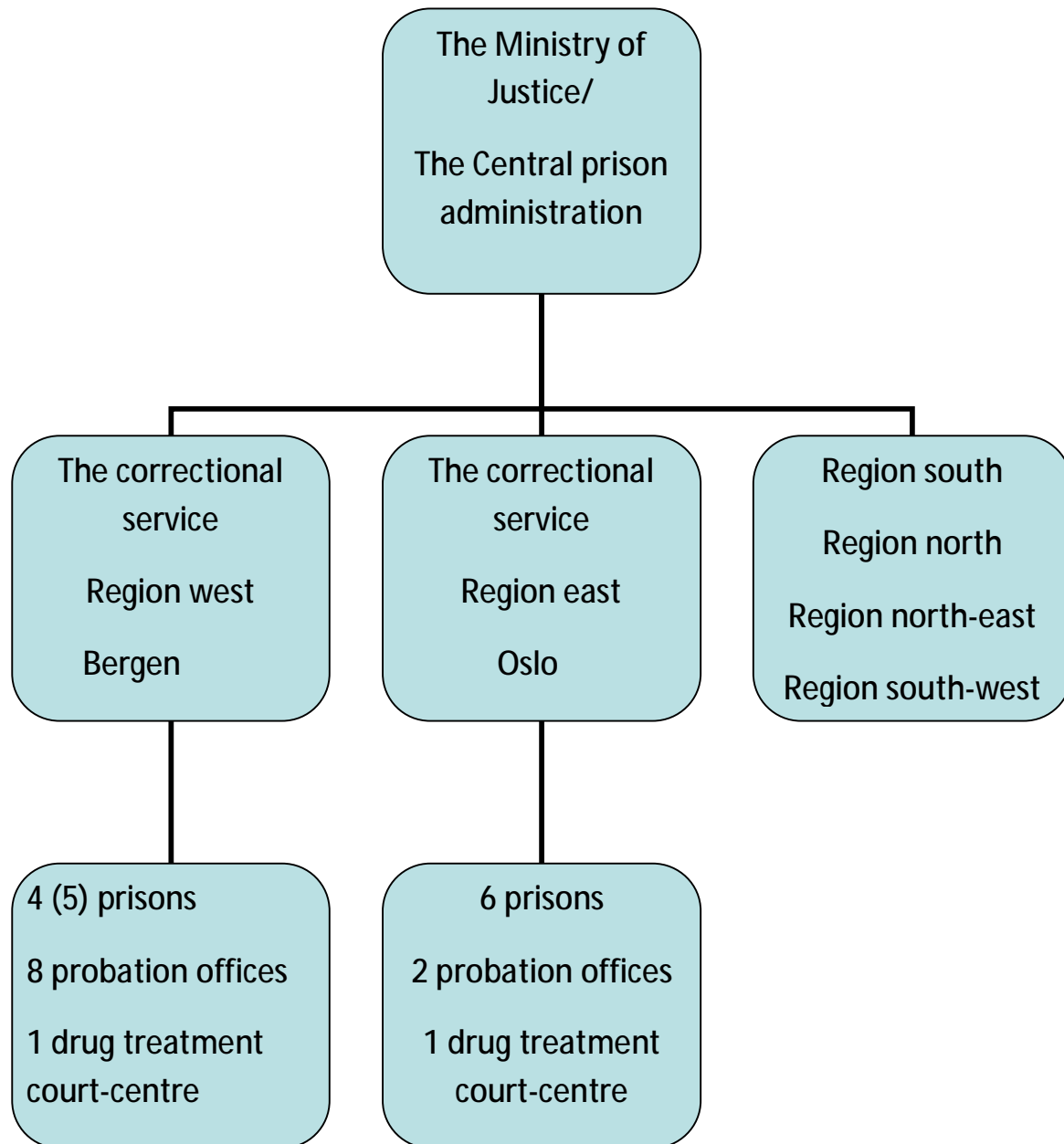
We also have five persons convicted to the program: two of them still serving a prison sentence for a couple of more months, one already breached the conditions by committing new crimes, and two convicts have started using the drug treatment court-centre. There are more to come....

Where are we in 12 months?

In 12 months I really hope we are more certain of whom the target group really is. I also hope we have found a good way to organize and administrate the project with so many agencies involved. (For example the different budgets and the organization of the staff).

I guess we will be working with about 20 convicts in different phases of the program. Hopefully some of the convicts we have today are still with us.

In case it is of any interest I have tried to illustrate the organisation of the correctional service in Norway:



UNITED STATES:



BUREAU OF JUSTICE ASSISTANCE (BJA) DRUG COURT CLEARINGHOUSE Drug Court Activity Update: June 1st, 2009

Drug Court Activity Underway

No. of Programs Currently Operating: Courts)	2,035 ¹⁰ (includes 83 Tribal Drug
<i>[Additional No. of Operating Drug Court Programs that have been consolidated with other drug courts/ or suspended operations]</i>	147
No. of Programs Planned:	227 ¹¹ (includes 35 Tribal Drug Courts)
<i>[Additional No. of Drug Court Programs that were planning but are no longer planning programs]</i>	188
No. of Drug Courts with Alumni Groups:	175+
No. of States with Drug Court Programs: (Operating or being planned):	All 50 (including Native American Tribal Courts), plus the District of Columbia, Northern Mariana Islands, Guam, and Puerto Rico
No. of states and territories with:	
Adult drug courts (operating or being planned)	50 (including Native American Tribal Courts), plus the District of Columbia, Guam, and Puerto Rico
Juvenile drug courts (operating or being planned) Courts), plus the District of Columbia, Guam, and Northern Mariana Islands	49 (including Native American Tribal
Family drug courts (operating or being planned) Courts), plus the District of Columbia	41 (including Native American Tribal
No. of counties with drug court programs (operating or being planned)	1,416 out of 3,155 Counties ¹² (44.8 %)
No. of Tribes and Native Villages with Drug Court Programs (Operating or being planned)	86
No. of tribal drug court/healing to wellness court programs: (Operating or being planned)	118
No. of counties with drug court programs being planned or are operating and also have mental health courts	100+
No. of Judges Who:	
Are currently serving as Drug Court Judges for programs Operating or being planned	2,775 approx.

¹⁰ Includes 1171 adult drug courts; 488 juvenile drug courts; 268 family drug courts; 24 combination adult/juvenile/family drug courts; and 84 tribal drug/healing to wellness courts.

¹¹ Includes 103 adult drug courts; 51 juvenile drug courts; 35 family drug courts; 3 combination adult/juvenile/family drug courts; and 35 tribal drug/healing to wellness courts

¹² U.S. Census Bureau, "Geographic Coverage," Washington, DC: U.S. Census Bureau. June 2006

[<http://censtats.census.gov/usa/usainfo.shtml>](http://censtats.census.gov/usa/usainfo.shtml)

Have previously served as Drug Court Judges
Are also serving as Mental Health Court Judges

2,800 approx.
25+ approx.

States That Have:

Enacted legislation relating to the planning, operating and/or funding of Drug Courts:

44 plus the District
of Columbia, and
Guam

Enacted state or local rules/orders relating to the operation of drug courts:

24 plus the District
of Columbia

Appellate Caselaw Relating to Drug Courts:

36 states plus
District of Columbia,
3 tribal courts & 6
fed. Distrs; 4 fed. Circs.

**Native American Tribal Councils which have enacted legislation relating
to the Planning/operation of drug court programs:**

2

DRUG COURT IMPLEMENTATION BY YEAR

	JUVENILE		ADULT		FAMILY		TRIBAL/Healing to Wellness Courts		COMBINED		TOTAL*	
Year	For Year	To Date	For Year	To Date	For Year	To Date	For Year	To Date	For Year	To Date	For Year	To Date
1989	0	0	1	1	0	0	0	0	0	0	1	1
1990	0	0	0	0	0	0	0	0	0	0	0	0
1991	0	0	4	5	0	0	0	0	0	0	4	5
1992	0	0	4	9	0	0	0	0	0	0	4	9
1993	0	0	9	18	1	1	0	0	0	0	10	19
1994	0	0	21	39	2	3	0	0	0	0	23	42
1995	7	7	30	69	0	3	1	1	0	0	38	80
1996	10	17	49	118	3	6	0	1	0	0	62	142
1997	20	37	65	183	2	8	4	5	3	3	94	236
1998	29	66	72	255	8	16	7	12	2	5	118	354
1999	39	105	94	349	7	23	8	20	0	0	148	502
2000	72	177	101	450	17	40	8	28	2	7	200	702
2001	60	237	113	563	18	58	8	36	4	11	203	905
2002	62	299	128	691	39	97	10	46	2	13	241	1146
2003	33	332	74	765	30	127	4	50	1	14	142	1288
2004	44	376	120	885	28	155	8	58	1	15	201	1489
2005	45	421	112	997	37	192	9	67	3	18	206	1695
2006	25	446	68	1065	28	220	10	77	0	18	131	1826
2007	17	463	46	1111	18	238	2	79	1	19	84	1910
2008	22	485	55	1166	27	265	4	83	5	24	113	2023
6/1/2009	3	488	5	1171	3	268	1	84	0	24	12	2035

* Does not include 147 additional programs that were implemented and subsequently suspended operations or consolidated with other programs.

For further information, contact:

BJA Drug Court Clearinghouse
Justice Programs Office, School of Public Affairs
American University

4400 Massachusetts Avenue NW, Brandywine, Suite 100
Washington D.C. 20016-8159

Tel: 202/885-2875 Fax: 202/885-2885 E-mail: justice@american.edu Web: www.american.edu/justice

C. EVALUATIVE INFORMATION

Ireland:

Evaluation of Irish Drug Courts, October 2002: Summary

Jamaica:

Statistical Information

United States:

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IRELAND:

Evaluation of Irish Drug Courts, October 2002¹³: Summary

In the 1990's, informal estimates of the Irish prison system, particularly in Dublin, showed that approximately 80% of indictable crimes were drug-related and that 66% of a sample of Dublin prisoners were heroin users. In 1997, a Drug Court Planning Commission was set up to investigate the feasibility of establishing an alternative to incarceration and, in 2001, the very first participant was admitted to the drug court in Dublin.

In January, 2001, a Steering Committee decided to establish January 16th, 2001-January 31st, 2002 as the time period in which a formal evaluation of the pilot project would be conducted. Although the relatively short timeframe precluded any conclusive comparisons of recidivism to incarcerated drug users, the evaluation was able to assist in determining whether the program should be continued.

The evaluation was based on three components:

- 1) Process Evaluation: the collection of both quantitative and qualitative information to determine whether or not the drug court program met procedural and administrative goals, and to identify strengths and weakness of the model
- 2) Outcomes Evaluation: the collection of information to determine whether the drug court program was effective in reducing recidivism, drug usage, and addiction, when compared to a control group of non-participant drug offenders
- 3) Cost-Effectiveness Analysis: the collection of Average Standard Cost for processing a drug court participant compared to members of the control group

Process Evaluation: All stakeholders in the drug court process agreed that the program could address in a significant way the causes of acquisitive crime and make a strong positive impact on the lives of certain drug addicted offenders. However, there was less clarity as to the established mission and objectives of the drug court, which some believed contributed to the relatively low number of referrals. Some respondents expressed optimism that referrals would increase as the program became more established. Many respondents felt that the drug court program needed to have its own dedicated treatment service in order to appropriately address treatment needs, since "mainstream" treatment often lagged behind the established time deadlines. Furthermore, while some difficulties were experienced in getting various agencies to work together on the joint project, respondents were generally positive about future cooperation. Finally, drug court participants (offenders) believed the program to be quite demanding, but felt that it provided an experience that was overall supportive and ultimately rewarding.

Outcomes/Impact Evaluation: Despite the low numbers of referrals as of the conclusion of the evaluation, the overall profile of participants was similar to that of drug courts in other countries. Participants were primarily male; in their 20s; unemployed; undereducated; possessed a high number of prior convictions, with a high risk of reconviction; and all 35 participants were heroin addicts using an average of 5 different drugs. By the end of the evaluation period, significant results became evident: the re-offense had declined substantially, as had the percentage of positive drug tests, and participation in

¹³ This summary was prepared by staff at the Justice Programs Office, School of Public Affairs at American University. The full text of the report can be found, with statistical appendices, on the website for the Irish Courts website at [http://www.courts.ie/Courts.ie/library3.nsf/%28WebFiles%29/0D3E40D7D530786380256DA6003DB7DB/\\$FILE/Final%20Report.pdf](http://www.courts.ie/Courts.ie/library3.nsf/%28WebFiles%29/0D3E40D7D530786380256DA6003DB7DB/$FILE/Final%20Report.pdf).

educational activities was generally high. Some issues adversely affected participants' progress, including alcoholism, homelessness, and gender/childcare troubles.

Cost-Effectiveness: The study finds that, in many jurisdictions that have already established drug courts, much of the cost savings comes from participation over incarceration. However, Ireland had relatively low incarceration rates to begin with. Respondents felt that efficiency could be improved in three areas—shortening the assessment phase from an average of 27 days; revoking bail less frequently, especially in the early days of the evaluation; and increasing referrals to capacity level—but that most indicators point to cost savings over time.

JAMAICA:

STATISTICAL INFORMATION

REPORT OF DRUG COURT TREATMENT & REHABILITATION PROGRAMME FROM START OF PROGRAMME TO MARCH 2009

YEAR	TOTAL REFERRED BY COURT	ADMITTED & ELIGIBLE FOR PROGRAMME	GRADUATED	DROP OUT
2001	20	17	5	5
2002	36	32	5	10
2003	43	29	18	10
2004	57	38	18	9
2005	64	45	25	7
2006	36	29	21	5
2007	43	42	11	18
2008	30	25	6	11
2009	5	5	-	-
TOTAL	334	262	109	75

UNITED STATES:

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PART ONE

#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
1	2004	<i>Phase II Douglas County [Nebraska] Drug Court Evaluation Report.</i> Thomas J. Martin, Cassia C. Spohn, R.K. Piper, and Jill Robinson	Recidivism and cost benefit study comparing criminal justice outcomes of offenders in drug court with offenders in County Attorney's pre-trial diversion program and offenders in traditional adjudication	Drug court participants	offenders in County Attorney's pre-trial diversion program and offenders in traditional adjudication
2	September 2004	<i>Participation in Drug Treatment Court and Time to Rearrest.</i> Duren Banks and Denise C. Gottfredson. <i>Justice Quarterly</i> . Vol. 21, no. 3, September 2004. Academy of Criminal Justice Sciences	Review of arrest history of 139 drug court and 96 control group defendants re arrests for two year period following assignment to drug court (drug court participants randomly assigned to drug court; control group was eligible but randomly assigned to nondrug court treatment)	139 drug court participants randomly assigned to drug court; and 96 control group was eligible but randomly assigned to nondrug court treatment)	96 control group defendants who were eligible for drug court but randomly assigned to nondrug court treatment
3	January 29, 2004	<i>Cost Analysis of Anne Arundel County, Maryland Drug Court. Prepared by: NPC Research, Inc., Portland, Oregon</i>	Tracked sample (53) of Drug court participants who entered the drug court from 1997 – 1998 re recidivism and costs resulting	Sample (53) of drug court participants who entered drug court from 1997 -1998	Comparable defendants who did not enter the drug court during the same period
4	January 29, 2004	<i>Cost Analysis of Baltimore City, Maryland Drug Treatment Court: Includes Outcome Findings, Cost Analysis, and Summary and Conclusions, Only; Prepared by NPC Research, Inc., Portland, Oregon</i>	Tracked sample of 60 drug court participants from 2000 and comparable sample of 63 offenders who did not enter the drug court for 3 year period to determine possible cost savings for justice system, victimization, and for other areas	Sample of 60 drug court participants who entered program in 2000 compared with comparable sample of 63 offenders who did not enter the drug court	Comparable defendants from 2000 who did not enter the drug court

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
5	January 2004	<i>Kalamazoo County 9th Judicial Circuit Court Office of Drug Treatment Court Programs: Statistical Report: 2003. Prepared January 2004</i> - Part One: Female Drug Court - Part Two: Male Drug court	Updates previous annual report with 2003 data to cover 543 female enrollees and 506 male enrollees since program began	543 female enrollees and 506 male enrollees in Kalamazoo Drug Court since its inception	n/a
6	January 2004	<i>Oklahoma Drug Courts: Fiscal Years 2002 and 200. Prepared by The Oklahoma Criminal Justice Resource Center.</i>	Review of data from 19 adult drug and DUI courts operating in 21 counties in Oklahoma, including drug court participant characteristics at time of program entry; compliance with Oklahoma Drug Court Statute; use of sanctions; outcome, recidivism and costs	1,666 participants in 19 drug courts during period July 2001 – June 2003. [findings reported for graduates only]	(1) successful standard probation drug offenders; and (2) released inmates who had drug convictions;
7	October 2003	<i>The New York State Adult Drug Court Evaluation: Policies, Participants and Impacts.</i> Center for Court Innovation. New York, New York.	Reviews operations, recidivism and other impacts in the following nine drug courts: Bronx, Brooklyn, Queens, Rochester, Suffolk Co., and Syracuse	Studied post-arrest recidivism of drug court participants for 3 years (Bronx, Manhattan, Queens, and Suffolk) and 4 years (Brooklyn and Rochester), compared with reconviction rates of similar defendants not entering the drug court;	Similar defendants not entering drug court
8	August 1, 2003	<i>Drug Court More Beneficial for Women:</i> [author not provided]	Oklahoma female prison population Drug-Court Enrollments as of July 1, 2003	Oklahoma female drug court graduates	Oklahoma male drug court graduates
9	July 2003	<i>16th Judicial District of Tennessee (Rutherford Co.) Drug Court Program 2003 Process Evaluation.</i> Dana K. Fuller, Ph.D. July 2003	Studied 99 persons admitted to the program as of July 15, 2003	Studied 99 persons admitted to the program as of July 15, 2003	n/a – process evaluation with limited outcome data

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10	June 1, 2003	<i>Recidivism Among Federal Probationers</i> Minor, Kevin; Wells, James; Sims, Crissy.	Individuals serving federal probation sentences in the Eastern District of Kentucky.	200 individuals sentenced from Federal Probation in the Eastern District of Kentucky between 1/96 and 6/99. Individuals were studied during a 2-year follow-up period between 1/96 and 6/99.	N/A
11	May 2003	<i>Coconino County DUI/DRUG Court Evaluation</i> . Prepared by: Frederic I. Solop, Nancy A. Wonders, et. Al. Social Research Laboratory, Northern Arizona University	Outcome data compiled May 1, 2001 – October 31, 2002 for Drug court participants and control group with similar characteristics and processed through traditional criminal justice system	Participants in DUI Drug Court during May 1, 2001-October 31, 2002	Randomly assigned eligible offenders with similar characteristics processed through traditional criminal justice system
12	April 18, 2003	<i>Assessing the Efficacy of Treatment Modalities in the Context of Adult Drug Courts</i> . Donald F. Anspach, Ph.D. and Andrew S. Ferguson.	Examines various issues relating to the delivery of treatment services in four drug court sites: Bakersfield, Cal; St. Mary Parish La.; Jackson Co., Mo.; and Creek Co., Okla.;	In addition to treatment and related staff, 2,357 offenders enrolled in the four programs between January 1997 and December 2000	n/a

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
13	April 15, 2003	<i>Bibb County Special Drug Court Program: Eight-Year Annual Report. April 15, 2003.</i> Prepared by Chief Judge Tommy Day Wilcox, Superior Courts, Macon Judicial Circuit and Jacqueline Duncan, Program Administrator	Review of program operations and analysis of graduates: 1994 – 2002	394 graduates of program from 1994 – 2002	n/a
14	March 2003	<i>Summary Report of Virginia's Drug Court Programs.</i> Office of the Supreme Court of Virginia and Virginia Department of Criminal Justice Services.	Individuals in the Virginia drug court program between November 1995 and December 2002 were analyzed.	1727 Virginians admitted to the felony drug court program	N/A

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
15	March 2003	<i>Washington State's Drug Courts for Adult Defendants: Outcome Evaluation and Cost-Benefit Analysis.</i> Washington State Institute for Public Policy	Presents statistical summary of other drug court studies in U.S; describes Washington's outcome evaluation and cost-benefit analysis of the following 6 of Washington's adult drug courts (with implementation dates noted): King Co. (8/1/94); Pierce Col (10/11/94); Spokane Co. (1/1/95); Skagit Co. (4/1/97); Thurston Co. (5/1/98); and Kitsap Co. (2/1/99); and presents findings and recommendations (study conducted at direction of Washington Legislature)	Evaluated six adult drug courts in Washington operating during 1998 and 1999 to test whether Washington's drug courts reduce recidivism rates	Obtained individual-level data (gender, age, ethnicity, prior criminal history, and current offense) for defendants who entered drug court and, for four of the programs also obtained individual-level data for defendants screened for the drug court; then constructed comparison groups; used this information to construct comparison groups, using six different comparison groups and several sampling approaches, including: selecting cases filed in the same counties 2 years prior to start of drug court; selecting comparable cases from non-drug court counties filed at same time; tested drug court effectiveness using all six groups to provide a range of estimates for drug court outcomes
16	February 7, 2003	<i>Judicial Council of California. Administrative Office of the Courts. Report. Collaborative Justice Courts Advisory Committee. Progress Report</i>	Evaluated cost and effectiveness of drug courts in state; Phase I: study of three courts	Participants who completed drug court	N/A; compared arrest rates two years following admission with arrest rates two years prior to admission

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17	January 6, 2003	<i>Evaluating the Effectiveness of Drug Courts in Idaho: Report to Governor Dirk Kempthorne and the First Regular Session of the 57th Idaho Legislature.</i> Idaho Supreme Court	Review of developments of 30 drug courts in Idaho; data provided on participants in Districts 4 and 5 (6 programs with 206 participants)	6 programs in Districts 4 (Ada Co and Elmore Co.) and 5 (Mini-Cassia Minidoka Co and Twin Falls Co.) [findings reported for graduates only]	n/a
18	January 2003	<i>Evaluating Treatment Drug Courts in Kansas City, Missouri and Pensacola, Florida: Final Reports for Phase I and Phase II.</i> Abt Associates. Prepared by Linda Truitt; Wm. Rhodes; N.G. Hoffman; Amy Maizell Seeherman; Sarah Kuck Jalbert; Michael Kane; Cassie P. Bacani; Kyla M. Carrigan; Peter Finn	Phase I: retrospective study of 1992-7 participants including case studies (process); and impact evaluation (survival analysis of recidivism); Phase II: study of 1999-2000 participants re program retention and participant perceptions	Phase I; 1992-7 and Phase II: 1999-2000 participants in Escambia County, Florida (74 participants) and Jackson County, Kansas (182 participants)	Phase I: Recidivism: Defendants with similar criminal histories arrested before drug court started and defendants with similar criminal histories arrested between 1993-7 who participated and did not participate in the drug court Phase II: n/a
19	May 5, 2002	<i>From Whether to How Drug Courts Work: Retrospective Evaluation of Drug Courts in Clark County (Las Vegas) and Multnomah County (Portland), [Oregon].</i> John S. Goldkamp; Michael D. White; Jennifer B. Robinson.	Tracks implementation and development of drug court in Portland, Oregon (1991-98) and Las Vegas, Nevada (1992-1998, focusing on outcomes and possible impact of various factors relating to structure, operation, and various innovations introduced in these programs	75 Drug court participants from each year since program inception in Portland (except 143 defendants for 1997); and 100 participants for each year in Las Vegas, and similar groups of defendants who didn't enter drug court and whose cases were disposed of through the traditional process.	Two groups of comparable defendants in each site whose cases were disposed of through the traditional process: (a): defendants who failed to attend first drug court appearance; and (b) defendants who attended first drug court appearance but failed to attend treatment

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20	March 2002	<i>Drug Court Partnership Act of 1998, Chapter 1007, Statutes of 1998. Final Report.</i> Prepared by The California Department of Alcohol and Drug Programs and the Judicial Council of California, Administrative Office of the Courts.	Present results of evaluation of 34 drug courts operating under Drug Court Partnership Act to demonstrate cost effectiveness of program	34 drug courts operating under Drug Court Partnership Act	
21	October 2001	<i>Kentucky Drug Court Outcome Evaluation: Behaviors, Costs, and Avoided Costs to Society. Prepared by TK Logan, William Hoyt and Carl Leukefeld. Center on Drug and Alcohol Research. University of Kentucky</i>	Outcome evaluation of drug court programs in Fayette, Jefferson and Warren Counties, Kentucky	Study of 745 drug court participants from three drug courts; studied graduates, program terminators and individuals assessed for the drug court but who did not enter	Individuals assessed for the drug court but did not enter
22	October 2000	<i>Tulsa County Adult Drug Court: Phase II Analysis.</i> Wright, David. O'Connell, Paul. Clymer, Bob. Simpson, Debbie.	Clients that had entered the Tulsa County Adult Drug Court Programs from 5/96 to 6/00.	117 adult non-violent felony offenders with substance abuse histories who had entered the drug court program were monitored from 5/96 to 6/00 within the Tulsa County Adult Drug Court system.	A sample of 113 individuals on probation was matched by criminal history and felony charge to the population studied.

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23	May 1999	<i>Evaluation of the Hennepin County {Minneapolis} Drug Court. Minnesota Citizens Council on Crime and Justice (R. Ericson; S. Welter and Thomas L. Johnson]</i>	Reviews program operations and outcomes of drug court participants during 1996-998 period; analyses treatment recidivism (readmission to new program after completing drug court treatment) and criminal recidivism (felony and gross misdemeanor charges and misdemeanor convictions occurring during 9 month follow up study period); also looked at employment status and improved parenting skills of participants while in program	Drug court participants whose cases were filed between August 1, 997 and December 31, 1997 (with certain stated exceptions)	past drug offenders prior to drug court program implementation with similar demographic characteristics
24	October 2000	<i>North Carolina Drug Treatment Court Evaluation Final Report. Craddock, Amy.</i>	Data was collected from 534 individuals attending 4 pilot drug court treatment programs in North Carolina, monitored 12 months after graduation	Individuals attending the pilot drug court treatment programs in North Carolina	Eligible drug court treatment applicants not admitted to the program
25	October 2000	<i>Evaluation of Oklahoma Drug Courts, 1997-2000. O'Connell, Paul. Wright, David. Clymer, Bob.</i>	Individuals in the Oklahoma drug court program were monitored at 6, 9, 12, 18, and 24 months.	Oklahoma Drug Court Graduates	Probation offenders matched by criminal history and felony charge

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26	October 2000	<i>1998 Drug Court Recidivism Report Update.</i> Administrative Office of the Courts, Dade County (Miami), Florida	Provides cumulative re-arrest rates for defendants who refused drug court, withdrew from drug court, and those who successfully completed probation.	Drug court graduates through 1998	Defendants who refused drug court withdrew from drug court, and those who successfully completed probation.
27	January 2001	<i>Final Report on the Polk County Adult Drug Court: Executive Summary and Summary of Findings.</i> Iowa Dept. of Human Rights. Division of Criminal and Juvenile Justice Planning. Statistical Analysis Center.	Study comparing clients entering program from its inception through September 30, 1998 with group of revoked probationers from FY96 and other offenders referred to the drug court who didn't enter	Drug court clients who entered program from inception through September 30, 1998 [findings reported for graduates only]	Group of revoked probationers from FY 96 and defendants who were referred to the drug court but didn't enter
28	July 2001	<i>NW HIDTA/DASA Washington State Drug Court Evaluation Project.</i> G. Cox, L. Brown, C. Morgan, M. Hansten. Alcohol and Drug Abuse Institute. University of Washington, Seattle, Wash.	Study of drug court processes and outcomes in King County, Pierce Co;; Spokane Co; Thurston Co; Skagit Co; Kitsap Co; and Snohomish County; focus on examining organizational structure and operational characteristics of each program and impact of program on re-arrests; convictions, incarceration rates, earned income of participants, and utilization of public resources including medical, mental health, treatment and vocational services	Drug court participants in each site [findings reported for graduates only]	
29	December 2004	<i>Evaluation of Virginia's Drug Treatment Court Programs.</i> Office of the Executive Secretary, Supreme Court of Virginia	Process and outcome evaluation of drug court participant retention rates and graduate and nongraduate (terminated or withdrawn) recidivism rates; also analysis of severity and tonicity of offenses committed by participants prior to drug court entry to address the issue: are drug courts accepting only "light weight" offenders? Or more serious and chronic offenders?	3,216 adult felony Drug court participants admitted to the drug courts between November 1995 and December 2004, consisting of 2,002 graduates or current enrollees	Adult drug offenders studied by Virginia Criminal Sentencing Commission (VCSC) in 1999 for recidivism rates and severity of offense history

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30	October 2003	<i>South Central Judicial District Adult Drug Court Program (Bismarck, N.K). Process Evaluation – Final Report. October 2003. Jeffrey A. Bouffard. North Dakota State University. Department of Criminal Justice and Political Science.</i>	Primarily a process evaluation of program operations compared with anticipated program process and services; also provides limited analysis of outcome info re recidivism (program was too young to do compile adequate data on this) and relationship between demographic chars. Of participants and program performance and outcomes	Reviewed 105 applications of potential participants, 47 enrolled participants and 14 graduates (8 terminations). [findings reported for graduates only]	n/a
31	July 2002	<i>Outcome Evaluation of Ohio's Drug Court Efforts. Final Report. By Edward J. Latessa, Ph.D.; Deborah Koetzle Shaffer; Christopher Lowenkamp. Center for Criminal Justice Research. University of Cincinnati.</i>	Study of adult and juvenile drug courts in Ohio to examine their effectiveness; primary focus is on effects of frequent court contacts and community based treatment on recidivism rates	Common Pleas: Sampled 788 drug court participants and 429 comparison group members from Hamilton, Butler, Erie, and Richland Counties Municipal Court: 556 drug court participants and 228 comparison group from Cuyahoga Co., Miami County and City of Akron; Juvenile Court: studied 310 participants and 134 comparison group members from Belmont, Summit and Montgomery Counties	Matched offenders eligible for drug court program re demographic characteristics and presence of substance abuse problem
32	2001	<i>Evaluation of the Bernalillo County Metropolitan DWI/Drug Court (Institute for Social Research conducted comparison study specifically for drug court graduates)</i>	Reviews background, recidivism, and incarceration costs for 450 offenders served by the DWI/Drug Court since its inception in July 1997 through July 31, 2001; recidivism info for 168 graduates who graduated between March 1998 – September 2000	560 offenders served by the drug court program [findings reported for graduates only]	Recidivism and Cost comparisons: Similar group of probation clients
33	February 2005	<i>Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes. U.S Government Accountability Office</i>	Review of 27 drug court evaluation reports of 39 adult drug court programs that met GAO methodological criteria for soundness	n/a – reviewed already completed evaluation reports but focus includes participants as well as graduates	n/a

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34	April 2005	<i>Evaluation of the Outcomes in Three Therapeutic Courts: Anchorage Felony Drug Court; Anchorage felony DUI Court; Bethel Therapeutic Court. Alaska Judicial Council.</i>	Study for legislature which reviewed info about all participants in Anchorage Felony DUI Court; Anchorage Felony Drug Court; and Bethel Therapeutic Court for 1 years prior to entering drug court and 2 years after leaving drug court	Defendants in Anchorage Felony DUI Court, Anchorage Felony Dr Court and Bethel Therapeutic Court for 2 years prior and 2 years following drug court participation [findings reported for graduates and active participants only]	Defendants who matched participants but didn't enter a therapeutic program.
35	April 2003	<i>The Kootenai and Ada County [Idaho] Drug Courts: Outcome Evaluation Findings. Final Report</i>	Focus is on (1) characteristics of offenders served by the drug court; (2) how drug court participants appear on various indicators of drug use; (3) whether drug court participation affects likelihood of individual recidivating; (4) factors that predict likelihood of success/failure; and (5) outcomes for program graduates	Drug court participants in Kootenai and Ada County Drug courts selected between February 1998 and July 2002: <u>Kootenai Co.</u> : (45% in Phase I; under 1% in Phase 2, 27% in phase 3 and 25% in phase 4; 29% (41) had graduated and 52% (76) had been terminated, followed up for 820 days (2 yrs, 3 mos) for drug court group and 677 days (1 year, 10 months for comparison group; <u>Ada Co.</u> : drug court participants between March 1999 – June 2002; 25.7% currently enrolled (56); 41.7% (91) graduates; and 32.6% (71) terminated.	Comparison group identified by each court of defendants similar to participants in demographics and drug use and who were eligible for the drug court but didn't receive drug court services (Kootenai Co.- 133 and Ada Co. – 161)
36	July 2000	<i>The Hamilton County [Ohio] Drug Court: Outcome Evaluation Findings. Shelley Johnson and Edward Latessa. University of Cincinnati.</i>	Comparison of drug court participants with comparison cases to determine whether drug court participation is associated with differences in outcome	Defendants screened for program during January 1, 1997 – October 31, 1998	Comparison group identified by various data sources including demographics, case history, assessment information and judge's daily drug court docket containing disposition and outcome information; each participant must have a reported substance abuse problem and be eligible for the drug court; drug court group = 226; comparison group – 230

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37	March 2005	<i>Analysis of Oklahoma Drug Courts: Fiscal Years 2002-2004.</i> Oklahoma Department of Mental Health and Substance Abuse Services	Analyzed data from 25 adult drug and DUI courts operating in 30 counties in Oklahoma, including participants who were active July 1, 2001 – June 30, 2004, totaling 2,307 participants	2,307 participants active in 25 adult and dui drug courts during period July 1, 2001 – June 30, 2004 [findings reported for graduates only]	Recidivism rate of drug court graduates compared with that of successful standard probation offenders or released prison inmates
38	July 2001	<i>The Akron Municipal Drug Court: Outcome Evaluation Findings.</i> S. Listwam, D.K. Shaffer, and Edward J. Latessa. Center for Criminal Justice Research, University of Cincinnati	Studied participants in drug court and compared with those designated as comparison cases		Matched group of cases screened November 1997 – April 2000 with selected demographic characteristics, reported substance abuse problem, and eligible for the drug court
39	May 2003	<i>Coconino County DUI/Drug Court Evaluation.</i> Frederic I. Solop, Nancy A. Wonders, K.K. Hagen, K McCarrier. Social Research Laboratory, Northern Arizona University.	Two year process and outcome evaluation of Coconino Co. DUI/Drug court program; used random assignment of eligible offenders to an experimental group that entered the DUI drug court and a control group that was processed through the traditional criminal justice system; collected from May 1, 2001 – October 31, 2002	Drug court participants in the DUI drug court from May 1, 2002 – October 31, 2002	DUI offenders randomly assigned to traditional adjudication process; data collected: May 1, 2001 – October 31, 2002
40	2005	<i>Recidivism of Violent Offenders in a Delaware Drug Court Program for Probation Violators.</i> Christine A. Saum, Ph.D. Univ. of Delaware.	Study of 452 samples of seriously crime-involved offenders and their success in drug court program for probation violators.	452 probation violators with serious criminal histories who entered probation-violator track of New Castle Co. (Wilmington), Delaware Superior Court drug court between October 1993 and March 1997	n/a
41	2004	<i>Kalamazoo County 9th Judicial Circuit Court: Drug Treatment Court Programs. Statistical Report.</i> 2004	Review of demographics, progress, and recidivism of 1,967 females and 2,267 males referred to the drug court program (566 females and 581 males enrolled) from inception (1992 and 1997 respectively) through December 2004	Study of 1,967 females and 2,267 males referred to Kalamazoo drug court programs since inception (June 1992 and January 1997, respectively) through December 2004 [findings reported for graduates only]	n/a

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42	April 2005	<i>Puerto Rico Drug Court Program: Outcome</i> Evaluation Center for Addiction Studies, School of Medicine, Universidad Central del Caribe	(1)Study of the status of participants in the Puerto Rico Drug Court Program one year after admission compared to their status immediately prior to admission; (2) comparison of outcomes of Drug Court Participants to participants in traditional diversion groups supervised by probation and TASC	Drug Court: 222 consecutive admissions from six judicial regions which had a drug court (Arecibo, Bayamon, Carolina, Guayama, Ponce, and San Juan) from March through August 2003; comparison group comprised 220 consecutive admissions from 12 regions	comparison group comprised 220 consecutive admissions from 12 regions in probation or TASC supervised programs
43	September 2005 (interim)	<i>California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II Study Results. NPC Research, Shannon M. Carey, Michael W. Finigan, David Crumpton, Mark Waller, Francine Byrne.(See No. 51 for final report)</i>	Two research questions: (1) are drug courts cost-effective (cost-beneficial)? (2) what drug court practices appear most promising and cost-beneficial? Study of costs and benefits (opportunity resources); cost to taxpayers (public funds); and transactional cost analysis	Graduates and all participants in 9 California courts: Monterey, Los Angeles (El Monte); Orange County (Santa Ana) and Laguna Niguel; San Joaquin Co. and Stanislaus County	n/a
44	January 2005	<i>Malheur Co. Adult [gender specific]t Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey and Gwen Marchand.</i>	(1) does drug court participation reduce no. of re-arrests for participants? (2) does drug court reduce levels of substance abuse; (3) how success is program in bringing participants to graduation within expected timeframe? (4) what participant characteristics produce success? Termination?	Drug court participants entering program since implementation in January 20001 and at least 6 months prior to evaluation. (125 participants) – 77 males and 48 females)	n/a

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
45	January 2005	<i>Marion Co. (Oregon), Adult Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey, Gwen Marchand.</i>	(1) does drug court participation reduce no. of re-arrests for participants? (2) does drug court reduce levels of substance abuse; (3) how success is program in bringing participants to graduation within expected timeframe? (4) what participant characteristics produce success? Termination? (5) (5) how important is aftercare to successful outcomes?	62 drug court participants who entered program since implementation in April 2000 and at least 6 months prior to evaluation.	Persons arrested on drug court eligible charges during year prior to drug court implementation, matched to drug court participants on gender, ethnicity, age and criminal history in 2 years prior to drug court
46	July 2003	<i>A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research, Inc. Shannon Carey, Michael Finigan</i>	Study of investment costs and benefits of drug court program; compares use of public resources for drug court clients and for sample of drug court eligible “business as usual” serviced clients.		
47	March 2004	State of California Department of Alcohol and Drug Programs. <i>Comprehensive Drug Court Implementation Act of 1999: Interim Report to the Legislature. Kathryn P. Jett, Director</i>	Study mandated by Comprehensive Drug Court Implementation Act (CDCI) of 1999 describing interim programmatic progress achieved	Data collected from January 2001 – June 2003 for “new participants”, participants who completed (“completers”), and those who were terminated (total of more than 9,000, 7,790 of whom were adults; 3,563 completed program; 2,657 terminated	n/a
48	June 14, 2006	<i>Suffolk Co. (Mass) Drug Court Evaluation. Abt Associates. Wm. Rhodes, Ryan Kling and M. Shiveley</i>	Impact of drug court program on drug court probationer participants	844 probation participants in four drug courts in Suffolk County; could get info for 794 participants; 13% active at time of study; 42% graduates,, 11% had FTAs;	Other drug-involved probationers (but had less extensive criminal histories and less severe probation risk scores so inappropriate to use them as comparison group

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49	May 20, 2006	<i>Outcome Evaluation of the Jackson County, Florida Drug Court.</i> Williams Consulting. Silver Spring, Md.		12 Drug court completers and 16 non-completers who entered program November 1, 2002 and left by October 31, 2005 [findings reported for graduates only]	12 Defendants with similar demographics sentenced during the same period as drug court participants (post conviction) entered program but who had different treatment
50	Spring 2006	<i>Long-Term effects of participation in the Baltimore City drug treatment court: Results from an experimental study.</i> Denise C. Gottfredson et al. U. of Maryland.	Using an experimental design, compares 235 offenders assigned either to drug court or traditional process	139 drug court participants (84 District and 55 Circuit) compared with 96 defendants processed through traditional system during 1997 and 1998	96 defendants processed through traditional system during 1997 and 1998
51	April 2005	<i>California Drug Courts: A Methodology for Determining Costs and Benefits: Phase II: Testing the Methodology.</i> NPC Research. Shannon Carey, Dave Crumpton, Michael Finigan and Mark Waller. (See No. 43 for interim report)	U.S. Dept. of Justice funded study to conduct statewide eval to develop methodology that could be used by drug courts throughout California for ongoing cost-benefit evaluation; and answer two policy questions: (1) are adult drug courts cost beneficial? And (2) what adult drug court practices appear most promising and cost-beneficial	All drug court participants who entered the nine drug courts from January 1998 – December 1999 regardless of whether they completed program.	Non-drug court Defendants in each site eligible to enter the 9 drug courts from January 1998 – December 1999
52	August 2001	<i>The Philadelphia Treatment Court, Its Development and Impact: The Second Phase (1998-2000).</i> John S. GoldKamp al. Crime and Justice Research Institute	Follows first phase that described pilot period for the drug court; focuses on providing aggregate and trend data (April 1997 – August 2000); one year follow up for all participants entering program January 1998 – August 1999 and 6-month follow-up for participants and comparison group from January 1998 – November 1999	All participants and comparison group entering court system from January 1998 – August 1999 and six month follow up for all participants and comparison group from January 1998 – November 1999	-defendants ordered to assessment but not assessed (never appeared); -defendants assessed but found not in need of treatment; -defendants assessed in need of treatment but who chose not to enter drug court; -defendants found to be ineligible for drug court after referral; and -defendants assessed who chose to enter the drug court

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53	July 2005	<i>Malheur County, Oregon Adult Drug Court (S.A.F.E. Court) Cost Evaluation: Final Report. NPC Research.</i>	Outcome: Compared study group behaviors two years prior to entering drug court to the time (12 months to 2 years) following program entry to determine whether drug court (1) reduced no. of re-referrals? (2) reduced substance abuse; (3) successfully completes program for participants; and (4) any participant characteristics predict success? Cost: compared costs to crj incurred by participant 2 years prior to drug court entry with costs over 2 years following drug court entry.	Outcome: All offenders who entered the drug court at least one year before the start of the evaluation Cost: 89 drug court participants (57 males and 32 females); whose primary drug of choice was meth (51%), alcohol (41%). Average age at entry: 31.6; (32.5 – men; 30.3-women) Prior arrests: .47 (.17 drug related)	Not used
54	September 2006	<i>Kalamazoo County, Michigan Adult Drug Treatment Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	Whether drug courts reduced substance abuse? Recidivism? Produced cost savings?	Sample of participants who entered drug court between January 2002 and December 2003	Persons referred to drug court but didn't enroll
55	September 2006	<i>Barry County, Michigan Adult Drug Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	Whether drug court reduced substance abuse? Recidivism? Produced cost savings?	Identified sample of participants who entered drug court between implementation in 2001 and July 1, 2004	(1) those eligible for drug court at time of program implementation but couldn't be admitted because of incapacity; and (2) those subsequently eligible but not participating
56	March 2004	<i>The Douglas County (Nebraska) Drug Court: Characteristics of Participants, Case Outcomes and Recidivisms. Cassia Spohn and R.K. Piker. Final Report. March 2004</i>	Describes characteristics of all offenders (255) bound over to Douglas County District Court and subsequently diverted to Douglas Co. Drug Court in 2001	255 offenders diverted to Douglas Co. drug court in 2001	Comparison group of 687 traditionally adjudicated offenders
57	November 2001	<i>Dallas County DIVERT Court Outcome Evaluation. Monica Turley and Ashley Sibley.</i>	To determine whether Dallas county DIVERT drug court successfully reduced recidivism of first time felony drug offenders	Sample of drug court clients in program between January 5, 1998 and April 30, 2000. (77 graduates; 101 noncompleters)	78 control group

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58	January 2003	<i>Initial Process and Outcome Evaluation of Drug Courts in Texas.</i> Criminal Justice Policy Council.	Legislatively mandated study to examine effectiveness of present drug courts when H.B. 1287 enacted requiring drug courts by September 1, 2002 in counties with over 550,000 population	Tracked 501 offenders entering drug courts in Dallas, Jefferson and Travis Counties between 1998 – 1999 for three years	285 offenders eligible for drug court but not participating
59	October 2003	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 1 Evaluation Report.</i> ISED Solutions.	Studied 64 participants in first year of drug court	64 participants in first year of drug court	n/a
60	December 2004	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 2 Evaluation Report.</i> ISED Solutions.	Documents second year of drug court services and outcomes and analysis of client characteristics associated with poorer /better outcomes	116 drug court clients	n/a
61	March 31, 2004	<i>Cost/Benefit Analysis of the Douglas county, Neb Drug Court.</i> R.K. Piper and Cassia Spohn	To provide administrators and policy makers with critical information for future policy and funding decisions re drug courts	Approximately 300 drug court participants in first two years of program	194 traditional adjudication offenders in Phase 2 and 309 traditional adjudication offenders in Phase 3
62	February 2007	<i>Recidivism in Alaska's Felony Therapeutic Courts.</i> Alaska Judicial Council.	Study of recidivism of graduates of Anchorage Felony DUI and Felony Drug Courts and Bethel Therapeutic Court	63 Graduates and 54 nongraduates of Anchorage Felony DUI Court (46%), Anchorage Felony Drug Court (23%); and Bethel Therapeutic Court (31%)	Comparison group of 97 offenders with similar characteristics
63	October 2006	<i>The Staten Island Treatment Court Evaluation: Planning, Implementation, and Impacts.</i> Kelly O'Keefe and Michael Rempel. Center for Court Innovation.	Process (completed December 2003 for first 19 months of program) and impact evaluation of recidivism for SITC participants in first 40 months of program (March 2002- June 2005)	First 146 SITC participants in program	Matched sample of 46 similar defendants arrested in Staten Island in the year before the SITC opened.

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64	2007	<i>2005/2006 Tennessee Drug Court Annual Report. Office of Criminal Justice Programs. Dept. of Finance and Administration.</i>	Compilation of information submitted by 37 of existing 45 drug courts in the state to annual report of drug court activity and performance according to stated performance measures to be evaluated.	n/a	n/a
65	2007	<i>Wyoming Drug Court Performance Measures Project. National Center for State Courts.</i>	Collected demographic and performance measures data for Wyoming drug courts: retention; sobriety; in program recidivism and units of service for period January 1, 2005-June 30, 2005.	Drug court participants during January 1 – June 30, 2005	n/a
66	April 2007	<i>Multnomah County, Oregon: The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs. NPC Research</i>	Examined impact of drug court on total population of drug court-eligible offenders over 10 year period (1991-2001)- focus of study was on impact of drug court on target population over time (five years of follow up on all cohorts, with up to 10 years on some)	Entire population of offenders identified as eligible for drug court from 1991-2001 identified and tracked; 11,000 cases identified; 6,500 participated in drug court; 4600 had cases processed outside of drug court; data included cases during pretrial/ component (1991-1999) and post adjudication component (beginning in 2000)	Tracked all drug court eligible defendants from 1991-2001; cases processed outside of drug court; 6500 processed cases through drug court
67	April 2007	<i>Indiana Drug Courts: A Summary of Evaluation Findings in Five Adult Programs. NPC Research</i>	Process, outcome and cost study of five unnamed adult drug courts in the state that were operating for at least 12 months at the time of the stud	Participants enrolled sometime between January 2002 and June 2005; varied by program	NA
68	Fall 2005	<i>An Evaluation of Treatment in the Maine Adult Drug Courts. Faye S. Taxman, April Pattavina and Jeffrey Bouffard.</i>	Whether the Maine Drug Court curriculum advances the recovery of offenders and ways in which the drug court affects outcomes.	99 participants from 6 drug courts in different phases of treatment	NA
69	Spring 2008	<i>Substance Use, Drug Treatment, and Crime: An Examination of Intra-Individual Variation in a Drug Court population. Denise C. Gottfredson, Brook W. Kearley, Shawn D. Bushway.</i>	Whether (1) substance use increases crime; (2) drug treatment reduces substance use; (3) drug treatment reduces crime; and (4)the effect of drug treatment on crime is mediated by reductions in substance use	Interviews with 157 study participants 3 years following random assignment to Baltimore Drug court (additional 16 had died)	Random assignment control group

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70	January 2008	<i>Strafford County [NH] Drug Treatment Court: Performance Evaluation 2. New Hampshire Center for Public Policy Studies.</i>	Issues for improvement identified earlier: (1) timeliness of substance abuse evaluations by LADC for new referrals; (2) lack of written standards for program termination for noncompliance; and (3) missed gender treatment groups which seemed to create difficulty for many female participants	Persons admitted since January 19, 2006 (start of program) through October 31, 2006	NA
71	August 1, 2006	<i>A Process and Site-Specific Outcome Evaluation of Maine's Adult Drug Treatment Court Programs. Andrew Ferguson et. Al. Dep't. Of Sociology., University of Southern Maine</i>	Study of five adult drug courts (York County, Cumberland County, Androscoggin Co., Penobscot Co, and Washington Co.) re process and outcomes	Offender level date for 1,365 persons referred to drug court over 56-month period: April 1, 2001-November 30, 2005; assessed 195 adult drug court participants over two time frames: 84 admitted between December 1, 2004- November 30, 2005; and 111 admitted between December 1, 2003 and November 30, 2004.	Substance abusing offenders who didn't participate in the drug court
72	August 2007	<i>Benefit-cost calculations for three adult drug courts in Minnesota. August 2007. Paul A. Anton. Wilder Research</i>	Review of cost benefit of three drug courts (in St. Louis, Stearns and Dodge Counties	203 participants in three county drug courts (see methodology), including both completers and noncompleters	Drug offenders in the counties in the years just prior to establishment of the drug court
73	September 2008	<i>California Drug Courts: Costs and Benefits: Superior Court of San Francisco County. Shannon M. Carey et al. NPC Research</i>	Focus on: (1) are drug courts cost-beneficial?; and (2) what drug court practices appear most promising and cost-beneficial?	221 participants who entered program January 1, 2005 – December 31, 2005 (64 graduated and 157 non-completers) 80% men/20% women: 47% African American; 22% Hispanic/Latino; 21% White; 6% Asian and 4% other; primary drug of choice was cocaine (39%), meth: 21%; heroin (17%);	Participants from 9 different counties analyzed in previous Phase I and II of the study
74	January 31, 2004	<i>Evaluation of Maine's Statewide Adult Drug Treatment Court Program. Interim Report. Donald Anspach, Ph.D. U. of Southern Maine</i>	Review of initial operational period of Maine's six adult drug court (in counties serving 2/3 of Maine's population)	800 persons referred to the drug court over 32 month period: April 2001-November 30, 2003; 345 offenders admitted to adult drug courts as of November 30, 2003	N/A- much of report is process oriented but some comparisons with nationally available data

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75	March 2009	<i>Strafford County (New Hampshire): Drug Treatment Court: Final Performance Evaluation. New Hamp Center for Public Policy Studies</i>	Determine if drug court program is operating successfully and value of rug court in improving rehabilitation of drug abusing offenders	Participants in first three years of the program	Offenders with charges in 203-4 who would have likely been admitted to drug court if existed
76	January 2009	<i>Vermont Drug Courts: Rutland County Adult Drug Court Cost Evaluation. Final Report. NPC Research.</i>	Evaluate effectiveness of Rutland Drug Court in terms of effectiveness in reducing recidivism; determining cost benefits of drug court participation, and to evaluate the drug court processes; key policy questions to be answered: was program implemented as intended? Are services that were planned being delivered to target population? Does program reduce recidivism? Is there a cost savings to taxpayers as a result of drug court participation	Participants who entered program between January 1, 2004 – July 31, 2007	Offenders eligible for drug court but received traditional court proceeding; matched on age, gender, ethnicity, prior criminal history and indications of drug use
77	April 2008	<i>To Treat or Not to Treat: Evidence on the Prospects of Expanding Treatment to Drug-Involved Offenders.</i> Urban Institute. [Avinash Singh Bhati, John K. Roman, Aaron Chalfin.] April 2008	Research using micro-level data compiled from three nationally representative sources (National Survey on Drug Use and Health (NSDUH), Arrestee Drug Abuse Monitoring (ADAM) and Drug abuse Treatment Outcome Study (DATOS) used to construct a synthetic dataset defining using population profiles rather than sampled observation. Resulting synthetic dataset comprising of over 40,000 distinct profiles, permitted cost=benefit analysis of a limited number of simulated policy options	Created a synthetic data set from three nationally representative sources (National Survey on Drug Use and Health (NSDUH), Arrestee Drug Abuse Monitoring (ADAM) and Drug abuse Treatment Outcome Study (DATOS) u	n/a

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78	March 2008	<i>Michigan DUI Courts Outcome Evaluation Final Report Carey, S. M., Fuller, B. E., & Kissick, K. NPC Research</i>	Evaluation of three drug courts in Michigan guided by five research questions. Goal to examine recidivism, reduction in alcohol and substance abuse, determine what traits lead to successful outcome of the program.	DUI court participants for a minimum of one year following either program completion or termination from DUI Court	comparison group of offenders who were eligible for DUI court in the year prior to DUI court implementation
79	April 2008	<i>Crumpton, D., Mackin, J. R., Weller, J. M., Linhares, R., Carey, S. M., & Finigan, M. W. (July 2007). Harford County Adult District Drug Court Process Evaluation. A report to the Maryland Judiciary, Office of Problem-Solving Courts. NPC Research: Portland, OR.</i>	NPC Research, under contract with the Administrative Office of the Courts of the State of Maryland, conducted a cost and outcome study of the Harford County District Court Adult Drug Court (HCADC) program. The report includes the cost of the program and the outcomes of participants as compared to a sample of similar individuals who received traditional court processing. Evaluation designed to answer three key policy questions of interest to program practitioners, researchers and Policymakers: 1. Do drug treatment court programs reduce recidivism? 2. Do drug treatment court programs reduce drug-related re-arrests? 3. Do drug treatment court programs produce cost savings?	Identified sample of participants who entered the HCADC between January 2002 and August 2005	comparison group of individuals who were arrested on a drug court-eligible charge between February 2002 and August 2005 and referred to drug court but received traditional court processing for a variety of reasons (for example, a perceived inability to meet program requirements or unwillingness to participate)

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80	March 2008	<i>Garey, S. M., Finigan, M. W., & Pukstas, K. (March 2008). Exploring the Key Components of Drug Courts: A Comparative Study of 18 Adult Drug Courts on Practices, Outcomes and Costs. NPC Research: Portland, OR</i>	Examines how different drug court programs are implementing the 10 Key Components and, in particular, how practices vary across programs; also examines whether and how these practices have impacted participant outcomes and program costs including graduation rate, program investment costs, and outcome costs related to participant criminal justice recidivism	Eighteen of 30 evaluations conducted by NPC Research between 2000 and 2006 chosen to be highlighted in the paper for the following reasons. The evaluations included detailed process evaluations of adult drug court program operations and had at least some accompanying outcome data. All process evaluations used the same basic methodology and were designed to assess whether and to what extent the drug court programs had been implemented in accordance with the 10 Key Components	NA
81	April 2007	<i>Finigan, M. W., Carey, S. M., & Cox, A. A. (2007). The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs: Final Report. NPC Research: Portland, OR.</i>	This study was designed to look at the operations and outcomes of a single drug court in Multnomah County (Portland, Oregon) over a 10-year period of court operations through examining the entire population of drug court-eligible offenders over that period. By examining the entire population, rather than sampling, we hoped to describe for policymakers the effects of drug court on the system as it operated during that decade. By examining operations and outcomes, we hoped to add to our knowledge about external and internal changes and how they affect drug court success or failure	The entire population of offenders, identified as eligible for drug court by the Multnomah County District Attorney's Office over a 10-year period, from 1991 to 2001, was identified and tracked through a variety of administrative data systems. Approximately 11,000 cases were identified; 6,500 participated in the Drug Court program during that period and 4,600 had their case processed outside the drug court mode	n/a

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82	March 2007	<i>Carey, S. M., & Waller, M. (March 2007). Guam Adult Drug Court Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	There are two key policy questions that are of interest to program practitioners, researchers and policymakers that this evaluation was designed to answer. 1. Do drug treatment court programs reduce substance abuse? 2. Do drug treatment court programs reduce recidivism?	NPC Research identified a sample of participants who entered the Guam Adult Drug Court from the implementation of the program through August 2005, allowing for the availability of at least 12 months of outcome data post-program entry for all participants	A comparison group was selected from Probation data on drug offenders in the 2 years prior to the GADC implementation who had cases that would have been eligible for drug court had the program existed at the time
83	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Monroe County Drug Treatment Court Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. Has the MCDTC program been implemented as intended and are they delivering planned services to the target population? 2. Does the MCDTC reduce recidivism? 3. Does the MCDTC reduce substance use? 4. Is there a cost-savings to the taxpayer due to drug court participation? I	The following Information includes data from the 132 participants who entered the program after that date. The vast majority of these participants were white (97%) and male (76%). Forty-eight percent of the participants are single, 22% are married or living as married, 29% are divorced or separated, and 1% widowed. The mean age is 33 years with a range of 19 to 60 years	A sample of individuals who were eligible for drug court but chose not to attend MCDTC and had similar demographic characteristics and prior criminal records

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84	November 2006	Carey, S. M., Finigan, M. W., Crumpton, D., & Waller, M. S. (2006). <i>California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II in a Statewide Study. Journal of Psychoactive Drugs</i> , 38 (4),345-356.	This study focused on creating a research design that can be utilized for statewide and national cost-assessment of drug courts by conducting in-depth case studies of the costs and benefits in nine adult drug courts in California. A Transactional Institutional Costs Analysis (TICA) approach was used, allowing researchers to calculate costs based on every individual's transactions within the drug court or the traditional criminal justice system	All participants who entered the drug court programs during a specified time period and were active in the drug court programs for at least two weeks were included in the study. It was necessary for drug court participant samples to be selected from years that had a reasonable amount of administrative data, while at the same time giving the individuals in the samples enough time for outcomes to occur. The drug court cohorts were selected from participants who entered the drug court programs between January 1998 and December 1999, which provided at least four years of outcome data. The participant cohorts from each site were selected from either the drug court database or from databases (such as electronic court records) that flagged drug court participants.	comparison offenders at each site were matched as closely as possible to the drug court participants using a propensity score matching technique based on demographics (gender, age, ethnicity), previous criminal justice involvement (in the two years prior to the drug court arrest: number of all arrests, number of drug related arrests, number of days in jail), and previous use of treatment services (number of treatment episodes in the two years prior to the drug court arrest)

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85	September 2006	<i>Marchand, G., Waller, M. S., & Carey, S. M. (Oct. 2006). Barry County Adult Drug Court Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	<p>In 2005, the Michigan Supreme Court, State Court Administrative Office contracted with NPC Research to perform outcome and cost evaluations of two Michigan adult drug courts; the Kalamazoo Adult Drug Treatment Court and the Barry County Adult Drug Court. This document describes the evaluation and results for the Barry County Adult Drug Court (BCADC).</p> <p>There are three key policy questions that are of interest to program practitioners, researchers and policymakers that this evaluation was designed to answer.</p> <ol style="list-style-type: none"> 1. Do drug treatment court programs reduce substance abuse? 2. Do drug treatment court programs reduce recidivism? 3. Do drug treatment court programs produce cost savings (in terms of avoided costs)? 	NPC Research identified a sample of participants who entered the BCADC from the implementation of the program through July 1, 2004 (allowing time for outcomes post program entry).	A comparison group was identified from two sources (1) those individuals who were eligible for Drug Court at the time of implementation, but whom could not be admitted into the program due to capacity issues at startup and (2) individuals arrested on a Drug Court eligible charge during the study period but who received traditional court processing for a variety of reasons

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86	February 2006	<i>Pukstas, K., Weller, J. M., Brekhus, J., Crumpton, D., Carey, S. M., Mackin, J. R., & Finigan, M. W. (Feb. 2006). Maryland Drug Treatment Courts: Interim Report of the Effectiveness of Juvenile Drug Courts. NPC Research: Portland, OR</i>	<p>The report includes the following</p> <p>A description of the characteristics of juvenile drug court programs and the problems that they are designed to address.</p> <ul style="list-style-type: none"> • A discussion of the practices incorporated in Maryland's juvenile drug court programs as compared with research-based best practices for juvenile substance abuse and criminal justice interventions. • A comparison of the criminal justice system experience of a statewide sample of youth before and after their participation in Maryland's juvenile drug courts. • A comparison of the estimated program costs for juvenile drug court participants with those of individuals who participate in another intervention for similar juvenile offenders operated by DJS. 	NPC selected a sample of juveniles who were placed in the Maryland juvenile drug court system between 2001 and 2004, and released prior to December 15, 2004,	N/A
87	July 2005	<i>Carey, S. M., & Marchand, G. (Jan. 2005). Malheur County Adult Drug Court (S.A.F.E. Court) Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	The goal of this design is to determine whether participation in S.A.F.E. Court was influential in changing behavior patterns established prior to S.A.F.E. Court entry	NPC Research identified all offenders who had entered the S.A.F.E. Court program at least one year before the start of the evaluation and compared their behaviors in the two years prior to entering S.A.F.E. Court to the time period (twelve months to two years) following their entry into the program	N/A

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88	July 2003	<i>Carey, S. M. & Finigan, M. W. (July 2003). A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research: Portland, OR.</i>	<ul style="list-style-type: none"> · Collect and examine data from a mature drug court using a high-intensity cost assessment protocols developed specifically for this study and report these findings in a manner relevant to local policy makers. · Examine the differences between the proxy measures that we might have used in this study with the actual costs generated by our detailed cost assessment protocols. · Develop preliminary cost and cost offset assessment protocols that can be used by other drug court sites. 	N/A	N/A

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89	February 2004	Carey, S. M. (Feb. 2004). <i>Clackamas County Juvenile Drug Court Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	<p>Following is the list of research questions asked in this evaluation and the outcome results for these questions.¹</p> <p><i>Research question #1: Does participation in drug court, compared to traditional court processing, reduce the number of re-referrals for participants?</i></p> <p><i>Research question #2: Does participation in drug court reduce levels of substance abuse?</i></p> <p><i>Research question #3: How successful is the program in bringing program participants to completion and graduation within the expected time frame?</i></p> <p><i>Research Question #4: How has the program impacted the participants and their families?</i></p> <p><i>Research Question #5: What participant characteristics predict successful outcomes? What are the commonalities of clients terminated from the program? How do those terminated from the programs differ from those who have graduated?</i></p>	<p>This report contains the CCJDC outcome evaluation performed by NPC Research. Because the CCJDC is relatively small and was implemented recently, the entire population of drug court participants (except for those who had started less than 6 months before the time of outcome data collection) was used in these analyses</p>	<p>The drug court participant outcomes were compared to outcomes for a matched group of offenders who were eligible for drug court during a time period before the CCJDC program was implemented.</p>

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
90	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., & Linhares, R. (April 2007). Indiana Drug Courts: Vanderburgh County Day Reporting Drug Court Evaluation: Final Report. NPC Research: Portland, OR.	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. <i>Has the VCDRDC program been implemented as intended and are they delivering planned services to the target population?</i> 2. <i>Does the VCDRDC reduce recidivism?</i> 3. <i>Does the VCDRDC reduce substance use?</i> 4. <i>Is there a cost-savings to the taxpayer due to drug court participation?</i> I	current participants	Terminated participants
91	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Vigo County Drug Court Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. <i>Has the VCDC program been implemented as intended and are they delivering planned services to the target population?</i> 2. <i>Does the VCDC reduce recidivism?</i> 3. <i>Does the VCDC reduce substance use?</i> 4. <i>Is there a cost-savings to the taxpayer due to drug court participation?</i>	Current and graduated participants	Terminated participants

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
92	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: St. Joseph County Drug Court Program Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. <i>Has the SJCDC program been implemented as intended and are they delivering planned services to the target population?</i> 2. <i>Does the SJCDC reduce recidivism?</i> 3. <i>Does the SJCDC reduce substance use?</i> 4. <i>Is there a cost-savings to the taxpayer due to drug court participation?</i>	Current and graduated participants	Terminated Participants
93	November 2009	Analysis of the Sisseton-Wahpeton Oyate Tribal Drug Court	Analyzing the Successes and areas in need of improvement in the treatment court.	Current and Graduated Participants	Terminated participants

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PART TWO

#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
1	2004	N/A	<p>Offenders assigned to drug court significantly less likely to be rearrested than offenders who go through traditional adjudication (including felony arrests)</p> <p>Offenders assigned to drug court more likely to be rearrested than offenders in pretrial diversion (including felony arrests) <u>–[NOTE: pretrial diversion is for lower risk offenders]</u></p>	n/a	n/a
2	September 2004	Survival analysis of 139 drug court participants and 96 defendants eligible for drug court but randomly assigned to non drug court program	<p>-A significantly greater proportion of the drug court sample (33%) survived throughout the follow up period compared with less than one fifth of the control sample (18%)</p> <p>-both samples experienced their sharpest decline between months 0 and 4 when each lost about one third of its members to failure (e.g., arrest).</p> <p>- half of the control sample failed by 5.1 months while the drug court sample did not lose half of its members until 11.1 months</p> <p>- drug court sample members who had greater exposure to the drug court components of drug treatment, drug testing, and status hearings were rearrested significantly less often than those with less exposure to these components.</p>	N/a	24 months from time of program entry

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
3	January 29, 2004	Tracked sample of drug court participants (53) in District Court and comparable group of non drug court participants for recidivism and costs and possible cost savings resulting	Over 4 year period, drug court participants had 12.3% fewer arrests than comparison group; PROPERTY OFFENSES: Drug court participants had 18.8% fewer arrests for property crime than comparison group; CRIMES AGAINST PERSONS: Drug court participants had 73.3% fewer arrests for crimes against persons than comparison group, so that victimization costs (e.g., medical costs, lost time from work, etc.) were substantially reduced; nongraduates had 1.17	n/a	Four years following program entry
4	January 29, 2004	Tracked sample of drug court participants (60) in Circuit and District Courts and comparable group of (63) non drug court participants for recidivism and resultant costs and possible cost savings resulting	- Over 3 year period, drug court participants had 31.4% fewer arrests overall than comparison group (Circuit Court participants had 44.2% fewer arrests); - DRUG OFFENSES: Drug court participants had 35.3% fewer arrests than comparison group (62.3% fewer arrests for Circuit Court participants); - PROPERTY OFFENSES: Drug court participants had 68.8% fewer arrests for property crimes than comparison group (71.9% fewer arrests for Circuit Court participants) - CRIMES AGAINST PERSONS: drug court participants had 48% fewer crimes against person than comparison group (Circuit Court participants had 70% fewer), with resultant reductions in victimization costs (medical expenses, lost pay, etc.) as well as criminal justice system costs	n/a	3 years following program entry
5	January 2004	Updated previous annual report to follow 543 female enrollees since program inception		N/a	n/a

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			Re-Arrests	Convictions	Time Followed
6	January 2004	N/A		Of 425 drug court graduates, 8 (1.9% recidivated*; of 3,405 successful standard probation offenders, 113 (3.3% recidivated); of 3,334 released inmates, 262 (7.9%) recidivated. Drug court graduates almost 2 times (73.7%) less likely to recidivate* than successful standard probation offenders; Drug Court graduates over 4 times (315.8%) less likely to recidivate than released <u>prison inmates</u> *recidivate: defined as offender becoming incarcerated in prison	First year following graduation
7	October 2003	Follows drug court participants in six NY programs and compares with similar defendants not entering drug court	(1) Recidivism reductions ranged from 13% to 47%, with average of 29% (2) (post program recidivism reduction from 19% to 52% (average is 32%))		(1)Following arrest (2) following program
8	August 1, 2003	N/A	-Women 14.2% -Men 21.4%	N/A	Within 36 months of graduating from drug court
9	July 2003	Process evaluation of 99 participants admitted to the program as of July 15, 2003	21% of participants admitted to program arrested while enrolled; 8% of 36 graduates arrested after graduation		December 2000 – July 2003
10	June 1, 2003	N/A	-30.5% had violated sentences within 2 years of being placed on probation.	N/A	N/A

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
11	May 2003	Process and outcome evaluation of 57 DUI drug court participants and 42 control group randomly assigned defendants with similar characteristics whose cases were processed in the traditional process	.01 offenses for DUI Drug Court participants compared with .03 for control group also: number of positive drug tests: - DUI drug court participants: 4% (6.1 average taken per month) - Control group: 18% (1 average taken per month)	n/a	18 months
12	April 18, 2003	Obtained re-arrest data for each of 2,357 participants in 4 drug courts studied for 12 months following discharge from program	Overall: - 9% rearrests for graduates; rearrests took average of 6.6 mos; - 41% rearrest for unsuccessful terminations; rearrests took average of 5.6 mos. Specific Programs: (p.9-4) -Bakersfield, Cal: 13%-grads; 53% terminated; St. Mary Parish, La.: 6%-graduates; 22%-terminated; Jackson Co., Mo.: 7%: grads; Creek Co., Okl: 20%	N/A	N/A
13	April 15, 2003	Review of rearrests for participants and graduates: 1994 – 2002	Participants: total rearrests were 140 (10.14%) of 1,380 participants	28 (7.11% of 394 graduates were convicted of offenses following graduation	N/A
14	March 2003	N/A	Felony -avg. 5.9% (0-12%) Misdemeanor -avg 10.1% (0-14.3 %) Recidivism defined as re-arrest.	N/A	N/A

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			Re-Arrests	Convictions	Time Followed
15	March 2003	Using six different comparison groups, measured recidivism rates (criminal convictions for new offenses) of drug court; pooled smaller counties (Kitsap, Skagit, Spokane and Thurston) and analyzed King and Pierce separately because they were larger		In all counties except King Co., drug court reduced felony recidivism rates by 13%; 8 year felony reconviction rate is 45.8% for nondrug court participants and 39.9% for drug court participants. King Co. didn't reduce recidivism, with high rate of terminations for 1998-1999. Also found that this 13% reduction in recidivism was consistent with recidivism reductions reported in 30 drug court evaluations reviewed for other jurisdictions.	Maximum of eight years
16	February 7, 2003	Studied arrest rates, compiled from 17 counties for 1,945 participants who completed one of 3 drug courts in state	Declined by 85% in first two years after admission compared to two years prior to entry	Declined by 77% in two years following admission compared to two years prior to entry	Two years following entry
17	January 6, 2003	Statistical data on convictions of graduates after leaving program		Conviction rate for graduates was 11%	N/A

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
18	January 2003	Ph. I: case studies to document program dev, policies and procedures, lessons learned; and impact evaluation using survival analysis to measure recidivism Ph. II: program retention model using logistic regression to predict program status, and survival analysis to predict length of stay; and descriptive analyses (Escambia County) using court records and interviews re participant perceptions	(definition of recidivism as rearrests implied from discussion) <u>Escambia Co.</u> : drug court participation reduced recidivism for new felonies from roughly 40% to nearly 12% within two year follow-up period. (less impact if <u>any</u> rearrest is considered)- drug court reduced recidivism for felonies but not new misdemeanor arrests; males had higher probability of recidivism than females; blacks had higher probability of recidivism than whites; recidivism rates decreased with age; offenders more likely to recidivate if they had more serious criminal records; timing of recidivism not affected by drug court participation <u>Jackson County</u> : probability for recidivism fell and time to rearrest increased with drug court participation; drug court participation reduced recidivism from approximately 50% to 35% for both felonies and misdemeanors; probability of eventually recidivating fell with drug court participation and time to rearrest increased. Participation reduced recidivism for new felonies or misdemeanors from 65% to 45%.; recidivism rates same for men and women but higher for blacks than for whites; recidivism rates dropped as age increased and rose for offenders with more serious criminal r records		24 months (implied from date of arrest)

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
19	May 5, 2002	Obtained rearrest data for group of drug court participants at each site from date of program inception through 1998 and rearrest data for comparison group of defendants	<p>Portland: 1991-97 Dr. Ct. partics: 37.4% rearrest at 1 year, compared with non drug court defendants group A (never appeared at first hearing) 53.3% and B (appeared at first hearing but not at treatment) 50.8%; 46.4% of drug ct partics rearrested after 2 yrs compared with 57.8% and 59% of comparison groups; 49.9% of drug ct partics rearrested after 3 years compared with 60.1% and 60.3% of nondrug court defs.</p> <p>Las Vegas: 1993-97: -52% drug court partics compared with 65% of compare group rearrested after one year; 62% of drug court partics vs. 74% of nondrug court arrested after 2 years; 65% of drug court partics vs. 79% of nondrug court defs rearrested after 3 years.</p>		3 years
20	March 2002		<p>A substantial number of drug court participants (approximately 3,0090) completed drug court during the study period; participants who completed drug court as compared to aggregate of all entering participants during study period, had very low rearrest, conviction and incarceration rates for the two years after admission to drug court.</p> <p>Arrest rate for participants who completed drug court is 85% less during the two years after admission than arrest rate for those entering program during the two year prior to entry</p>	Conviction rate for participants who competed drug court is 77% less during two years after admission than conviction rate of those entering program during the two years prior to entry;	2 years following drug court admission

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			Re-Arrests	Convictions	Time Followed
21	October 2001	Studied client files, local jail and prison data; NCIC data, child support collections, traffic accidents, mental health service utilization , employment data and random interviews of drug court graduates and terminators		12 months following graduation, graduates less likely to have had felony or misdemeanor conviction, or been in prison or jail; graduates had significantly more days to first misdemeanor charge but significantly fewer days to first felony charge than other groups (terminators and nonentry defendants)	12 months after graduation or termination
22	October 2000	Individuals were tracked with rap sheets in order to produce results.	6 months -6% DC -7% Comp. 12 months -9% DC -21% Comp. 18 months -10% DC -26% Comp. 24 months -11% DC -27% Comp. = 11% recidivism rate Recidivism was defined as any contact with the law.	N/A	At 6,12,18, and 24 months after release

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			Re-Arrests	Convictions	Time Followed
23	May 1999	Tracked drug court cases filed between August 1, 1997 0- December 31, 1997 and predrug court comparison group for 9 month period; compiled data on offender characteristics, prior conviction history; length of case; reoffenses; and nature of drug addiction (for drug court participants only)	Drug court and predrug court defendants had similar recidivism rates	Drug court and predrug court defendants had similar recidivism rates	9 months following case filing
24	October 2000	Research compared DTC and non-DTC drug offenders	12 months -18% graduates -41% non-graduates -44% comp.	N/A	12 months after graduation
25	October 2000	N/A	6 months: -6% DC; -6% comp. 12 months: -10% DC; -14% comp. 18 months: -11% DC; -22% comp. 24 months: -14% DC; -22% comp. Recidivism was defined as re-arrest	N/A	N/A
25	October 2000	N/A	Those Refusing Drug Court: - 19.91% Those Who Withdrew From Drug Court: - 25.2% Successful Probationers: - 15.9% 1998 average for DC graduates: - 10.6%	N/A	N/A

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			Re-Arrests	Convictions	Time Followed
27	January 2001	Tracked information re drug court participants and comparison group members re recidivism; completion rates; justice system and treatment costs	(recidivism not defined): drug court graduates had lower total post program recidivism than comparison groups	Post program recidivism rate for graduates after 416 days follow up was 28%, with only one of the 15 convictions a felony; 85% of the new convictions were for misdemeanors; 40% drug court clients were convicted of crimes post program; 62% of the men entering the drug court were convicted of new crimes while only 33% of the women were convicted;)	n/a
28	July 2001	Conducted interviews of program officials and tracked data on participants at each site; divided subjects into five outcome groups: ineligible; opt outs; did not finish; graduates; and active cases	Graduates have fewer re-arrests than any of the other outcome groups	Offenders who graduate from drug court less likely than offenders in any other group to be reconvicted in the three years following referral to drug court	Three years following referral to drug court
29	December 2004		<p>Of 647 graduates of adult drug courts, 103 have been rearrested for felony offenses after graduation (15.9% recidivism rate); 59 graduates had misdemeanor arrests (9.1% recidivism rate;</p> <p>Of 2,056 nongraduates, 303 were arrested for felony offenses after leaving drug court (33% recidivism rate) and 72 were arrested for misdemeanors (7.8%).</p> <p>Felony recidivism rate of drug offenders studied by Va. Criminal Sentencing Commission (VCSC) in 1999, was 50% -- significantly higher than felony recidivism rate for graduates or nongraduates</p>	n/a	n/a

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
30	October 2003	Used combination of interviews, surveys of program officials, and review of data maintained by the drug court coordinator	One of the 14 graduates has had arrest/conviction for new offense (7%)	One of the 14 graduates has had arrest/conviction for new offense (7%)	Not indicated
31	July 2002	Quasi-experimental matched comparison group design to estimate impact of drug courts on future criminal involvement; evaluated 3 distinct groups of participants: those in Common Pleas Court; Municipal Court; and Juvenile Drug Courts	32% of <u>Common Pleas</u> participants rearrested vs. 44% of comparison group (Offenders with prior record, less than High school education, unemployed and nondrug court participation more likely to be rearrested; <u>Municipal</u> drug court participants significantly less likely to be rearrested than comparison group members for new offense and for multiple times; 41% of Municipal drug court participants rearrested vs. 49% of comparison group; factors predicting rearrest were race, education, employment, time at risk; and drug court participation; offenders who were nonwhite , had less than high school education, unemployed, a risk the longest were significantly more likely to be rearrested;; - completion of drug court was a significant predictor of new arrests; probability of rearrests for those offenders who completed a drug court program was 32% vs 55.5% for comparison group		

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
32	2001	Reviewed automated data collected by Bernalillo Co. Metropolitan Court; comparison data drawn from automated records maintained by court	<p>Within six mos graduation: 3.6% (6) vs. 14 (9%) for successful probation and 15 (9.7%) of unsuccessful probation</p> <p>Within 7-12 mos graduation: 9 (5.4%) vs. 14 (9%) successful probation vs 9 (5.8%) of unsuccessful probation</p> <p>After one year: 11 (6.5%) vs. 14 (9%) of successful probation vs. 20 (13%) unsuccessful probation</p> <p>For DWI offenses: 21 (12.5%) vs. 26 (16.7%) for successful probation vs. 32 (20.8%) for unsuccessful probation</p> <p>for Violent Offense: 4 (2.4%) vs. 12 (7.7%) for successful probation vs 9 (5.8%) for unsuccessful probation</p> <p>Total Recidivism: 26 (15.5%) vs. 42 (27%) for successful probation vs. 44 (28.5%) for unsuccessful probation</p>		

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
33	February 2005	Reviewed 27 evaluation reports of 39 adult drug court programs that met criteria for methodological soundness and other attributes	<ul style="list-style-type: none"> - Lower percentage of drug court participants than comparison group members rearrested or reconvicted; - Program participants had fewer recidivism events than comparison group members - Recidivism reductions occurred for participants who had committed different types of offenses - Inconclusive evidence that specific drug court components, such as. Behavior of judge or amount of treatment received, affected participants' recidivism while in program -recidivism reductions also occurred for some period of time after participants completed drug court program in most of programs reporting these data 		n/a

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			Re-Arrests	Convictions	Time Followed
34	April 2005	Studied every person who opted into one of the courts even if only stayed brief time; data base included 154 defendants who participated in programs (32 graduated; 63 active and 59 terminated without graduation; comparison group derived from case coordinators and observation in court; data derived from court case files and therapeutic courts data base		<p><u>Drug Court:</u> Both graduates and active participants had significantly fewer convictions during 2 years after opting into the program; those not in program had slightly more convictions during the two years after while those who opted out (were terminated) had fewer convictions during the two years after.</p> <p><u>DUI Court:</u> graduates and those active had fewer convictions during period after opting into the program than they had in the preceding two years; for those active in the program, the difference was significant; those who opted out of the program and those who were not in the program also had fewer convictions</p> <p><u>Bethel Therapeutic Court:</u> all groups saw reduction in convictions during the 2 years after the plea/opt in date. Reduction was statistically significant for those active in the program and for those who dropped out/opted out of the program.</p>	Two years following drug court participation (compared with two years prior to drug court entry)

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
35	April 2003	Used quasi-experimental matched control group design to estimate impact of drug court involvement on future criminal behavior- reviewed info on drug court participants and comparison group selected by each drug court using court maintained and self reported data	<ul style="list-style-type: none"> - PARTICIPANTS: <u>Kootenai Co.</u>: drug court participants less likely (41%) than comparison group (53%) to be rearrested - majority of arrests for drug related offense (46% for drug court group and 55% for comparison group; 55% of drug court arrests vs. 46% of comparison arrests were for felonies - -10% of drug court participants arrested multiple times during follow up period vs. 24% of comparison group members arrested multiple times; 15% of drug court participants arrested at least twice in follow up period vs. 29% of comparison members - <u>Ada Co.</u>: - - Fewer (38%) of drug court participants arrested vs. comparison group (63%). And fewer arrested for drug charge; - 22% of drug court vs 51% of comparison group arrested multiple times - GRADUATES: <u>Kootenai Co.</u>: 41 graduates: 7 (20%) arrested for new offense during follow up period of 1006 days (115 days post graduation) vs. 60% arrest rate for non graduates and 53% arrest rate for comparison group - <u>Ada Co.</u>: 17 of 91 graduates (19%) arrested following graduation vs. 77% for nongraduates and 63% for comparison group; 29% of graduates arrested for felony vs. 85% of nongraduates and 81% of comparison group; 		<p>Kootenai Co: 1006 days (115 days post program)</p> <p>Ada Co.: participants: 851 days (2 yrs 4 mos) for drug court group and 660 days (1 year 8 months) for comparison group; graduates: 1084 days 1003 (terminated); 660 days for comparison group – graduates followed 5502 days (1 yr and 4 months) post graduation</p>

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
36	July 2000	Quasi-experimental matched control group study to assess program outcomes among drug court participants compared to similar group of drug addicted adults who did not participate in the drug court; data obtained through the following pretrial data and court docket info: (1) Pretrial Services: demographic, current offense, disposition and criminal history info; (2) treatment needs and participation from ADAPT program; (3) court reported violations, fees, community service and recidivism data from Probation Department; (4) recidivism data compiled by court.	<ul style="list-style-type: none"> - 13% of participants arrested for new charge; - offenders in treatment group less likely (29% [sic]) to be rearrested than comparison group (39%) – new charge frequently drug charge for both groups <p>Graduates: Overall: 31% of graduates rearrested during 18 month follow up period : 23% of July 1996 graduates vs. 31% of participants rearrested; 35% of the October 1996 graduates; 63% of the March 1997 graduates; 29% of the June 1997 graduates and 31% of the November 1997 graduates have been rearrested since graduating;</p> <p><u>Other:</u></p> <p>majority of participants in all classes not arrested more than once during follow up period rear rest by gender generally similar</p>	significantly more drug court participants were convicted of the offense for which they were arrested than the comparison group	
37	March 2005	n/a		<ul style="list-style-type: none"> -Drug court graduates 74% less likely to return to prison than successful standard probation offenders; - Drug court graduates more than four times (316%) less likely to recidivate than released prison inmates [<u>Note:</u> recidivism not defined but assume refers to convictions because of reference to “return to prison”] 	n/a

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
38	July 2001	Quasi-experimental matched comparison group design to estimate impact of drug court on future criminal involvement; comparison group of participants that had reported substance abuse problem and were eligible for the drug court; comparison group screened between November 1997 and April 2000	40% of drug court treatment group rearrested during follow up period vs. 52% of comparison group;; significantly more individuals in control group arrested on felony charge;		n/a
39	May 2003	Random assignment of eligible offenders to an experimental group that entered the Co. DUI/Drug Court and a control group processes through traditional cjs processing.	Control group committed 3 times as many offenses as DUI drug court participants each month		n/a

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
40	2005	Tracked 452 participants in probation track of drug court for any contact with cjs system following discharge (successful or unsuccessful) from program.	<p>Drug court participants had total of 1,726 contacts with cjs after discharge, resulting in over 4,000 charges. (1/4 of participants had a violent criminal charge)</p> <p><u>One year after discharge:</u> (1) failed clients significantly more likely to have made some contact with cjs and have been arrested for felony crime than graduates; (2) four times as many of the failed clients had been incarcerated within the 12-month period than had program graduates</p> <p><u>Three years after discharge:</u> similar findings; 80% of participants who failed program had some period of incarceration vs. 1/3 of the clients who graduated.</p> <p>Rates of overall arrests and types of charges didn't differ by graduation status at either 12 month or 36 month period.</p> <p>Participants with violent criminal history: significantly more likely to recidivate with serious offenses during program participation than persons with nonviolent criminal history; at 12 month e=period, offenders with history of violent criminal offending significantly more likely to have any contact with cjs (67%) than participants with no previous violent criminal history (42%).</p> <p>Violent offenders, compared with nonviolent offenders, recidivate more and with more serious types of offenses during active program participation and after program discharge. However, violent offenders who graduated were significantly less likely to recidivate than their violent counterparts who didn't complete the program.</p>		Generally 12 months and 36 months but ranged from 5 months to over 6 years, depending upon how much time had elapsed since participant was discharged from program and time study was conducted.

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				Convictions	Time Followed
41	2004	Tracked sources of referrals and demographics, progress and recidivism of enrollees in female and male drug court programs from inception through December 31, 2004	n/a	<p><u>Females:</u> 85% (172) of women who completed program had no subsequent convictions within 3 years of program completion; 15% (30) were convicted of new misdemeanor or felony offenses</p> <p><u>Males:</u> 156 (85%) of graduates had no subsequent convictions within 3 years of program completion; 27 (15%) were convicted of new misdemeanor or felony offense within 3 years of program completion</p>	Females and Males: 3 years following program completion.
42	April 2004	Contacted participants 12 months after recruitment in the study; given two assessment tools; a face-to-face structured interview to collect demographic and other nonsensitive info and a self administered questionnaire, including questions relating to drug use and other sensitive info.	Current information system precluded tracking drug treatment court as well as comparison group participants for recidivism; Self reports from participants in study group of drug court participants indicated: (1) antisocial/illicit behavior reduced from 76.5% prior to admission to 17.5% 12 months after admission; (2) proportion of participants reporting possession, selling or distributing drugs reduced from 55.9% prior to admission to 7.5% after admission; (3) drug court participants showed significantly more improvement than comparison groups in reported illicit/antisocial behavior although there was a marked reduction in antisocial/illicit behaviors among both groups.	Current information system precluded tracking drug treatment court as well as comparison group participants for recidivism	One year after program entry

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
43	September 2005 (interim report)	Transactional and Institutional Cost Analysis- (1) determine flow/process; (2) identify transactions; (3) identify agencies involved; (4) determine resources used; (5) identify costs associates; (6) calculate cost results	17% for graduates 29% for all participants 41% for comparison group [- note: -not clear whether recidivism refers to arrests or convictions]		
44	January 2005	Examined participant info through existing administrative data bases (Oregon Drug Court Case Management System; Oregon Judicial Information System and data from treatment provider)	-Average no. or re-arrests for males and female participants in the 24 months following program entry less than corresponding period prior to entry (16% rearrested: 19% of men and 10% of women, compared with 100% arrests during prior 2 year period; - significant reduction in drug related re-arrests during 24 months following program entry; males rearrested for more drug related crimes than females but both genders had fewer drug related arrests	n/a	24 months following program entry
45	January 2005	Examined participant info through existing administrative data bases (Oregon Drug Court Case Management System; Oregon Judicial Information System and data from treatment provider)	13% of all 62 drug court participants were rearrested sometime within the 2 years after drug court entry compared with 27% (more than double) of the comparison group.	n/a	24 months following program entry

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			Re-Arrests	Convictions	Time Followed
46	July 2003	-Tracked use of court, district attorney, public defender, law enforcement, correctional and probation services by drug court and comparison group; assesses costs overall and by agency; - detailed data collected by tracking drug and drug court-eligible offenders in terms of resources consumed in court sessions, attorney visits, and treatment sessions (using stop watches to time events)	n/a	n/a	n/a
47	March 2004				
48	June 14, 2006	Compared receipt of alcohol and other drug treatment services; probation revocations; recidivism (new arrests and new convictions) and incarceration of drug court participants and comparison group	Drug court participants (graduates and nongraduates) were 13% less likely to be arrested; Drug court participants remained arrest free for 15% longer (410 days vs 356 for comparison group) GRADUATES: were 33% less likely to be arrested; remained arrest free for 25% longer time	Drug court participants had 34% fewer convictions GRADUATES had 47% fewer convictions	One year after entry into drug court

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49	April 2006	Used data from Florida Department of Law Enforcement to obtain recidivism info; Dev. Cost analysis based on treatment costs vs costs of crime	16% (2) of the 12 grads arrested within 12 months for tech viol of prob; 8.3% (1) grad arrested 12 mos after grad. 12% (2) of 12 grads charged within 12 mos for tech violation of probation (83 % had no arrests for 12 mos).		One year following program termination (successful or unsuccessful)
50	Spring 2006	Experimental design using random assignment of 235 drug court-eligible defendants assigned to drug court and traditional adjudication during 1997 and 1998	78.4% of drug court participants rearrested during 3 year period compared with 87.3% for comparison group; <u>average no. Of new arrests</u> : 2.3 for drug court participants; 3.4 for comparison group <u>new violent or sex charge</u> : 14.4% for drug court participants; 24.7% for comparison group <u>new drug charge</u> : 55.5% for drug court participant; 68.4% for comparison group	58.3% drug court participants vs. 64.4% nondrug court participants average no. of convictions: 1.2 for drug court participants; 1.3 for comparison group	Three years following program entry

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51	April 2005	Selected nine adult drug courts, based on “drug court maturity” and data collection capabilities and diversity of demographic and geographic representation.; used longitudinal data collection approach to track study participants over 4-year period; conducted “transactional and Institutional Cost Analysis (TICA) entailing: 1. Document drug court and nondrug court processes; 2. Identify transactions occurring within each process; 3. Identify agencies involved in each transaction; 4. Determine resources used in each transaction; 5. Isolate cost of the resources; and 6. Calculate overall costs.	<u>El Monte</u> : 90 vs. 1.96 (-3%) <u>Monterey</u> : 3.65 vs. 3.05 (20% increase) <u>Orange Co.-Laguna Niguel</u> : 1.65 vs. 3.25: 30% decrease <u>Orange Co-Santa Ana</u> : 2.74 per drug court vs. 2.65 comparison group (3% greater) <u>San Joaquin Co.</u> : 3.27 vs. 4.54 (28% reduction) <u>Stanislaus Co.</u> : 1.89 vs. 2.53 (25% reduction)	n/a	Four years from time of program entry
52	August 2001	Initially used experimental design; then selected “post hoc comparison group of presumptively eligible defendants” after public defender objected to original design	Participants showed lowest rear rest rate: (21%) in a 6- month period Participants showed lowest rate of felony arrests Participants rearrested for drug offenses less often (17%) than defendants who declined treatment and 27% over a year period	n/a	Six and 12 months following arraignment

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53	July 2005	<u>Outcome:</u> Used existing databases on criminal activity, treatment utilization to determine participants' arrest histories prior to and following program entry <u>Cost:</u> used Or. Dr Ct Case Mgt Sys, and data from treatment provider	Drug court participation reduced recidivism; average number of rearrests for males and females during 24 month period following program entry less than rate prior to program entry; Reduction in rearrests greater for females who had more arrests prior to program entry than males	n/a	Up to 24 months following program entry (minimum of 12 months)
54	September 2006	Identified sample of participants entering drug court between January 2002 – December 2003 and developed comparison group of persons eligible but failed to participate; used data from multiple sources, including observations, team meetings, interviews, agency budgets, and other financial data bases and agency files.	Drug court participants significantly less likely to be rearrested than offenders eligible for drug court but not participating; -females rearrested more than males during first few months of program but significantly less likely to be rearrested in 2 years following program entry	n/a	24 months following program entry

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55	September 2006	Identified sample of participants entering drug court from time of implementation in 2001 through July 1, 2004 and developed comparison group of persons eligible but (1) couldn't enter in 2001 because of program's incapacity; and (2) eligible subsequently but did not participate	All Drug court participants (graduates and terminated) significantly less likely to be rearrested than comparison group; Drug court participants rearrested less than half as often as comparison group members ; -graduates rearrested approximately one third as often as comparison groups and overall were rearrested very rarely - for first 21 months after program entry drug court graduates did not commit any new offenses - 4% of graduates and 26% of all participants were rearrested in 24 months following program entry compared with 50% of comparison group	n/a	24 months after program entry
56	March 2004	Compiled statistical data on drug court participants' demographics, criminal history and progress in drug court and comparable data for comparison group	-Drug court participants/graduates generally had lower recidivism rates than drug court failures and traditionally adjudicated offenders; - participants/graduates had a lower likelihood of arrest or conviction for failure to appear, a lower likelihood of arrest or conviction for a new felony offense and a lower likelihood of being incarcerated for a new crime. -Participants/graduates more likely than traditionally adjudicated offenders to be arrested for or convicted of a misdemeanor but less likely to be convicted of a felony	(see "re-arrests")	12 months following program entry

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57	November 2001	Sample of drug court participants from January 5, 1998 – April 30, 2000 in two groups: 77 successful completers between February 23, 1999 and 285 dropouts and 78 matched control group	<p><u>Overall:</u> Graduates had lowest rearrest rate (15.6%); dropouts' rearrest was 30.7%; control group had highest rearrests (48.7%)</p> <p><u>Drug Charges:</u> Graduates had lowest rearrest rates for drug charges (9.1%) vs dropouts *(15.8%) and control group had highest (24.4%)</p> <p><u>Length of Stay:</u> Participants who remained in program had .96 rearrests; participants who remained in 91-270 days had .42 arrests and participants who remained in treatment 270 or more days had .38 rearrests</p>		27 months; overall recidivism 12 months following discharge for drug arrests
58	January 2003	Tracked 501 participants in drug courts in Dallas, Jefferson and Travis Counties between 1998-1999 and 285 offenders eligible but not participating in drug courts	Drug court graduates had 28.5% recidivism rates vs 65.1% for noncompleters and 56.8% for comparison group; rearrest for all drug court participants was 40.5%		Three years
59	October 2003	Tracks progress of 64 participants in Douglas County, Neb. Drug Court	Drug court participants who complete residential treatment component have lower rearrest rates		12 months following program entry
60	December 2004	Tracks progress of 116 participants in Douglas County, Neb. Drug Court	Completion of residential treatment is associated with significant reductions in general arrests as well as post-treatment drug use		24 months of program operation
61	March 31, 2004	Tracks cost benefits resulting from approximately 300 participants in Douglas County drug court	Drug court participants had 132 fewer misdemeanor and 60 fewer felony arrests than comparison group	--	24 months

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62	February 2007	Compiled new arrests and convictions from the Alaska Department of Public Safety for each of the offenders who participated in the Anchorage DUI Court, the Anchorage Felony Drug Court and the Bethel Therapeutic Court for at least a one year period following program termination and, for comparison group, following service of sentence and any custody	<p>13% of graduates rearrested within one year after completion vs. 32% rearrest rate for comparison offenders and 38% rearrest rate of offenders charged with felonies in 1999</p> <p>Participants in the Anchorage Felony DUI Court less likely to be rearrested than those in the Anchorage Felony Drug Court and Bethel Therapeutic Court</p>	<p>No participants who were reconvicted within the first year were convicted of an offense at a more serious level than the one on which they entered the therapeutic courts vs. 3% of the comparison offenders and 15% for 1999 offenders</p> <p>No participant was convicted of a drug or sexual offense</p>	One year following program termination
63	October 2006	Compiled “recidivism” data for first 146 SITC participants arrested from March 2002 – June 2005; obtained “recidivism” data through December 2005, resulting in all participants being tracked for at least months; 123 participants tracked for 1-year and 102 participants tracked for 18 months.; tracked comparison group for felony drug charges only; used NY State Div. of Criminal Justice Services (DCJS) arrest and conviction data but results are presented in terms of re-arrests.	<p>SITC produced substantial reduction in recidivism at both 1-year and 18-month periods.</p> <ul style="list-style-type: none"> - After 1 year, 26% of drug court participants vs. 48% of comparison group were rearrested; - after 18 months, 41% of SITC participants vs. 55% of comparison group were rearrested <p>drug court participants averaged .63 rearrests over 18month period vs. 1.19 for comparison group.</p> <p>Drug court also appeared to delay onset of recidivism for those that weren’t arrested during the first year.</p>	-18 month reconviction rate was 23% for drug court participants and 451% for comparison group – drug court therefore reduced reconviction rate by 44%	6 months, 12 months and 18 months after arrest for drug court charge

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64	2007	Tenn. Office of Crim Just Programs, Dept. of Finance and Admin., compiled data from 45 operating drug courts regarding performance standards identified for measurement	-Of 1,614 participants, 9% (146) arrested during FY 2005/2006; of the 5,958 participants served since inception, -413 arrested while in the program (7%) in all 37 programs responding. - 56 of the 188 (30%) graduates in 2004/2005 in 22 programs reporting were rearrested within one year of graduation. 2004-4: 61 (35%) graduates of the 174 total graduates (17 programs) rearrested within 2 years of graduation. [four juvenile drug courts reported overall 30% one year post graduation recidivism and 13% 2-year post graduation recidivism.		
65	2007	Compiled data from existing adult (and juvenile—reported separately) programs	Rearrested: 27.9% vs. graduates: 13.7%		January 1 – June 30, 2005
66	April 2007	Tracked data from 11,000 cases through various administrative data systems; focus of analysis was on overall impact of drug court on target population over time; cost analysis based on transactional method and overall investment of taxpayer money compared to benefits derived	Recidivism reduced for drug court participants up to 14 years after drug court entry compared with those who didn't participate; rearrests reduced by almost 30%; Recidivism reductions continued to be evidenced for up to 14 years after the petition hearing.		At least 5 years and, for some, up to 15 years following drug court entry

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67	April 2007	Na	All graduates had substantially lower re-arrest rates and, at 4 of the 5 programs, all participants ha significantly lower re-arrest rates. - # 1: 10% grads, 30% all partics, 39% compare. - # 2: 18%, 43%, 41% - # 3: 7%; 20%; 39% - # 4: 12%; 18%; 34% - # 5: 11%; 17%; 33%		Two years after program entry
68	Fall 2005	Conducted interviews with 99 participants selected to participate who were in different stages of treatment: 34 in motivation; 39 in intensive phase; 18 in maintenance phase; and 89 in post treatment phase	NA	NA	Nine months
69	Spring 2008	Review of data compiled in 2005 study and interviews with participants randomly assigned to drug court and alternative program 3 years following program participation	NA	NA	3 years following program participation
70	January 2008	Review of information compiled in data collection system; interviews with staff	Na	Na	na

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71	August 1, 2006	Review of program operations of five adult drug court, including referrals, acceptances, time to program entry, sanctions, drug testing, etc.	Adult drug court participants less likely than comparison group to be rearrested on felony charges and less likely to commit violent crimes 17.5% recidivism among drug court participants vs. 33.1% in comparison group	n/a	12 months post program
72	August 2007	203 individual records of drug court participants who both successfully completed (79) as well as failed (50) the drug court program compared with control group (74)	St. Louis Co.: completers arrested less than half as often as control group; Dodge County: no arrests of any completers; Streams Co.: drug court completers arrested less than one fourth as frequently as control group; estimate drug court saved 133.7 arrests and 47.2 convictions during period	Convictions: Similar findings as for arrests	2 years post program
73	September 2008	Utilized web-based tool for self evaluation re costs and benefits developed for earlier phases of study; focus on measuring costs of events in drug court process, including court appearances and drug tests; number of group and individual sessions; number of days in residential treatment; number of jail days as sanction; outcome benefits measured in terms of rearrests, number of days on probation or in prison due to recidivism; number of new court cases, etc.	43% rearrest rate for graduates; 57% rearrest rate for all drug court participants; vs. 67% rearrest rate for comparison group	n/a	Two years following termination

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74	January 1, 2004	Part of Maine's ongoing review of drug court operations; analysis of offender characteristics and data associated with drug court performance; also interviews with judges, probation staff and others	N/a – see nos. 68 and 71 for follow up studies	N/a – see nos. 68 and 71 for follow up studies	N/a – see nos. 68 and 71 for follow up studies
75	March 2009	Analyzed drug court data collected by drug court case managers, including demographic data, treatment data, data on court proceedings and also gathered feedback from drug court staff	One graduate charged with new crime	N/A	First three years of program operation: focus primarily on program operations and period of participation

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76	January 2009	Examined drug court processes to determine how well 10 key components were implemented; compared program practices to national data; collected info from staff interviews, drug court participant focus groups; observations and program documents, including handbook; Outcome analysis based on cohort of drug court participants who entered program been January 1, 2004 – July 31, 2007 and comparison group; tracked participants and comparison groups through criminal justice and treatment databases for up to 36 months post drug court entry.; Cost evaluation: used NPC's Transactional and Institutional Cost Analysis approach (TICA), looking at transactions in which individual utilizes resources contributed from multiple agencies; also used a "cost to-taxpayer" approach	<p>23% of graduates and 61% of all participants were rearrested following entry into drug court vs. 84% of comparison group members.</p> <p>Drug court participants (including graduates) had: (1) 3 times fewer drug charges in the 3 years following program entry; (2) 3 times fewer violent charges; (3) nearly half as many re-arrests; and (4) significantly reduced drug use over time</p>		36 months following program entry

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77	April 2008	Extracted data from three nationally representative sources (National Survey on Drug Use and Health (NSDUH), Arrestee Drug Abuse Monitoring (ADAM) and Drug abuse Treatment Outcome Study (DATOS) to develop a “synthetic dataset” from which cost benefit predictions could be made re various policy options to offer/expand drug court services	n/a	n/a	n/a
78	March 2008	Data were abstracted from several sources including site visits, the Criminal History Records (CHR) database maintained by the Michigan State Police and the Michigan Judicial Warehouse (JDW). All of these data were entered into a database created in Microsoft Access.	DUI court participants were re-arrested significantly less often than comparison group offenders who were sentenced to traditional probation. In the example from one DUI court site shown in Figure A, the comparison offenders on traditional probation were re-arrested nearly six times more often in the first year after starting probation for the DUI charge than the DUI court participants and were re-arrested four times more often in the second year.	N/A	Minimum 1 year

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79	April 2008	Both the participant and comparison groups were examined through existing administrative databases for a period up to 24 months from the date of drug court entry. The two groups were matched on age, sex, race, prior drug use history and criminal history (including total prior arrests and total prior drug arrests). The methods used to gather this information from each source are described in detail in the main report	HCADC program participants were significantly less likely to be re-arrested than offenders Who were eligible for the program but did not participate. Figure A shows the average number of re-arrests for 24 months after entering the drug court program for HCADC graduates, all HCADC participants, and the comparison group. Drug court participants, regardless of graduation status, were re-arrested significantly less often than were the comparison group members.	n/a	24 months maximum, 6 months minimum

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80	March 2008	For each drug court, NPC Research identified program samples of participants who enrolled in the adult drug court programs over a specified time period (at least 2 years). These were generally elected using the drug court program database. NPC also identified a sample of individuals eligible for drug court but who did not participate ² and received traditional court processing. Both groups were examined through existing administrative databases for a period of at least 24 months post drug court entry.	n/a	n/a	24 months post drug court entry

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81	April 2007	<p>Data on intermediate and long-term outcomes were gathered on each offender, with a particular emphasis on criminal recidivism (re-arrest) as a primary outcomes measure. The outcome data were drawn in late 2005 and early 2006, allowing a minimum of 5 years of follow-up on all cohorts and over 10 years on many cohorts. (For some individuals, over 14 years of follow-up data were available). Data on internal measures of Drug Court participation, internal changes in the Drug Court over the years and external changes in the criminal justice, court and substance abuse treatment systems were also gathered for the same period. Data on costs were gathered using a modified Transactional Cost Analysis Approach to allow us to conduct a cost-benefit analysis. Costs were calculated from a previous study on this program that involved intensive tracking of 155 individuals that entered the Multnomah County Court</p>	<p>Overall, for the entire population of eligible offenders, the Drug Court significantly reduced the incidence and frequency of criminal recidivism for participants compared to offenders who did not participate. Including all offenders who were eligible for the Drug Court during the total 10-year period, over 5 years from the Drug Court petition hearing, the incidence of re-arrest was reduced by nearly 30%. The Drug Court reduces the incidence of drug crimes substantially for up to 14 years after the petition hearing. The effect is statistically significant after controlling for age, gender, race, and 2 years of prior criminal history for all but year 14, where the number of cases available for the analysis drops to only 317</p>	NA	Ten years

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82	March 2007	Information was acquired for this evaluation from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, and data collection from administrative databases used by the GADC program, Probation, and the Court.	GADC program participants were significantly less likely to come through the court system again than offenders who were eligible for the program but did not participate. Figure 2 provides the average number of new criminal court cases per year for GADC graduates, all participants, and the comparison group over a 3-year period. The differences between the groups are significant at all three time periods. Guam Adult Drug Court participants (regardless of whether they graduated from the program) came back through the court system 4 times less often than comparison group members who were eligible for drug court but did not attend. Graduates recidivated 15 times less often than the comparison group.	N/A	12 months
83	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records. The methods used to gather this information are described in detail in the main report	The MCDTC reduced recidivism. MCDTC participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate	N/A	24 months

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84	November 2006	A Transactional Institutional Costs Analysis (TICA) approach was used, allowing researchers to calculate costs based on every individual's transactions within the drug court or the traditional criminal justice system. This methodology also allows the calculation of costs and benefits by agency (e.g., Public Defender's office, court, District Attorney).	On average, drug court participants had a recidivism rate 12% lower than similar offenders who did not participate in the drug court program. The comparison groups of those who did not participate in drug court programs were more than twice as likely as drug court graduates to be re-arrested. This provides evidence that drug courts are successfully reaching their goal of reducing recidivism in drug-addicted offenders.	N/A	The drug court cohorts were selected from participants who entered the drug court programs between January 1998 and December 1999, which provided at least four years of outcome data.
85	September 2006	Information was acquired for this evaluation from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, agency budgets and other financial documents. Data was also gathered from BCADC and other agency files and databases.	BCADC program participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate. Barry County Adult Drug Court participants (regardless of whether they graduate from the program) were re-arrested less than half as often as comparison group members who were eligible for drug court but did not attend. Graduates were re-arrested approximately a third as often as the comparison group, and overall were re-arrested very rarely.	N/A	24 months

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86	February 2006	To make this determination, NPC obtained a dataset of juvenile drug court participants through the cooperation of the Department of Juvenile Services (DJS). This dataset provided records of all formal adjudicated charges that juvenile drug court participants accrued both before and after their experience in drug court.	In the year following their release from drug court, only 29% of these juveniles had any adjudicated charges added to their records. This result means that 70% of the juveniles had no adjudicated charges added to their records in the year after their release.	n/a	1year

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87	July 2005	The cost study followed the pre-post program design started in the outcome evaluation due to difficulties in finding the data necessary to select an appropriate comparison group. Costs were determined using NPC Research's Transactional and Institutional Cost Analysis (TICA) methodology, which views offenders' interactions with the criminal justice system (e.g., court hearings, treatment sessions) as transactions during which system resources are consumed	Overall, it appeared that participation in S.A.F.E. Court was beneficial to participants and to the criminal justice system. The average number of re-arrests for males and females combined in the 24-month period following entry into the program is less than the corresponding period prior to their entry into the program. That is, S.A.F.E. Court participants are re-arrested less often after entering the program. (This difference is statistically significant at 6, 12, and 18 months.) This was particularly true for females who have, on average, more arrests prior to S.A.F.E. Court than the males but were re-arrested far fewer times after entry into the program than males.	n/a	24 months pre and post Safe court

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			Re-Arrests	Convictions	Time Followed
88	July 2003	The overall research design was to collect highly detailed data on a small, randomly selected sample of individuals who were eligible for drug court. These individuals (some of whom participated in drug court and some who received traditional court processing) would be tracked intensively through both the criminal justice and drug court treatment system for the purpose of collecting more detailed data than is generally available in administrative datasets. These highly detailed data would then be used to augment administrative data collected at an individual level on a much larger sample of drug court and non-drug court participants. The detailed data were collected by tracking drug court eligible offenders into court sessions, attorney visits and treatment sessions	N/A-	N/A	30 months after program

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
89	February 2004	The research strategy used by NPC Research for this outcome evaluation was to identify a sample of participants who entered Drug Court and a matched historical comparison sample of individuals who were eligible for Drug Court but who received traditional court processing before the CCJDC program was implemented. Because this drug court is both small and relatively new (beginning late in 2001), the Drug Court sample consisted of the entire Drug Court participant population except for those who had entered the Drug Court less than 6 months from the time of the outcome data collection. Both groups were examined through existing administrative databases from the date of the initial contact with the Drug Court program (or the equivalent) through November 2003	Drug Court participants are re-referred much less often than individuals who did not participate in the Program. In the first three months, Drug Court participants are re-referred more than twice as often as the comparison group members.	N/A	18 months

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
90	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records	The VCDRDC reduced recidivism as participants were significantly less likely to be rearrested than offenders who were eligible for the program but did not participate. As Figure A illustrates, VCDRDC participants were re-arrested less often than comparison group members who were eligible for drug court but did not attend. The 24-month recidivism rate for drug court was 29.5% while the comparison group rate was 39.2%. Thus, drug court participants (regardless of graduation status) were 33% less likely to have had any arrests in the 24-month follow-up period relative to the comparison group (regardless of graduation status).	N/A	24 months
91	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records	The VCDC reduced recidivism as participants were significantly less likely to be rearrested than the comparison group. As Figure A illustrates, VCDC participants were re-arrested less often than comparison group members. The 24-month recidivism rate for drug court was 19.7% while the comparison group rate was 39.2%. Thus, drug court participants (regardless of graduation status) were 99% less likely to have had any arrests in the 24-month follow-up period relative to the comparison group. Even after excluding individuals with alcohol as their drug of choice from the VCDC (leaving mainly methamphetamine users), the number of re-arrests over 24 months was lower than for the comparison group.	N/A	24 months

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
92	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, Court Substance Abuse Program (CSAP) records which includes drug court data, plus arrest records.	The SJCDC significantly reduced recidivism. Participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate. As Figure A illustrates, St. Joseph County Drug Court Program participants were re-arrested less often than comparison group members who were eligible for drug court but did not attend. The 24-month recidivism rate for drug court was 18.2% while the comparison group rate was 33.6%. Thus, drug court participants (regardless of graduation status) were 54% less likely to have had any arrests in the 24 months following drug court entry than the comparison group.	N/A	24 months
93	November 2009	Residents were tracked and interviewed using court databases and personal interviews.	As of now only ten people in the program have recidivated/	N/A	One year Post graduate

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PART THREE

#	Publication Date	Bibliographic Information	System Impact/Cost Savings	Other Findings
1	2004	<i>Phase II Douglas County [Nebraska] Drug Court Evaluation Report.</i> Thomas J. Martin, Cassia C. Spohn, R.K. Piper, and Jill Robinson	Drug court results in average savings of over \$ 4,000 per felony drug-related case compared with traditional adjudication and sentencing; savings mainly attributable to reduced jail confinement, prison incarceration costs, and county and district court processing costs (e.g., police overtime costs for court testimony);	
2	September 2004	<i>Participation in Drug Treatment Court and Time to Rearrest.</i> Duren Banks and Denise C. Gottfredson. <i>Justice Quarterly</i> . Vol. 21, no. 3, September 2004. Academy of Criminal Justice Sciences	None noted	None noted
3	January 29, 2004	<i>Cost Analysis of Anne Arundel County, Maryland Drug Court.</i> <i>Prepared by: NPC Research, Inc., Portland, Oregon</i>	\$ 2,571,894 less in Drug Treatment Court criminal justice system costs than comparison group for all participants studied, or 32.4% return on investment; Average cost per participant was \$ 2,109; average savings resulting from criminal justice system savings, victimization costs and income tax payment experience of participants was \$ 3,651; savings represent a \$ 1.74 return for every dollar spent for the program.	
4	January 29, 2004	<i>Cost Analysis of Baltimore City, Maryland Drug Treatment Court: Includes Outcome Findings, Cost Analysis, and Summary and Conclusions, Only;</i> <i>Prepared by NPC Research, Inc., Portland, Oregon</i>	Average of \$ 3,393 (24.2%) per person less in criminal justice system costs per participant than comparison group (30.9% less costs for Circuit Court participants); projected for all 758 drug court participants during the study period resulted in a savings of \$ 2,721, 894 total costs for criminal justice system expenses over 3 year study period; \$ 9,817 average savings in victimization costs than for comparison group; projected for all 758 drug court participants results in \$ 7,442,044 savings in victimization costs for 3 year period; \$ 3,000 less per person in criminal justice system costs by	

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			end of first year than for comparison group; \$ 3,791 saved for each participant (\$ 14,271 cost for traditional process - \$ 10,480 cost for drug court), or 136.2% "return" on investment	
5	January 2004	<i>Kalamazoo County 9th Judicial Circuit Court Office of Drug Treatment Court Programs: Statistical Report: 2003. Prepared January 2004</i>	<p>During CY 2003:</p> <p>FEMALES:</p> <ul style="list-style-type: none"> - restitution paid to victims totaled \$ 7,215.25 - urine screen fees totaled \$ 8,020 - drug treatment court fees totaled \$ 5,150 <p>MALES:</p> <ul style="list-style-type: none"> - paid restitution to victims of \$ 4,891.15 - paid urine screen fees totaling \$ 10,080 - paid drug treatment court fees totaling \$ 13,410. 	<p>Women:</p> <p>187 of 543 women successfully completed program 24 women still active in Phase I; 23 completed Phase I and in Phases 2 and 3 12 women on bench warrants; 36 women opted out of program 261 terminated for failure to perform of the 1887 who completed program, all were employed or attending school full time upon completion</p> <p>16% (29) of 187 women who completed program were rearrested on new misdemeanor or felony charge within 3 years of program completion;; 84% (158) have had no subsequent convictions within 3 years of program completion</p> <p>Male:</p> <p>160 of 506 men have successfully completed program 48 active in Phase I; 42 active in Phases 2-3 8 men on bench warrant status 33 men opted out of program 215 men terminated for failure to perform</p> <p>15% (24) of 160 men graduates convicted of new misdemeanor or felony within 3 years of program completion; 85% (136) had no subsequent convictions within 3 years of program completion.</p>
6	January 2004	<i>Oklahoma Drug Courts: Fiscal Years 2002 and 200. Prepared by The Oklahoma Criminal Justice Resource Center.</i>	<p>(1) If all 1,666 drug court participants studied would have served prison sentence, overall 4-year cost savings vs drug court vs prison was: \$ 45,552,798;</p> <p>(2) if all 1,666 drug court participants would have served standard probation sentences, 4-year costs of drug court were \$ 4,334,599 more than costs for standard probation</p>	<p>For Graduates: (1) 75.1% decrease in unemployment (reduced from 30.4% to 7.5%) (2) 50.4% increase in monthly income (from \$ 949.14 to \$ 1,426.55) (3) 13.6% decrease in percent of graduates without high school diploma (from 30.8% to 26.6%) (4) 19.1% increase in no. of graduates who had children living with them (from 120 (41.4%) to 143 (49.3%)) (5) improvement in each of 7 components of ASI: - Medical: 56.3% decrease</p>

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				<ul style="list-style-type: none"> - Employment/Support: 71.4% decrease - Alcohol: 65.5% decrease - Drug: 65.5% decrease - Legal: 73.2% decrease - Family/Social: 68.6% decrease - psychiatric; 85% decrease
7	October 2003	<i>The New York State Adult Drug Court Evaluation: Policies, Participants and Impacts.</i> Center for Court Innovation. New York, New York.	<ul style="list-style-type: none"> -Graduates significantly more likely to be employed at time of program completion -graduates in 5 of 9 programs significantly more likely to be attending school at time of program completion -some graduates of each court regained custody or visitation rights with their children; -some graduates of each court were volunteering in community at time of graduation, although no court mandated 	<p><u>General:</u></p> <ul style="list-style-type: none"> -Positive long-term impact persisted beyond period of active judicial supervision; -Drug court graduates were FAR less likely than comparison defendants to recidivate in all six courts; however drug court failures were as likely, if not more so, as comparison defendants to recidivate in four of the six courts; therefore, benefits of drug court participation largely accrue to those who successfully graduate; <p><u>Predictors of recidivism:</u></p> <ul style="list-style-type: none"> -those with prior misdemeanor convictions and of younger age generally more likely than others to recidivate; - graduation less likely if primary drug was heroin (2 of 3 courts studied); - participants with property charges somewhat more likely to recidivate than those with drug charges - immediate engagement in treatment strongly predicted graduation - drug court graduation is key predictor of success (rather than length of time in treatment, etc.) - retention rates exceed national standard of 60% for 8 of 11 drug courts <p>more than half of participants in 8 of 11 NY courts retained for at least 2 years (e.g., still participating or graduated)</p>
8	August 1, 2003	<i>Drug Court More Beneficial for Women:</i> [author not provided]	N/A	<p>Monthly income of female drug-court graduates increased 130%. Monthly income of male drug-court graduates increased 31% despite prior higher income and rate of employment. Oklahoma sends more women to prison than any other state in the nation.</p>
9	July 2003	<i>16th Judicial District of Tennessee (Rutherford Co.) Drug Court Program 2003 Process Evaluation.</i>		<ul style="list-style-type: none"> • 20% of participants who did not have GED obtained GED while in drug court • four babies born drug free • 8% of 36 graduates employed at graduation

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		<i>Dana K. Fuller, Ph.D. July 2003</i>		
10	June 1, 2003	<i>Recidivism Among Federal Probationers</i> Minor, Kevin; Wells, James; Sims, Crissy.	N/A	Individuals who were not ordered to community service or individuals who underwent mental health treatment were more likely to violate their sentences. Over 56% had 1 violation. Over 80% had no more than 2 violations.
11	May 2003	<i>Coconino County DUI/DRUG Court Evaluation.</i> Prepared by: Frederic I. Solop, Nancy A. Wonders, et. Al. Social Research Laboratory, Northern Arizona University	Average DUI drug court participant costs county approximately \$ 534/mo; average cost for traditional cjs processing is \$ 758/mo. (difference in cost primarily due to increased likelihood of control group members spending time in jail (\$80/day) or prison (\$ 53/day); total program costs were \$ 6,408 for DUI drug court (completed in 12 months) vs. \$ 22,740 for traditional process(requiring 2-3 years)	DUI Drug court participants averaged 6.7 treatment days/mo (compared with 1.2 for control group); worked more hours (32.1 hrs vs 29.8 hrs)/mo; and attended school more frequently (1.3 hrs/week vs. 0 hrs. for control group); and paid more money to the court each month (\$ 28.86vs. 7.34)
12	April 18, 2003	<i>Assessing the Efficacy of Treatment Modalities in the Context of Adult Drug Courts.</i> Donald F. Anspach, Ph.D. and Andrew S. Ferguson.	NA	<ul style="list-style-type: none"> - program completion is most consistent variable associated with post program recidivism; (both in terms of frequency of and time to rearrest); - other factors associated with post program recidivism included: treatment attendance (partics with low attendance at treatment had greater likelihood of being arrested); race/ethnicity, with race and ethnic minorities more likely than white non-Hispanics to be arrested; and age at first arrest (participants with prior arrests at younger ages more likely to be rearrested); gender (males more likely to be rearrested); [numerous other findings re non-recidivism issues]
13	April 15, 2003	<i>Bibb County Special Drug Court Program: Eight-Year Annual Report. April 15, 2003.</i> Prepared by Chief Judge Tommy Day Wilcox, Superior Courts, Macon Judicial Circuit and Jacqueline Duncan, Program Administrator	Estimated cost savings from jail time saved, both pre and post entry; other savings for law enforcement and defense (see “Cost Savings Memo”).	Other information relating to employment, and other program impacts
14	March 2003	<i>Summary Report of</i>	Program saved \$5,487,330 in avoided incarceration for	Recidivism rates for the individual drug courts are shown.

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		<i>Virginia's Drug Court Programs.</i> Office of the Supreme Court of Virginia and Virginia Department of Criminal Justice Services.	303 graduates. Program saved \$33,000,000 in the birth of 44 drug-free babies. Cost benefits of individual courts are shown.	The specifics of the recidivism rates are also shown.
15	March 2003	<i>Washington State's Drug Courts for Adult Defendants: Outcome Evaluation and Cost-Benefit Analysis.</i> Washington State Institute for Public Policy	Drug courts are more expensive to operate than regular criminal courts (e.g., \$ 3,891 more per participant); overall, drug courts produce more benefits than costs..."We found that the five adult drug courts generate \$ 1.74 in benefits for each dollar of costs.	Not studied
16	February 7, 2003	<i>Judicial Council of California. Administrative Office of the Courts. Report. Collaborative Justice Courts Advisory Committee. Progress Report</i>	Avoided criminal justice costs averaged approximately \$ 200,000 annually per court for each 100 participants; with 90 adult drug courts operating statewide as of 2002, and drug court caseloads conservatively estimated at 100 participants per year, annual statewide cost savings for adult drug courts suggested by data to be \$ 18 million per year; cost offset and cost avoidance estimated at \$ 43 million predominately due to avoided jail and prison costs; with \$ 1 million in cost offset due to collection of fees/fines.	Social outcome data, compiled from 28 counties for 2,892 participants, indicated that 70% of participants were employed upon completion of drug court compared with 62% unemployed at entry; 96% of drug tests were negative; 96% of babies born to program participants (132 babies) were born drug free;
17	January 6, 2003	<i>Evaluating the Effectiveness of Drug Courts in Idaho: Report to Governor Dirk Kempthorne and the First Regular Session of the 57th Idaho Legislature.</i> Idaho Supreme Court	N/A	86% of participants gained or maintained employment 23% of graduates returned to school for GED or college average hourly wage rate increase of graduates was: \$ 4.89 average annual wage increase for graduates was: \$ 10,748.84
18	January	<i>Evaluating Treatment</i>	NA	As of September 2001, 28% of Jackson Co participants and 49% of Escambia Co.

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	2003	<i>Drug Courts in Kansas City, Missouri and Pensacola, Florida: Final Reports for Phase I and Phase II.</i> Abt Associates. Linda Truitt; Wm. Rhodes; N.G. Hoffman; Amy Maizell Seeherman; Sarah Kuck Jalbert; Michael Kane; Cassie P. Bacani; Kyla M. Carrigan; Peter Finn Carrigan; Peter Finn.		participants entering drug court between October 1999 and October 2000 had successfully completed and graduated the drug court; participants required up to 22 months to complete program but median length of stay for graduates was 13 months (Jackson Co. (and 12 months (Escambia Co); median length of stay for terminations was 7.5 months (Jackson Co.) and 8 months (Escambia Co.); 17% of participants (Jackson Co.) and 11% (Escambia Co.) absconded; median length of stay for absconders was 6 months (Jackson Co.) and 4 months (Escambia Co.); <u>Predictors of program success:</u> Jackson Co.: Probability of program success increased with age, education and employment. Males, blacks and participants who owned or rented homes more likely to be unsuccessful. Participants who injected drugs was only AOD use variable correlated with unsuccessful program completion. Participants with emotional problems or prior treatment experience had higher probability of success; participants who scored low on problem recognition factor of treatment motivation had higher probability of success; Escambia Co.: similar findings except males and participants who owned or rented homes had higher probability of success; males nearly 3 x more likely to graduate or remain active than females; participants who had previously been in detox or rehab and participants with high levels of drug dependency more likely to be unsuccessful. Three of the four treatment motivation factors (problem recognition, treatment readiness, and external pressures) associated with higher probability of successful program participation.
19	May 5, 2002	<i>From Whether to How Drug Courts Work: Retrospective Evaluation of Drug Courts in Clark County (Las Vegas) and Multnomah County (Portland), [Oregon].</i> John S. Goldkamp; Michael D. White; Jennifer B. Robinson.	NA	Extensive discussion of various possible factors, both internal and external to the drug court program that might impact recidivism rates.
20	March 2002	<i>Drug Court Partnership Act of 1998, Chapter 1007, Statutes of 1998. Final Report.</i> Prepared by	Total of 425,014 jail days avoided with an averted cost of approximately \$ 26 million; total of 227,894 prison days avoided, with an averted cost of approximately \$ 16 million; participants who completed paid almost \$ 1	Participants had long histories of drug use and multiple incarceration as well as serious social difficulties including homelessness, unemployment and limited education; more than 70% used drugs for 5 or more years with more than 40% using drugs for more than 10 years prior to entering drug court; 52% had a high

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		The California Department of Alcohol and Drug Programs and the Judicial Council of California, Administrative Office of the Courts.	<p>million in fees and fines imposed by the court</p> <p>Fourteen million dollars in DCP program funds, combined with other funds supporting the programs, allowed cost offset and avoidance of approximately \$ 43 million.</p>	<p>school diploma or its equivalent and 13% had any college education; 62% were unemployed; on average each participant had been arrested twice and had one incident of conviction and incarceration in the two years prior to entering drug court; 70% of graduates employed at graduation; 11% obtained GED/high school diploma; 8% obtained vocational certificate and 1% of graduates completed college</p> <p>12% of graduates transitioned from homelessness to housing</p> <p>20% of graduates obtained drivers licenses and car insurance; 28% of graduates retained/regained custody of their children; 7% gained child visitation rights and 8% became current in child support payments; 31% were reunited with families; 95% of all babies born while mothers participated in drug court were drug-free;</p> <p>Incarceration rates for participants who completed drug court is 83% less during two years after admission than incarceration rate of those entering program during two years prior to entry</p> <p>While in drug court, participants engaged in low levels of drug use as indicated by high rates of negative urinalysis in comparison to prior drug use histories;</p> <p>Participants who successfully completed program improved substantially in all areas, showed decreased drug use and rearrests as well as improvement in employment and education; other areas of social functioning also improved including acquisition of stable housing and increased family involvement;</p>
21	October 2001	<i>Kentucky Drug Court Outcome Evaluation: Behaviors, Costs, and Avoided Costs to Society. Prepared by TK Logan, William Hoyt and Carl Leukefeld. Center on Drug and Alcohol Research. University of Kentucky</i>	<ul style="list-style-type: none"> • Annual cost of a drug court graduate (\$ 2,642 accounting cost and \$ 4,140 accounting and opportunity (e.g., judge, police, jail, etc.) costs is much less than the annual cost of housing an individual in jail (\$ 9,600) or prison (\$ 14,691) and not much higher than the annual cost of supervising an individual on probation (\$ 1,237) in Kentucky; total avoided costs of “benefits” for graduates is estimated to be \$ 4,364,114 when earnings are considered, and \$ 2,584,562 without the earnings for a one year period... • For every dollar spent on a drug court graduate, 	Results for terminators were less pronounced than for the graduates. However, for most outcome measures, there does seem to be a gain...reductions in undesirable behavior and increases in desirable behavior, except for time in prison and child support deficits.

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			<p>there was an avoided cost savings of \$ 3.30 to \$ 5.58 per graduate in a one yea period when only accounting costs were considered, and a cost savings of \$ 2.11 to \$ 3.546 per graduate in a one yea period when opportunity costs were included.;</p> <ul style="list-style-type: none"> • When both graduates and terminators were included there is an estimated savings of \$ 6,199 per client when earnings were included, and a savings of \$3,059 in a one year period without the earnings per client using accounting costs. When the opportunity costs for Drug Court program graduates and terminators combined were used, there was an estimated savings of \$ 4,826 per participant when earnings were included, and a savings of \$ 1,686 per participant without the earnings in a one year period. • For every dollar spent on a drug court • participant (graduates and terminators) there was an avoided cost savings of \$ 2.26 to \$ 3.56 per participant in a one year period when only accounting costs were considered, and a cost savings of \$ 1.44 to \$ 2.27 per participant in a one yea period when opportunity costs were included. 	
22	October 2000	<i>Tulsa County Adult Drug Court: Phase II Analysis.</i> Wright, David. O'Connell, Paul. Clymer, Bob. Simpson, Debbie.	N/A	Re-arrest rates overestimate the actual level of criminality, while re-conviction rates underestimate the level of criminal activity.
23	May 1999	<i>Evaluation of the Hennepin County [Minneapolis] Drug Court. Minnesota Citizens Council on Crime and Justice (R. Ericson; S. Welter and Thomas L.</i>	Drug court handled 31% of all felony cases filed in 1997 in Hennepin Co, with primarily one judicial officer and various clerical staff; previously, this workload had been spread across all judges of the Court; Given the increase in case processing speed achieved by the Drug court, the increase in judicial efficiency is readily apparent	Efficiencies in case processing achieved: average number of appearances was 3 (roughly half of the previous average); treatment completion rates were higher than other clients (54.5% vs. ;47.3%);as

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		<i>Johnson</i>		
24	October 2000	<i>North Carolina Drug Treatment Court Evaluation Final Report.</i> Craddock, Amy.	N/A	Most important predictor of recidivism is DTC graduation. Most common drug used is cocaine. 98.6% of participants are chemically dependent.
25	October 2000	<i>Evaluation of Oklahoma Drug Courts, 1997-2000.</i> O'Connell, Paul. Wright, David. Clymer, Bob.	NA	Drug court participants are more likely to be successful if they are older, Caucasian, better educated, employed, and less criminally active. Drug court participants are less likely to be successful if they are relatively young, African American, less educated, unemployed, and more criminally active.
26	October 2000	<i>1998 Drug Court Recidivism Report Update.</i> Administrative Office of the Courts, Dade County (Miami), Florida	NA	Other data that supports finding that drug court reduces recidivism
27	January 2001	<i>Final Report on the Polk County Adult Drug Court: Executive Summary and Summary of Findings.</i> Iowa Dept. of Human Rights. Division of Criminal and Juvenile Justice Planning. Statistical Analysis Center.	Total correction system costs for drug court clients (\$26,021.59) was less than for comparison group(\$29,427.80) or referred group (\$ 39,776.75).; treatment costs were \$ 5,149 per client compared to \$ 3,949 for referred group;	Of the 134 drug court client sin the study, 44% graduated; graduation rate has risen during program's first 2 years to 50%; most of terminations due to noncompliance rather than new arrests; Graduation rates for white and nonwhite clients are disparate; nonwhite clients have achieved very low rates of completion of the drug court; graduation rate for methamphetamine addicts was markedly higher than for participants using marijuana or cocaine
28	July 2001	<i>NW HIDTA/DASA Washington State Drug Court Evaluation Project.</i>	n/a	Graduates show systematic and substantial increases in income, with some tail-off in the third year; graduates were only group to show this improvement; rates for using vocation services b drug courts are very low (2% in King and Pierce Cos; 4%

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		<i>G. Cox, L. Brown, C. Morgan, M. Hansten. Alcohol and Drug Abuse Institute. University of Washington, Seattle, Wash.</i>		in Spokane Co.) Graduates had highest rate of use of Medicaid;
29	December 2004	<i>Evaluation of Virginia's Drug Treatment Court Programs. Office of the Executive Secretary, Supreme Court of Virginia</i>	n/a	Virginia adult drug courts have treatment retention rate (active participants plus graduates) of 62.25%; Virginia's adult drug court participants are chronic offenders prior to drug court entry; averaging 6.8 felony arrests and 5.6 misdemeanor arrests.
30	October 2003	<i>South Central Judicial District Adult Drug Court Program (Bismarck, N.K). Process Evaluation – Final Report. October 2003. Jeffrey A. Bouffard. North Dakota State University. Department of Criminal Justice and Political Science.</i>	✓ Program decreased incarceration time for nonviolent offenders by at least 75% and may be up to 88%	<p>✓ No difference in program completion rates for:</p> <ul style="list-style-type: none"> - men vs. women - felony vs. misdemeanor participants - DUI vs. drug-related offenders - participants of different racial/ethnic groups - those who received jail as a sanction and those who did not receive any jail time as a program sanction <p>✓ There was no difference in rearrest rates for participants with different primary drugs of choice</p> <p>✓ The program did not lower LSI (Level of Supervision Inventory risk scores of participants by 40% between time of program entry and program completion but did result in 32% declines in LSI scores for 14 program graduates by time of graduation</p> <p>✓ The program maintained offenders in treatment and other maintenance programs for at least 12 months</p> <p>✓ There was a large difference between average time to sentence for drug court participants (60.9 days average) vs. nonparticipants (168.8 days)</p> <p>✓ Average time from arrest to program entry was not less than 42 days rather than 30 days as planned</p> <p>✓ Program decreased incarceration time for nonviolent offenders by at least 75% and may be up to 88%</p> <p>✓ Revocation of time for 8 terminated participants is 17% lower for drug court participants vs. average revocation rate of 32% for nondrug court participants in ND</p>

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31	July 2002	<i>Outcome Evaluation of Ohio's Drug Court Efforts. Final Report. By Edward J. Latessa, Ph.D.; Deborah Koetzle Shaffer; Christopher Lowenkamp. Center for Criminal Justice Research. University of Cincinnati.</i>	n/a	<p>Ø Graduation:</p> <ul style="list-style-type: none"> - Common Pleas graduated 31% of participants - Municipal drug courts graduated 44% of participants overall, 40% of participants graduated
32	2001	<i>Evaluation of the Bernalillo County Metropolitan DWI/Drug Court</i>	<p>Total Cost Savings:</p> <p>Jail Days: Graduates: Jail days 914 days vs. 3,366 days = 2,451 days saved for 2,757 days saved (\$ 184,719) CCP days: 1,483 days vs. 3,103 days – 1,902 days saved (\$ 62,291; total cost savings - \$ 247,010 over 4 year period.</p> <p>Graduates spent 915 days in jail, costing \$ 61,305 in jail time (\$ 67/day); average is 5.45 days per graduate (\$ 365.15 per participant); graduates spent 1,483 days in Community Custody (\$ 32.75 per day) cost \$ 48,568 or 8.83 days average per participant or \$ 289.18 per participant.</p>	<p>Ø <u>Demographic characteristics:</u></p> <ul style="list-style-type: none"> - mean age at intake: 36.5 yrs - Ethnicity: 58.4% Hispanic; 22.7% White non-Hispanic; 16.9% Native American (Native Americans and Hispanics overrepresented in Drug Court compared with population for Bernalillo Co.) - gender: 84% males 16% females - education: 12 yrs for all clients (women have slightly less educ than men) - dependents: ½ have children - marital status: less than ¼ married at time of intake - employment status: 74.2% employed full time or part time - Primary drug: alcohol (93.8%) - prior misd convictions: 4.7 average for 304 participants; - prior DWI convictions: 2.7 mean (3.7% had no prior DWI convictions) - age at first use: 17.2 years - years of substance use: 12.7 yrs average (30% using over 15 years) - average stay: 282 days - reason for discharge: graduated: 56%; absconded: 17%; terminated: 17%; voluntarily terminated: 3.6% Other:6% - treatment and related services: graduates had average of 58.7% group sessions per client; 38 nongraduates attended an average of 33 group sessions per client; ½ graduates participated in indiv counseling (3.7 sessions each); 91.4% of clients had at least one acupuncture treatment; 63.7 urine screens average per client - sanctions: 1/3 of graduates spent time in jail during program (average 1.7 times; 1/3 of nongrads jailed average of 2.1 times

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33	February 2005	<i>Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes. U.S Government Accountability Office. February 2005</i>	Four of seven adult drug court program evaluations provided sufficient cost and benefit data to estimate net benefits. Although cost of six of the programs was greater than costs to provide criminal justice services to comparison group., all seven programs yielded positive net benefits, primarily from reductions in recidivism affecting judicial system costs and avoided costs to potential victims. Financial cost savings for the criminal justice system (taking into account recidivism reductions) were found in two of the seven programs.	<ul style="list-style-type: none"> Ø evidence about the effectiveness of adult drug courts in reducing participants' Substance use relapse limited to data from 8 drug courts; evaluations of these 8 drug courts reported mixed results on substance use relapse; drug test results generally showed significant reductions in use during participation in the program while self reported results generally showed no significant reductions in use. Ø Completion rates ranged from 27 – 66%. Other than compliance with drug \ court program procedures, no other program factor consistently predicted participants' completion
34	April 2005	<i>Evaluation of the Outcomes in Three Therapeutic Courts: Anchorage Felony Drug Court; Anchorage felony DUI Court; Bethel Therapeutic Court. Alaska Judicial Council.</i>	<p>Overall: significant cost benefits including reductions in days of incarceration to graduates compared with comparison groups; also greater family stability, better education and employment;</p> <p>Specific impact(s) reported:-16% of graduates and 6% of active participants appeared to have improved child support situations – either able to pay more support to their children or were receiving more child support;</p> <p>-one graduate and one active participant reported birth of drug/alcohol-free babies</p> <p>-6% of graduates and 3% of active participants regained custody of their children</p> <p>-81% of graduates and 32% of active in the program had more stable family situations during or after program</p> <p>-9% of graduates and 13%\$ of active participants reported reduced domestic violence after program participation</p> <p>-63% of graduates and 46% of active participants holding steady job after program participation</p> <p>-41% of graduates and 21% of active participants had</p>	<ul style="list-style-type: none"> Ø Overall, defendants who graduates from program and who were active had fewer days of incarceration, fewer remands to custody and fewer convictions after beginning program than in 2 years preceding Ø Defendants in comparison groups had significantly more mean days of incarceration after convictions for the evaluated offense than they did in the two years before Ø Graduates from each of the courts spent an average of 452 days (15 months) in court before graduating (43 hearings for graduates; and average of 29 hearings for defendants who opted out)

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			improved educational status after program participation -41% of graduates and 15% of active participants reported less debt after program participation	
35	April 2004	<i>The Kootenai and Ada County [Idaho] Drug Courts: Outcome Evaluation Findings. Final Report</i>	NA	Factors associated with recidivism: <u>Kootenai County</u> : gender ,prior record and time at risk (males with prior record and at risk longer more likely to be rearrested; graduates less likely to be arrested for felony charge; none of graduates arrested more than once during follow up period vs. 30% of nongraduates and 24% of comparison group was; <u>Ada Co</u> : gender; employment and time
36	July 2000	<i>The Hamilton County [Ohio] Drug Court: Outcome Evaluation Findings. Shelley Johnson and Edward Latessa. University of Cincinnati.</i>	NA	<ul style="list-style-type: none"> Ø Majority of drug court participants began treatment in the residential phase of the program and progressed to the outpatient phase Ø 75% of participants completed the first phase and 84% [sic] completed the second phase Ø typical offender had 3 status review hearings while in program but 30% had more than 5 Ø factors associated with recidivism were race (African Americans) prior record, age (younger) and time at risk
37	March 2005	<i>Analysis of Oklahoma Drug Courts: Fiscal Years 2002-2004. Oklahoma Department of Mental Health and Substance Abuse Services</i>	If all 2,307 offenders would have serviced their sentence in prison, overall 4-year cost savings of drug court vs. prison is \$ 64,805,293; ODMHSAS requested funding to increase drug court capacity in state from 1,575 by 3,229 to total 4,804 drug court slots and projects cumulative cost savings of \$ 314,250,347 over 4 years; [annual cost per drug court participant = \$ 2,325; annual cost for prison = \$ 16,842;	<ul style="list-style-type: none"> Ø retention rate for period was 83.1% <u>for graduates</u>, Ø reduction in unemployment of 82.4%; Ø 53.3% increase in income; Ø 23.9% decrease in number without high school diploma; Ø 20.8% increase in number of participants who had children living with them
38	July 2001	<i>The Akron Municipal Drug Court: Outcome Evaluation Findings. S. Listwam, D.K. Shaffer, and Edward J. Latessa. Center for Criminal Justice Research, University of Cincinnati</i>	n/a	<u>Completion Status:</u> <ul style="list-style-type: none"> Ø graduated: 129 (42.7%) Ø terminated: 100 (33.1%) Ø absconded: 62 (20.5%) Ø other: 10 (3.3%) Ø “expiration of term”: 1 (.3%)

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39	May 2003	<i>Coconino County DUI/Drug Court Evaluation. Frederic I. Solop, Nancy A. Wonders, K.K. Hagen, K McCarrier. Social Research Laboratory, Northern Arizona University.</i>	Average DUI drug court participant costs Coconino Co \$ 6,408 vs. \$ 22,740 for traditional cjs processing; DUI participant paid average of \$ 28.86 monthly to court vs. \$ 7.34 by control group; therefore traditional cjs process is 3.5 times more costly than Co. Dui Drug Court.	DUI drug court participants make more positive contributions to society during an average month, working more hours each week (32.1 vs. 29.8) and spending more time in school (1.3 vs. 0) than offenders processed through the traditional process
40	2005	<i>Recidivism of Violent Offenders in a Delaware Drug Court Program for Probation Violators. Christine A. Saum, Ph.D. Univ. of Delaware.</i>	n/a	n/a
41	2004	<i>Kalamazoo County 9th Judicial Circuit Court Drug Treatment Court Programs. Statistical Report. 2004</i>	Females: restitution paid to victims totaled \$ 9,023.72; urine screen fees paid totaled \$ 10,935.50; drug treatment court fees paid totaled: \$ 7,620 <u>Males:</u> restitution paid totaled \$ 10,254.15 Urine screen fees totaled \$ 24,005.75 Drug treatment court fees totaled \$ 13,74.800	<u>Females:</u> 202 (36%) of female enrollees successfully completed the program; 38 opted out of the program; 276 (49%) were discharged due to repeated noncompliance; 47 (17%) were discharged due to new charges; average length of drug use was 10.5 years; youngest initial drug use was 7 yrs; oldest initial use was 46 years; 100% of women who completed the program and physically able were employed or attending school full time at time of program completion; 52.7% (298) had never received formal treatment services prior to enrolling in the drug court <u>Males:</u> 183 (31%) successfully completed the program; 34 men opted out of the program; 259 (45%) were discharged due to repeated non-compliance with program rules; 35 (13.5%) were discharged due to new charges; 100% of men who were physically able were employed or attending school full time upon program completion; 55% (325) had never received formal substance abuse treatment prior to engaging in the drug court
42	April 2005	<i>Puerto Rico Drug Court Program: Outcome Evaluation Center for Addiction Studies, School of Medicine, Universidad Central del Caribe</i>	n/a	(1) drug court participants showed marked and statistically significant improvements found in reduction in drug use (from 86.5% to 33.5%) and participation in treatment (97.5% received treatment) and in reduction of antisocial and illegal behaviors among drug court participants; (2) percent of drug court participants considered <i>drug dependent</i> decreased from 41.4% prior to admission to 8% 12 months after admission, and, for alcohol dependence, from 9.5% to 2.5% (3) no statistically significant improvements found in other domains (employment and education, residential stability and family roles; physical and mental health

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				<u>Recommendations:</u> (1)only 40% of drug court participants studied appeared to be drug <u>dependent</u> at time of program entry –therefore need to review eligibility criteria and recruitment strategies to focus on those who are drug <u>dependent</u> (not simply drug using); (2) need to intensify efforts to assist participant in improving other domains, particularly: education; employment; familial roles; and mental health problems; 3) Need to register participants in drug court (and other diversion programs) in Department of Justice’s management information system to permit tracking of recidivism.																																																																								
43	September 2005 (interim)	<i>California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II Study Results. NPC Research, Shannon M. Carey, Michael W. Finigan, David Crumpton, Mark Waller, Francine Byrne</i>	<div>(1) Investment costs per participant not always much more than traditional court processing</div> <table><tr><th>CJ</th><th>Invstmt/DC partic</th><th>Invstmnt/nonDC</th><th>Cost Ben</th></tr><tr><td>Arrest</td><td>192.91</td><td>192.91</td><td>0</td></tr><tr><td>Booking</td><td>284.34</td><td>284.34</td><td>0</td></tr><tr><td>Court</td><td>681.54</td><td>678.50</td><td>+ \$3</td></tr><tr><td>Treatment</td><td>2,713.32</td><td>2,009.18</td><td>+704</td></tr><tr><td>Jail</td><td>1,610.89</td><td>2,782.55</td><td>-1,171</td></tr><tr><td>Probation:</td><td>513.64</td><td>1,421.84</td><td>- 908</td></tr><tr><td>Total cost</td><td>5,927.80</td><td>7,369.32</td><td>-1,442</td></tr></table> <div>(2) average net investment cost per participant: \$ 1392</div> <table><tr><th>agency</th><th>invst/per partic</th><th>range</th></tr><tr><td>sup ct</td><td>464</td><td>(79) –(898)</td></tr><tr><td>DA</td><td>235</td><td>103-(523)</td></tr><tr><td>Pub D</td><td>279</td><td>(76) –(448)</td></tr><tr><td>Prob</td><td>697</td><td>2,143-(632)</td></tr></table>	CJ	Invstmt/DC partic	Invstmnt/nonDC	Cost Ben	Arrest	192.91	192.91	0	Booking	284.34	284.34	0	Court	681.54	678.50	+ \$3	Treatment	2,713.32	2,009.18	+704	Jail	1,610.89	2,782.55	-1,171	Probation:	513.64	1,421.84	- 908	Total cost	5,927.80	7,369.32	-1,442	agency	invst/per partic	range	sup ct	464	(79) –(898)	DA	235	103-(523)	Pub D	279	(76) –(448)	Prob	697	2,143-(632)	<div><u>Promising Practices:</u> O single or overseeing treatment provider High drug court team attendance at 227staffing Court sessions start 1 every 2-3 weeks Treatment 2-3 times per eek (start) Drug tests 3 times per week (start) Judges voluntary with no fixed term (or at least 2 years) Minimum 6 months clean before graduation</div> <div><u>FTE’s</u><table><tr><th></th><th>Monterey</th><th>Or Co./Laguna Nig</th><th>Or Co/Santa Ana</th><th>Stanisl. Co.</th></tr><tr><td>DA; .</td><td>28</td><td>0</td><td>1.00</td><td>.20</td></tr><tr><td>Pub Def</td><td>.08</td><td>.4</td><td>1.00</td><td>.25</td></tr><tr><td>Law Enf.: .00</td><td></td><td>.50</td><td>.00</td><td>.00</td></tr><tr><td>Prob.: 1.00</td><td></td><td>1.5</td><td>4.00</td><td>3.00</td></tr></table></div>		Monterey	Or Co./Laguna Nig	Or Co/Santa Ana	Stanisl. Co.	DA; .	28	0	1.00	.20	Pub Def	.08	.4	1.00	.25	Law Enf.: .00		.50	.00	.00	Prob.: 1.00		1.5	4.00	3.00
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			Treat 1918 706-3808 La Enf 44 1060-(1033) Corrs. 0 0 (2) Net outcome benefits: \$ 11,000 per participant (\$ 3200 – 15,200 range) <u>agency avg net outc benef/partic range</u> Sup. Ct (46) 342-(277) DA (12) 148-(106) Pub Def (19) 171 – (103) Prob (53) 474 – (650) Trmt 637 336- (59) Law Enf (1,525) 620 – (3,619) Corrects (3,292) (541) – (5377) - overall benefits combined for all 9 sites: 9,032,626	
44	January 2005	<i>Malheur Co. Adult [gender specific Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey and Gwen Marchand.</i>	n/a	Factors associated with success: no correlation between success and age, marital status, race or years of education; small correlation between sex and success (females slightly more likely than males to be terminated); graduates more likely to report alcohol as primary drug of choice than other drug; over 60% of terminated participants were meth users vs. 41% of graduates; higher number of drug treatment (group and individual) sessions associated with lower number of re-arrests; lower rearrest rates for males associated with treatment readiness; females rarely rearrested regardless of whether they graduated or were terminated
45	January 2005	<i>Marion Co. (Oregon), Adult Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey, Gwen Marchand.</i>	NA	-Program retention rate is 71% (44 graduated or currently participating vs. 18 terminated or withdrew -Predictors of Success: Factors with no correlation: age, marital status, race, insurance source, employment status, number of arrests prior to entry; years of education; significant correlation between gender and success : females much less likely to graduate than males - nearly 78% of terminated clients were meth users vs 47% of graduates - terminated clients more likely to have at least one dependent child - readiness for treatment correlated with greater likelihood of graduating and less likelihood to recidivate - small negative correlation between days spent in aftercare and rearrests, particularly drug related rearrests – longer time spent in aftercare, reduced likelihood of being rearrested

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46	July 2003	<i>A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research, Inc. Shannon Carey, Michael Finigan</i>	<ul style="list-style-type: none"> - Total investment cost per client in drug court was less (\$ 1,441.52) than investment cost per client in business as usual process. - money saved in outcome costs (\$ 2,328.89 per participant) although savings not spread equally among agencies; - total savings over 30 –month period, including victimization costs, averaged 4 4,788.88 per drug court participant 	<p>(1) does it cost more for drug court than business as usual? No: total investment in drug court averaged \$ 5,927.80 per participant compared with 7,369.32 for business as usual. Business as usual offender cost \$ 1,441.52 more than drug court</p> <p>(2) do agencies save money upfront from drug court vs businesses usual/ Yes. Law enf /corrections and public defender receive immediate savings. All agencies saved money in outcomes.</p> <p>(3) Are there cost savings in outcomes due to drug court processing? Yes. When outcomes costs for drug court participants compared with outcome costs for business as usual offenders, drug court saved an average of \$ 2,328.89 per year per participant. With victimization costs added, average savings were \$ 3,596.92 per participant</p> <p>(4) What are total cost savings (investment and outcomes) attributed to drug court process? Combining outcome cost savings with investment savings over 30-month period, drug court saved average of 4 4,788.88 per participant including victimization costs. Multiplied by 300 participants who enter each year, this is \$ 1,434,000 in cost savings for local tax payers –which is the “bottom line” difference in cost to the system of drug court participants vs cost for nondrug court participants</p>
47	March 2004	<i>State of California Department of Alcohol and Drug Programs. Comprehensive Drug Court Implementation Act of 1999: Interim Report to the Legislature. Kathryn P. Jett, Director</i>	<ul style="list-style-type: none"> - 3,563 participants completed adult drug courts avoiding a total of 948,299 prison days, resulted in an averted cost of approximately \$ 34,233,593 to the state; - ratio of prison costs averted by participants to amount invested for the counties reporting was 1.53 to 1 	<ul style="list-style-type: none"> - 618 adult criminals reported making child support payments regularly - 39% (7,790) of adult criminal participants obtained employment while in the program, thus contributing to California’s economy - 12% (966) new adult participants admitted to the program were homeless; 785 of them (81%) obtained housing during the study period - 990 adult criminal participants either enrolled or completed parenting classes - 1,358 adult criminal participants were reunified with family members - almost all participants (96%) had negative urinalysis while participating the

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				<ul style="list-style-type: none"> program - adult and juvenile drug court participants completed 42, 788 hours of community service - 93% of females who gave birth during the period of program participation gave birth to drug free babies
48	June 14, 2006	<i>Suffolk Co. (Mass) Drug Court Evaluation.</i> Abt Associates. Wm. Rhodes, Ryan Kling and M. Shiveley		<ul style="list-style-type: none"> - “the best evidence at our disposal indicates that the four drug courts in Suffolk Co. have increased the receipt of substance abuse treatment and reduced criminal recidivism for a population of otherwise recalcitrant, drug-involved offenders. ... Graduates of these drug courts are 33% less likely to be arrested than matched persons on traditional probation, have 47% fewer convictions, and are 70% less likely to be incarcerated.” - Drug court participants 24% less likely to be incarcerated; had 35% fewer incidents of incarceration; and 36% fewer suspensions and revocations - Drug court GRADUATES: were 70% less likely to be incarcerated; had 66% fewer incidents of incarceration and had 54% fewer suspensions and revocations TREATMENT: <ul style="list-style-type: none"> - participants had 35% higher probability of receiving S.A. treatment - graduates were neither more or less likely to enter treatment than nondrug court probationers
49	May 20, 2006	<i>Outcome Evaluation of the Jackson County, Florida Drug Court.</i> Williams Consulting. Silver Spring, Md.	Program Costs: (1) treatment: \$ 28,200 for 12 graduates; urinalysis was \$ 16,200; total treatment costs were \$ 44,400 for 12 graduates; comparison group: cost of 18 months incarceration was \$ 38/day x 18 months = \$ 20,710 = 248,520 == Total cost savings if comparison group was enrolled in drug court would be \$ 204,120.00 (248,520-44,400) = 204,120.	<ul style="list-style-type: none"> - Demographics of population studied: Gender: male: 73%; female: 37% Employed fulltime at entry: 38% Education: 45% HS Grads; 19% GED; 29% hs drop outs Prior treatment: 47% Children under 18: 62% (98 children of 51 parents) Medical problems: 95% none; 15% had ADHD diabetes, depression, back and neck pain, hepatitis, high blood pressure, migraines -GRADUATES: average age of 12 graduates studied was 33, all were male and employed; one was Afr. Am; the other 11 were white; 59% single; 25% divorced;; average prior arrests as 5 - NON GRADS: (16): average age was 28; 57% male;38% employed; 53% unemployed;12% AM; 88% White;; most nongrads received sentences of 10-15 years
50	Spring 2006	<i>Long-Term effects of participation in the Baltimore City drug</i>		<ul style="list-style-type: none"> - Quantity of drug treatment services received was related to lower recidivism rates - Treatment had sustained effect on recidivism reduction, even after serves were

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		<i>treatment court: Results from an experimental study.</i> Denise C. Gottfredson et al. U. of Maryland.		delivered - Recidivism lowest among participants who participate at higher levels of certified drug treatment, status hearings, and drug testing
51	April 2006	<i>California Drug Courts: A Methodology for Determining Costs and Benefits: Phase II: Testing the Methodology.</i> NPC Research. Shannon Carey, Dave Crumpton, Michael Finigan and Mark Waller. (See No. 43 for interim report)	<p>Eight of the nine sites show outcome cost benefits ranging from \$ 3,200 to over \$ 20,000 saved per participant; Monterey: showed no cost benefit over time; “actually loses money on drug court participants”.</p> <p>Stanislaus and El Monte produce very high returns on investment (1: 16 and 1:36) in part because of low investment costs. San Joaquin saves money immediately by having lower investment costs than standard court processing. Only Monterey has no positive return on investment because drug court did not produce positive outcome results, likely due to operational problems.</p> <p>Specific Findings: Average cost per participant <u>El Monte:</u> \$ 5,542.37 (\$ 2,275.50 for treatment, jail sanction next) vs \$ 5,283.51 traditional case process <u>Monterey:</u> \$ 8,173.93 (largest cost is treatment, then jail day sanctions) vs. \$ 5,340.27 <u>Orange Co.-Laguna Niguel:</u> \$ 19,799.59 (jail days pre or post DC, then case management highest costs) vs. \$ 13,195.62- every dollar invested yields \$ 1.50 return <u>Orange Co. – Santa Ana:</u> \$ 15,613.12 vs. 15,173.10; each \$ invested produced \$ 7.30 savings (in correctional costs) <u>San Joaquin Co.:</u> \$ 12,214.76 vs. 12,701.34. (72% of cost is jail days)- drug court approach produces 25% reduction in standard case processing);\$4,801,427 saved each year at rate of 307 new participants annually) Stanislaus Co.: \$ 5,455.20 (treatment is largest cost) vs. \$ 4,518.24 (court costs and jail costs); greatest savings were in probation costs (-77%), victimization costs (-63%), bookings (-44%) and jail days (-42%); every \$ spent produced savings of \$ 16.00</p>	<p>1. No two drug courts function in the same manner; each operates in a different context, serves a different population and involves multiple agencies contributing varying levels of resources; each drug court has unique practices, policies and requirements.</p> <p>2. Wide range in investment between jurisdictions and counties, and within counties, both in drug court process (\$ 5,000 – 19,000) per participant and traditional court process (just under \$ 5,000 to over \$ 15,000 per participant (differences largely attributable to jail costs)</p> <p>3. Promising practices identified:</p> <p>a. Those drug courts where more agency staff attended drug court meetings and court session tended to have more positive outcomes</p> <p>b. The courts that start participants at one court session every 2 or 3 weeks, 1 to 3 group treatment sessions per week and individual treatment sessions “as needed” appear to have the best outcomes</p> <p>c. Sites with either a single provider or with multiple referral options but a single overseeing provider had the most positive outcomes.</p> <p>d. Judges on voluntary assignment to drug court, with either no fixed term or a term of at least two years, help produce the most beneficial outcomes.</p> <p>e. The sites that required participants to be “clean” for at least six months had lower costs and higher net benefits.</p> <p>f. Drug test frequency greater than 3 x per week didn’t appear to have added benefit; however lower frequencies were associated with less positive benefits.</p> <p>Graduation Rates: <u>Butte Co:</u> 68% (n=156) <u>Los Angeles Co. – Central:</u> 36% (n=115) <u>Los Angeles Co. El Monte:</u> 82% (n=127)- 60% overall (n=700) <u>Monterey Co.:</u> 26% (n= 213) graduation rate (resulting from required \$ 14 fee for drug tests and many terminated for failure to test (39% overall – n=721) <u>San Diego-East:</u> 65% (n=178) <u>Orange Co.-Laguna Niguel:</u> 68% (n=124) (64% overall – n=343) <u>Orange Co.: Santa Ana:</u> 45% (n=289) (overall 41% - n = 932) <u>San Joaquin Co.:</u> 29% (n=202) (31% overall – n = 2,010)</p>

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				<u>Stanislaus Co.:</u> 49% (n=399) (32% overall – n=1,320+)
52	August 2001	<i>The Philadelphia Treatment Court, Its Development and Impact: The Second Phase (1998-2000). John S. Goldkamp et al. Crime and Justice Research Institute</i>		<p>40% of defendants referred for assessment were “no shows”; 47% found to be in need of treatment</p> <p>the 383 candidates actually entering Treatment Court represented 20% of the defendants referred ;</p> <p>Race/Ethnicity: 58% were Afr.Amer; 28% Hispanic and 13% while;</p> <p>Median age we 23</p> <p>83% male</p> <p>53% unemployed</p> <p>96% charged with drug felony</p> <p>46% had prior arrests; 16 had prior court convictions</p> <p>205 had at least one arrest as a juvenile</p> <p>42% didn’t complete Phase I of treatment</p> <p>9% of enrolled terminated for noncompliance</p> <p>participants averaged 9.28 days incarcerated</p>
53	July 2005	<i>Malheur County, Oregon Adult Drug Court (S.A.F.E. Court) Cost Evaluation: Final Report</i>	<p>Relatively low cost per participant compared with other programs (\$ 6,275) – 6,102 for males; 6,585 for females) compared with recidivism costs 9165.61-arrest; 10.00-booking; and 49.20-jail bed day.</p> <p>- females show decrease in costs after starting program while males (except for grads) show increase in costs due to more time spent in jail for new offenses</p> <p>-Average costs for females 2 years prior to drug court were \$ 2,312.34 compared with \$ 1,679.30 two years following drug court entry;</p> <p>-average costs for ALL male participants two years prior to entry were lower (1,205.36 vs 2,612.84) than following program entry but mainly due to terminated participants and jail costs entailed. Costs for male graduates were reduced from \$ 643.08 2 years prior to program entry to \$ 261.80 2 years following program entry.</p>	<p>-Level of substance abuse was reduced, based on both UR results and rearrests</p> <p>-Retention rate for both men and women is better than most standard (non-criminal justice related) treatment programs</p> <p>Factors associated with fewer rearrests were (1) greater number of treatment sessions;</p> <p>-graduates tended to have fewer arrest prior to program entry; were slightly more likely to be male, were less likely to use methamphetamine, were more likely to have had treatment prior to drug court, and more likely to score high on the “readiness-for-treatment scale”.</p> <p>-terminated participants were more likely to use methamphetamine, less likely to use alcohol or marijuana, attend fewer treatment sessions and scored lower on the readiness for treatment testing.</p>
54	September 2006	<i>Kalamazoo County, Michigan Adult Drug</i>	Substantial cost savings/avoided costs resulting from fewer re-arrests, less probation time and fewer new court	- drug use decreased over a 12 month period for both females and males

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		<i>Treatment Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	cases. - combined programs saved total of \$ 593,154 over a two year period for persons entering the program during two year study period (2002-3); savings can be anticipated to accrue over additional years.	
55	September 2006	<i>Barry County, Michigan Adult Drug Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	Cost savings for drug court participants of over \$ 3,000 per participant over 2 year period as a result of fewer re-arrests, less probation time and fewer new court cases. - multiplying cost savings by 108 participants since program implementation, total savings have been \$ 353,160. For foist two years sine program entry. - Can expect cost savings to continue following 2 year study period.	All participants (graduates and terminated) consistently showed less drug use than comparison group; for some time period, no positive drug tests for participants during same time period when positive drug tests for comparison group were might higher.
56	March 2004	<i>The Douglas County (Nebraska) Drug Court: Characteristics of Participants, Case Outcomes and Recidivisms. Cassia Spohn and R.K. Piker. Final Report. March 2004</i>		Males significant less likely than females to graduate; Drug court success also affected by age at which offender first used drug and by number of positive drug tests during first six months of prog4ram
57	November 2001	<i>Dallas County DIVERT Court Outcome Evaluation. Monica Turley and Ashley Sibley.</i>	--	Program retention predicted by age; average age of graduates was greater than dropouts; older participants (average of 35 years) more likely to successfully complete treatment than younger participants.
58	January 2003	<i>Initial Process and Outcome Evaluation of Drug Courts in Texas. Criminal Justice Policy Council.</i>	--	Drug court graduates had 3.4% incarceration rate 3 years following program entry vs. 21.4% for noncompleters and 26.6% for comparison group; incarceration rate for all drug court participants was 12%; Frequency of positive drug tests was 9% - 11% for drug court participants compared with 50% for ADAM tested offenders. The effectiveness of drug courts in reducing recidivism merits considering strategies to expand drug courts in Texas.

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59	October 2003	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 1 Evaluation Report. ISED Solutions.</i>	--	Older participants experience lower rates of post-treatment drug use generally and fare better with respect to new arrests Participants with at least a high school education fare better than clients without in terms of being arrested after treatment Gender is not associated with differences in treatment outcomes Race/ethnicity is associated with few differences in outcomes and, where it does, differences exist for Hispanic clients who are more likely to have problems with FTA's and rearrests so may need additional services, particularly for those with limited language skills
60	December 2004	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 2 Evaluation Report. ISED Solutions.</i>	-	Men and women have same treatment completion rate (60%) Caucasians fare better in treatment than African Americans (75% vs. 53% retention) Completion of residential treatment associated with significant reductions in post-treatment drug use, general arrests and failure to appear Participants who successfully complete treatment more likely to graduate than those who don't (44% vs. 8%) Older participants and those with high school education have lower risk of failing to complete program
61	March 31, 2004	<i>Cost Benefit Analysis of the Douglas County, Nebraska Drug Court. R.K.Piper and Cassia Spohn</i>	Average investment cost for drug court participants is \$ 4,803 vs \$ 9,224 for traditionally adjudicated offenders, resulting in cost benefit of \$ 4421 less for each drug court participants; Annual investment cost savings for drug court participants vs traditionally adjudicated offenders is \$ 1,326,414; greatest cost savings were for jail confinement \$ 622,098 and prison (\$1,125,642) Lesser 'up front' investment cost savings of \$ 125,703 for district Court and other agencies involved with prosecuting and processing drug offenders; additional savings of \$ 51,234 realized for County (Lower) courts and agencies at county court level;	

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			<p>Reduced misdemeanor arrests resulted in outcome savings of \$ 346,129 and fewer felony arrests resulted in savings of \$ 533,468, with total annual outcome cost savings of \$ 899,597.</p> <p>Average annual outcome cost savings per drug court participant was \$ 2,999; total annual investment and outcome savings was \$ 2,226,011.</p> <p>Victimization costs (lost wages, medical and mental health care, etc.) savings resulting from reduced recidivism was \$ 1,120,886 for violent crimes reduction and \$ 64,823 for property crimes reduction, or total victimization cost savings of \$ 1,174,809</p>	
62	February 2007	<i>Recidivism in Alaska's Felony Therapeutic Courts.</i> Alaska Judicial Council		<p>-The longer participants stayed in the program, the less likely they were to recidivate even if they did not graduate</p> <p>-54% of participants in the programs graduated</p> <p>- participants who were discharged or left voluntarily had same rate of recidivism as offenders charged with felonies in 1999 who didn't enter these programs</p> <p>- older participants less likely to be rearrested than younger participants (43% of graduates were 40+ ; 33% of terminated participants were 40+</p> <p>- participants in Anchorage Felony DUI Court less likely to be rearrested than those in Anchorage Felony Drug Court and Bethel Therapeutic Court</p> <p>- native participants responded as well to therapeutic court programs as Caucasian participants; Blacks and other ethnicities did not do as well as Caucasian participants</p>
63	October 2006	<i>The Staten Island Treatment Court Evaluation: Planning, Implementation, and Impacts.</i> Kelly O'Keefe and Michael Rempel. Center for Court Innovation.	SITC successful in reducing the between arrest and initial plea date. (2,1 mos. Vs 4,2 av.; 1.5 med mos. Vs. 2.7 moss for comparison group).	Drug court failures significantly more likely to be sentenced to jail or prison than comparison group (96% vs. 27%) and averaged significantly more time sentenced to jail or prison (208 days vs. 39 days). "Therefore, there is some legal risk involved in entering the drug court." Graduating means the complete avoidance of a criminal record since cases are dismissed; but failing involves a longer average sentence than what would have, on average, been imposed had the case been processed using conventional methods.
64	2007	<i>2005/2006 Tennessee Drug Court Annual</i>	n/a	<p>-Drug testing: 82,950 drug screens in FY 2006-2006; 2, 917 positive (3.5%)</p> <p>-overall retention rate of 56% for fiscal year (range between 31% and 82%)</p>

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		<i>Report. Office of Criminal Justice Programs. Dept. of Finance and Administration.</i>		-1,713 graduates and 1,289 participants terminated since inception of reporting programs; graduation rate is 57%.
65	2007	<i>Wyoming Drug Court Performance Measures Project. National Center for State Courts.</i>	n/a	<ul style="list-style-type: none"> -Drug Use Reported: Alcohol: (87.5%); marijuana (65.3%); meth (51.5%); cocaine (8.8%); hallucinogen (3.7%); prescript drug (2.7%); heroin (1%); crack (.3%) -Offenses: drug pos (43.4%); DUI (37%); prob rev (12.5%); property (9.1%); person (7.4%); drug sales (5.7%); Other (11%) -status of admissions: graduated: 48.1%; terminated 16.7%; active: 15.7%; absconded: 10.2%; withdrawn 9.3%) -retention rates: mean days in program: graduates : 402; terminated: 249 -sobriety: Percent positive drug test: 86 (2.1%) -gender: male 76%; average age: 29 years at time of admission -average days in program: 439 Caucasian; 90%) GED/HS degree: 58% Employed: 65%; Single: 4% Prior record: no more than 2 prior arrests in past year: 63%
66	April 2007	<i>Multnomah County, Oregon: The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs.</i> NPC Research	<ul style="list-style-type: none"> Investment costs in drug court were \$ 1,392 less than for ‘business as usual’ processing; savings due to reduced recidivism for drug court participants totaled more than \$ 79 million over 10 year period; - investment cost per participant was \$ 5,16 vs. \$ 6,560 for nondrug court participant -greatest cost benefit due to less use of jail days. 	<ul style="list-style-type: none"> -drug court judges who worked longer with the drug court had better participant outcomes - judges who rotated into drug court twice had better participant outcomes the second time - drug court was effective continuously except for two “rough periods” –(1) first 2 years of the program, during initial implementation period; and (2) in 1996 when drug court moved outside of the courthouse; -during “target Cities” period, comparison group (nondrug court participants) did better than in other periods -some judges showed greater reductions in recidivism than others (range was 4% to 42%) - no difference in recidivism when single court judge or multiple judges were presiding; - early drug court judges did not have as positive outcomes as judges who came later-perhaps attributed to formalization of procedures and training
67	April 2007	<i>Indiana Drug Courts: A Summary of Evaluation Findings in Five Adult</i>	All 5 programs showed cost savings due to reduced recidivism; average cost savings for 2-year follow up period to local agencies and the state ranged between \$	<ul style="list-style-type: none"> -Program participant characteristics varied from program to program except for age (31-33 years) -Wide range of drugs used

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		<i>Programs. NPC Research</i>	314 and \$ 7,040 per participant, based on fewer rearrests; fewer court cases; less probation time; less jail time and less prison time; doesn't count number of drug-free babies born; decrease in health care expenses and drug court participants' taxes resulting from employment. Overall: five courts resulted in savings of over \$ 7 million for the two years. Over time, return to tax payer for investment can be up to \$ 5.35 for every \$ 1.00 invested	-similar graduation rates (50-56%) despite differences in populations
68	Fall 2005	<i>An Evaluation of Treatment in the Maine Adult Drug Courts. Faye S. Taxman, April Pattavina and Jeffrey Bouffard.</i>		58% of participants had some negative behavior resulting in a sanction; sanctions most frequently were incarceration, increased reporting or termination; few sanctions relied on treatment or intensification of treatment, written assignments, etc.; offenders given these sanctions more likely to be expelled than those who received treatment sanctions. Participants involved with DSAT program had reductions in depression, hostility and risk-taking behavior, could identify personal progress and had good relations with staff DSAT curriculum engages many of the participants and reflects a sound treatment approach Control sanctions (e.g. increased reporting, etc., can undermine the treatment program; treatment based sanctions may reinforce the drug court Judiciary should receive education in use of treatment based sanctions and value to the treatment court; Should also use different assessment tools to determine offenders that are less engaged in treatment and less committed to conformity.
69	Spring 2008	<i>Substance Use, Drug Treatment, and Crime: An Examination of Intra-Individual Variation in a Drug Court population. Denise C. Gottfredson, Brook W. Kearley, Shawn D. Bushway.</i>	NA	<ol style="list-style-type: none"> (1) persons who had any treatment last month had 11% probability of using alcohol this month compared with 17.3% for those who didn't receive treatment. (2) substance use is related to increased levels of crime but no correlation between use of alcohol and whether subsequent crime was violent or income generating
70	January 2008	<i>Strafford County [NH] Drug Treatment Court: Performance Evaluation 2. New Hampshire Center</i>	Client load of 37 individuals costs \$ 43 per client per day for treatment, case management, court and administrative services: includes: \$ 15/day for case managers/coordinators; \$ 17/day for treatment and \$ 3/day	<ol style="list-style-type: none"> (1) median days for completion of LADC assessment decreased from 37 to 28 days [goal is 14 days]; overall time from referral to lea decreased from 57 to 53 days. So further work needed in this area (2) continued work to develop standards for termination to improve

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		<i>for Public Policy Studies.</i>	for probation supervision; clients pay \$ 2 per day	<p>consistency and fairness</p> <p>(3) continued opportunity for female-only treatment groups now held on a weekly basis</p> <p>(4) other needed improvements now identified including: (a) clarifying procedures for clients who are not actively participating in group sessions, not fully prepared for treatment, or are under the influence of alcohol or drugs while in attendance; (b) enhanced use of Motivational Enhancement Therapy</p> <p>(5) 137 offenders referred to program of which 67 admitted; reasons for nonadmission most frequently were “can’t meet requirements or comply with rules (30%) or “pursing other program” (25%).</p> <p>(6) Program is 46% [sic female and 51% male; 16% had prior mental health diagnosis and treatment</p> <p>(7) 14 (21%) of all participants admitted have graduated; 13 have moved to final phase; 16 (24% have been terminated.</p> <p>(8) Now using database (enhancement of probation database) developed for program to monitor future operations; info entered by drug court coordinators and case managers and includes demographic data, treatment data and data on court proceedings</p>
71	August 1, 2006	<i>A Process and Site-Specific Outcome Evaluation of Maine’s Adult Drug Treatment Court Programs. Andrew Ferguson et. Al. Dep’t. Of Sociology., University of Southern Maine</i>	<p>(1) Adult drug court has generated net correctional savings of \$ 11,243,726 in cost savings based on incarceration costs that would have been incurred (for 169 participants)</p> <p>(2) For every dollar spent in drug court, overall net correctional savings of \$ 3.30</p>	<p>(1) number of referrals and new admissions to the five adult drug court has declined by 27 % (referrals) and 24% (new admissions)</p> <p>(2) overall graduation rates are 60^ compared with national rate of 48%</p> <p>(3) average length of time from initial referral to admission is 85 days (same as previous year)</p> <p>(4) greater consistency in sanctioning of participants with similar infractions across sites using jail sanctions; 87% of sanctions for first positive test was 7 days or less</p> <p>(5) most drug court participants (57%(able to access an array of ancillary services</p> <p>(6) observations indicated no consistency among the five drug courts in how they interact with participants in the courtroom</p>

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				<p>(7) results of analysis on DSAT clinical pre/post treatment measures indicates many significant improvements in attitudes, coping behaviors and confidence in participants in ability to refrain from drug and alcohol use</p> <p>(8) Androscoggin Co.: older participants (over 27) three times ore likely to graduate than younger ones; first time offenders more likely to graduate and participants who receive “rewards” are nearly 10 times more likely to graduate</p> <p>(9) Penobscot Col: females with no high school education 10 times less likely to graduate</p>
72	August 2007	<i>Benefit-cost calculations for three adult drug courts in Minnesota. August 2007. Paul A. Anton. Wilder Research</i>	Estimate that the rug courts in Stearns, Dodge and St. Louis Counties generated \$ 5.08 of benefit for every dollar of cost.; total benefits were 4.8 million vs costs of 1.3 million for study period; savings based on costs of initial offense; cots of subsequent arrests; and costs of subsequent convictions (used \$ 1,522 cost per case produced by Washington State Institute of Public Policy in 2006; used \$85/day average for prison costs; incarceration costs saved for each program completer are over \$ 46,000; used Washington State Institute for Public Policy study figures of \$ 5,370 arrest costs for drug offenses and other nonviolent crimes and \$ 6,438 for violent crimes	n/a
73	September 2008	<i>California Drug Courts: Costs and Benefits: Superior Court of San Francisco County. Shannon M. Carey et al. NPC Research</i>	Average cost for drug court participant: \$ 9,757; average cost per Drug court graduate: \$ 18,295; vs average cost for traditional case process per person: \$ 16,378 (also provides breakdown in average costs per agency) and differential; net savings is \$ 6,622 per participant; also provides costs per person associated with recidivism, broken down by transaction:\$ 15,647 for graduates and 24,394 for participants vs 31,967 for comparison group; provides similar information broken down by agency	(1) average time in program was 7.2 months
74	January 31, 2004	<i>Evaluation of Maine’s Statewide Adult Drug Treatment Court Program. Interim Report. Donald Anspach, Ph.D. U. of Southern Maine</i>	N/A (but see Nos. 68 and 71 for follow up studies)	<p>1.Statewide graduation rate (50%)</p> <p>2. 20% increase in new admissions over past year</p> <p>3. participants who are tested more frequently more likely to graduate</p> <p>Participants who receive jail sanction 7 times LESS likely to graduate</p> <p>Length of time between referral and final admission increased form 71 days in 2002 to 78 days in 2003</p>

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75	March 2009	<i>Strafford County (New Hampshire): Drug Treatment Court: Final Performance Evaluation. New Hamp Center for Public Policy Studies</i>	N/A	<p>-32 (54%) of participants admitted in first two years graduated from the program;</p> <p>-27 (46%) of participants admitted in first two years terminated and sentenced to incarceration (9 committed new offense while in program- shows most participants don't recidivate while in program</p> <p>-program enhancements of age-specific treatment groups; allowing clients tardy for treatment to participate, and access to transitional housing were important</p> <p>- continuing challenges: (1) length of time offenders wait to enter program (goal is 14 days for initial assessment: referral to plea is actually 2 months – further delays resulting from reduced availability of judge; (2) mental health needs of participants; data problems resulting from small number of participants; (3) smaller number of participants than planned (anticipated 60 clients; as of October 31, 2008 have 33 active participants plus 11 on second year of probation supervision; since January 2006: 221 offenders referred and 102 (46%) admitted. (34% for not being able to comply with rules or requirements)</p>
76	January 2009	<i>Vermont Drug Courts: Rutland County Adult Drug Court Cost Evaluation. Final Report. NPC Research</i>	<p>Program investment cost was \$ 19,405 per drug court participant; cost due to recidivism (rearrests, new court cases, probation, incarceration and victimizations) over 3 years was \$ 48,277 per drug court participant vs. \$ 64,251 per comparison group member, with savings of \$ 15,977 per participant.</p> <p>Total criminal justice system cost per participant during the program is \$ 5,809 less than traditional court processing (\$ 9,749 if victimizations are included)</p> <p>If the program continues to enroll a cohort of 26 new participants annually, savings per participants over 3 years will be \$ 138,441 per cohort; after 5 years, the accumulated savings will be over \$ 2,000,000.</p> <p>Summary: \$ criminal justice system cost savings of \$ 15,977'</p> <p>Criminal justice system costs 59% less during program</p>	<p>As of May 2008, 111 people entered program; 21-25 active participants at any one time; 32 graduated; 59 withdrew or were terminated, and 20 still active</p> <p>Average age of participants was 27 Years, 55% female</p> <p>95% white;</p> <p>Most common drug of choice was heroin (50%), followed by prescription drugs (23%) which reportedly increased significantly in prior year, and cocaine (11%), as well as alcohol.</p>

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			<p>participation compared with costs for nondrug court participants</p> <p>Projected 150% return on investment after 5 years;</p> <p>Projected 300% return on investment after 10 years.</p>	
77	April 2008	<p><i>To Treat or Not to Treat: Evidence on the Prospects of Expanding Treatment to Drug-Involved Offenders.</i></p> <p>Urban Institute. [Avinash Singh Bhati, John K. Roman,</p>	<p>(1) Under current policy regime (which for the most part limits access to treatment for the population we are studying to drug courts) there are about 55,000 individuals treated annually, about 32,000 are at risk of dependence, and 23,500 are at risk of drug abuse. (2) estimate that about \$ 515 million dollars is spent annually to treat those drug court clients and that this yields a reduction in offending which creates more than \$ 1 billion dollars in annual savings.</p> <p>(3) estimate that the current adult drug court treatment regime produces about \$ 2.21 in benefit for every \$ 1 in costs, for a net benefit to society of about \$ 624 million.</p> <p>(4) benefit-cost ratio is higher for those at risk of abuse (2.71) as compared to those at risk of dependence (1.84), even though the abuse group is less prevalent in the drug court population.</p> <p>(5) estimate that there are about twice as many arrestees eligible for drug court (109,922) than there are available drug court treatment slots (55,365). We simulate the effects of treating all of these currently eligible in the four treatment modalities studied by DATOS [Drug Abuse Treatment Outcome Study] and find that the costs of treating these additional clients about doubles, to slightly more than \$ 1 billion. We find that the expansion of drug treatment to this larger population remains cost-effective, although the benefit-cost ratio is fractionally reduced to 2.14 from 2.21. In total, this expansion of treatment yields a benefit to society of more than \$ 1.17 billion dollars....</p> <p>[Re potential value of expanding drug treatment courts]</p> <p>(7) estimate that expanding treatment access to those</p>	<p>(1) for those at risk of drug dependence, longterm residential reduces recidivism by 34%, short term inpatient by 19%, outpatient methadone by 20%, and outpatient drug free by 30%.</p> <p>(2) For those at risk of drug abuse, recidivism reductions are large (27%); outpatient drug free is the most effective modality, reducing recidivism by 33%; long term inpatient reduces recidivism by 27%, short term inpatient by 20% and outpatient methadone by 16.%</p> <p>(3) Small or no reductions in crime observed for the most serious crimes. .</p>

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			<p>with a pending case is cost beneficial, with about \$ 1.65 billion in total benefits. In particular, allowing those with a pending case who are at risk of drug dependence is especially beneficial, with a benefit to cost ratio of 4.13:1.</p> <p>(8) allowing participants with past violence into court supervised treatment is as cost-0beneficial as current practice, with a benefit to cost ratio of 2.15.</p> <p>(9) While the addition of those at risk of abuse with prior violence is cost beneficial (3.14:1), adding those at risk of drug dependence with prior violence is much less cost beneficial (1.38:1).</p> <p>(10) Expanding the program to include those with a history of failed treatment is also cost-beneficial (2.09:1), especially for those at risk of drug abuse (2.29:1)</p> <p>(11) Allowing those with co-occurring alcohol problems into court supervised treatment is cost –beneficial for the entire group treated (1.783:1). For those at risk of dependence, the results are better, with the newly added group estimated to have a benefit to cost ratio of 1.43:1. However, adding those with co-occurring alcohol problems who are at risk of drug dependence is not cost-effective (.70:1).</p> <p>(12) Treating all at risk arrestees would cost more than \$ 13.7 billion and return benefits of about \$ 46 billion. We find that this approach would be cost-effective, with a benefit of \$ 3.36 for every dollar in cost.....”</p>	
78	March 2008	<i>Carey, S. M., Fuller, B. E., & Kissick, K. (Oct. 2007). Michigan DUI Courts Outcome Evaluation: Final Report. NPC Research:</i>	Time enrolled in the program was higher for DUI court participants compared to time spent on probation in the comparison group also in two out of the three programs. Longer time spent in the program predicts success both in completing the program and in reducing recidivism. Overall, these results demonstrate that the DUI court is effective in reducing recidivism and reducing drug and	DUI court participants were re-arrested significantly less often than comparison group offenders who were sentenced to traditional probation. In the example from one DUI court site shown in Figure A, the comparison offenders on traditional probation were re-arrested nearly six times more often in the first year after starting probation for the DUI charge than the DUI court

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		<i>Portland, OR.</i>	alcohol use while using less criminal justice system resources to accomplish these goals.	<p>participants and were re-arrested four times more often in the second year (2) Percent of positive drug tests were measured in three month intervals for DUI court participants. The example in Figure C shows that participants in the DUI Court significantly decreased the percent of positive drug tests over time ($F = 5.340$; $p = .001$). This provides support that the DUI Court was instrumental in reducing the amount of illegal drug use during the first year participants spend in the program</p> <p>In all three DUI courts showed that the rates for DUI court graduation and retention ranged from 54% to 84%. The program retention and completion rates are comparable or higher than the rates for programs following the drug court model in the nation. For example, a study of nine drug courts in California showed an average retention rate of 56% (Carey et al., 2005).¹</p> <p>Data for all of the participants in the DUI Court program were examined to determine what characteristics predicted recidivism. Results showed that those with fewer dependents, lower numbers of previous misdemeanors and felonies, fewer days in treatment, higher number of jail days prior to program start, a higher number of sanctions and being male were more likely to be re-arrested</p>
79	April 2008	<i>Harford County, Maryland Adult District Drug Court Process Evaluation. A report to the Maryland Judiciary, Office of Problem-Solving Courts Crumpton, D., Mackin, J. R., Weller, J. M., Linhares, R., Carey, S. M., & Finigan, M. W. (July 2007).</i>	The total criminal justice system cost savings per participant after 2 years was \$2,767 per drug court participant, regardless of whether or not they graduated. When this figure is multiplied by the 4001 participants who have entered the drug court since its inception, it results in a total savings of \$1,106,800 . If savings continue for each participant at the same rate (which has been shown to occur in other studies, e.g., Finigan, Carey, & Cox, 2007), after 10 years, the savings for these 400 participants will total over \$5.5 million (\$5,534,000)	HCADC participants had consistently fewer drug-related re-arrests following entrance into drug court. HCADC program participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate

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80	March 2008	<p>Carey, S. M., Finigan, M. W., & Pukstas, K. (March 2008). <i>Exploring the Key Components of Drug Courts: A Comparative Study of 18 Adult Drug Courts on Practices, Outcomes and Costs.</i> NPC Research: Portland, OR</p>	<p>The drug court has a single treatment provider (that can make referrals to other treatment as needed). The treatment representative is expected to attend all drug court sessions. Factors that reduce costs The prosecution is expected to attend all drug court team meetings (participant progress meetings). The prosecution is expected to attend all drug court sessions. The defense attorney is expected to attend drug court team meetings (participant progress meetings). The drug court allows non-drug charges. The drug court expects 20 days or less to pass from a participant's arrest to drug court entry. The drug court maintains a caseload of less than 150 clients. The drug court program is expected to take one year or more for participants to complete. Drug court has guidelines on the frequency of group treatment sessions that a participant must receive. Drug court has guidelines on the frequency of individual treatment sessions that a participant must receive. In the first phase of drug court, tests are collected at least 2 times per week. Drug court staff generally has drug test results within 48 hours. The drug court requires participants to have greater than 90 days "clean" before graduation. The drug court decreases the frequency of future treatment sessions as a reward. Only the judge can provide clients with tangible rewards. The judge is assigned to drug court for a term greater than 2 years (or indefinitely). In the first phase of drug court, participants appear before the judge in court once every 2 weeks or less. In the final phase of drug court, the clients appear before the judge in court at least once per month.</p>	<p>Our analysis revealed that despite the availability of benchmarks through the National Association of Drug Court Professionals, drug courts still have a lot of discretion in how they implement the 10 Key Components. Under each of the 10 components, there were both similarities and differences in how drug courts were operated. Differences across drug courts are expected and should not be misinterpreted as negative findings</p>

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			<p>The drug court maintains data critical to monitoring and evaluation in an electronic database (rather than paper files).</p> <p>The drug court collects program statistics and uses them to modify drug court operations.</p> <p>The drug court uses the results of program evaluations to modify drug court operations.</p> <p>The drug court has participated in more than one evaluation conducted by an independent evaluator.</p> <p>Team members received training in preparation for the implementation of the drug court.</p> <p>All new hires to the drug court complete a formal training or orientation.</p> <p>All members of the drug court team are provided with training.</p> <p>The drug court team includes a representative from law enforcement (not including probation)</p>	
81	April 2007	<p><i>Finigan, M. W., Carey, S. M., & Cox, A. A. (2007). The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs: Final Report. NPC Research: Portland, OR.</i></p>	<p>The data from over 10 years of operation show that the Multnomah County Drug Court actually costs less to operate than the cost of “business as usual.” The investment cost per participant for the STOP Program was \$5,168 while the cost per offender for “business as usual” was \$6,560, a difference of \$1,392. These data suggest that the finding in 2003 was not simply relevant to the specific time period. Overall, this means that, independent of avoided system costs accruing from positive outcomes, the Drug Court’s operation itself saved the taxpayer more than \$9 million over the 10-year period. Sources of this investment cost savings include treatment and probation services.</p>	<p>(1)While all judges showed reductions in re-arrests, some judges showed greater reductions than Others. The reductions in re-arrests ranged from 4% to a substantial 42%, demonstrating clear Differences. This suggests that drug court results may vary depending on the judge involved</p> <p>Figure 1 Overall, for the entire population of eligible offenders, the Drug Court significantly reduced the incidence and frequency of criminal recidivism for participants compared to offenders who did not participate. Including all offenders who were eligible for the Drug Court during the total 10-year period, over 5 years from the Drug Court petition hearing, the incidence of re-arrest was reduced by nearly 30%.</p> <p>Figure 1 number of external changes from 1991 to 2001 that might have had an influence on court operations and outcomes were identified. These external changes were categorized</p>

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				as follows: criminal justice system changes, changes in the Multnomah County substance abuse treatment system, and changes in the Oregon managed care system. With one exception, these changes appeared to have no statistically significant impact on subsequent recidivism for this population (drug court and comparison group).
82	March 2007	Carey, S. M., & Waller, M. (March 2007). Guam Adult Drug Court Outcome Evaluation: Final Report. NPC Research: Portland, OR.	N/A	n/a
83	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Monroe County Drug Treatment Court Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for MCDTC drug court participants. The average cost for the MCDTC Program was \$20,067 per participant. This amount is on the highest end of the costs found nationally in other drug courts (\$4,000 to \$20,000) studied by NPC Research (Carey & Finigan, 2004; Carey et al., 2005) and is mainly due to a large amount of resources invested in drug court case management. However, the outcome cost savings indicate that participation in drug court offers a cost-benefit to the Indiana taxpayer due to a low number of subsequent re-arrests and associated incarceration and victimizations.	MCDTC participants consistently showed less drug use as measured by percent positive urine drug screens over 12 months. Figure B illustrates the percent of positive drug tests over time for the drug court group, which includes graduates, terminated participants, and active participants. This figure shows a smaller percentage of positive drug tests for MCDTC participants following program entry. Further, the percent of positive drug tests is extremely small (3% or less) during the course of the program. The areas in which the MCDTC may wish to implement changes to enhance their services are as follows: <ul style="list-style-type: none"> • MCDTC may wish to consider offering more flexibility in the program by adding an additional testing schedule to better accommodate work schedules and school start times. • The drug court team should consider the optimal program dosage and intensity required to maximize accountability and oversight, while promoting successful participation. • Although the MCDTC has developed partnerships with community agencies, they may wish to increase or strengthen these partnerships in order to better meet the needs of participants.

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				<ul style="list-style-type: none"> • The drug court should consider consistently having an independent judge sentence terminated MCDTC participants. • The MCDTC team may want to discuss possible ways to decrease the time interval between participant identification and entry into the drug treatment court. • The hiring of a part-time Spanish interpreter may help the MCDTC reach more of its target population.
84	November 2006	<i>Carey, S. M., Finigan, M. W., Crumpton, D., & Waller, M. S. (2006). California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II in a Statewide Study. Journal of Psychoactive Drugs, 38 (4), 345-356.</i>	Results in the nine sites showed that the majority of agencies save money in processing an offender through drug court. Overall, for these nine study sites, participation in drug court saved the state over \$9 million in criminal justice and treatment costs due to lower recidivism in drug court participants.	Overall, the results of this study demonstrate that drug courts are an effective approach to treating nonviolent drug addicted offenders. The offenders who participated in drug court programs, regardless of whether they completed the programs, had lower recidivism and produced more outcome savings over four years than similar offenders who did not participate. The net benefit, including investment and outcome costs, for the nine drug court programs in this study was over nine million dollars.
85	September 2006	<i>Marchand, G., Waller, M. S., & Carey, S. M. (Oct. 2006). Barry County Adult Drug Court Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Barry County Drug Court participants showed a cost savings of over \$3,000 per participant over a 2-year period. When this per participant savings is multiplied by the 1081 offenders who have participated in the Drug Court Program since implementation (in May 2001), the total Program cost savings (for outcomes over a 24-month period) is \$353,160 .	BCADC participants consistently showed less drug use than the comparison group. Figure 1 illustrates the percent of positive drug tests over time for the Drug Court and comparison Groups. The participant group includes graduates, terminated participants, and active participants. This figure shows a consistently smaller percentage of positive drug tests for BCADC participants following program entry. In fact, for some time periods there are no positive drug tests for BCADC participants at all while positive drug tests for comparison group members remain much higher.
86	February 2006	<i>Pukstas, K., Weller, J. M., Brekhus, J., Crumpton, D., Carey, S. M., Mackin, J. R., & Finigan, M. W. (Feb. 2006). Maryland Drug</i>	Cost analysis of juvenile drug courts and youth centers clearly illustrates the cost savings of working with this population in the community whenever possible. Juvenile drug courts offer specialized intensive services that can result in huge payoffs in terms of future quality of life for participants, their families, and their communities	Preliminary pre-post analysis of juvenile drug court participants in Maryland illustrate substantial reductions in new adjudicated charges, as well as significant reductions in the proportion of youth categorized as chronic offenders (i.e., those youth creating the most serious system and community impacts in terms of cost and public safety).

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		<i>Treatment Courts: Interim Report of the Effectiveness of Juvenile Drug Courts. NPC Research: Portland, OR.</i>		
87	July 2005	Carey, S. M., & Marchand, G. (Jan. 2005). <i>Malheur County Adult Drug Court (S.A.F.E. Court) Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	In general, the S.A.F.E. Court is successfully keeping program costs down while decreasing overall recidivism for its participants. Re-arrests and their associated costs are lower for the majority of participants. Although jail costs increase for many men after S.A.F.E. Court entry, male graduates and all females show a decrease in this taxpayer cost as well. Subsequent evaluation on a larger sample when the S.A.F.E. Court becomes a more mature program is needed to determine the validity of these results	Figure 3 shows that there was a significant reduction in drug-related re-arrests from the pre- S.A.F.E. Court period to 24 months following program entry. Generally, although males were rearrested for drug-related crimes more often than females, both genders had fewer drug-related rearrests after entering the S.A.F.E. Court Program. Females demonstrated the most drastic and significant reduction in drug-related re-arrests. Taken together, these results indicate that participation in the S.A.F.E Court Program achieves the goal of reducing substance use as can be inferred by a reduction in drug-related recidivism
88	July 2003	Carey, S. M. & Finigan, M. W. (July 2003). <i>A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research: Portland, OR.</i>	Does it cost more for drug court than for “business as usual”? A: No. The total investment cost by the agencies involved in drug court2 averaged \$5,927.80 per participant compared to \$7,369.32 for “business as usual.” The “business-as-usual” offenders cost \$1,441.52 more than the drug court participants. Thus, the drug court approach actually saved the taxpayer money in investment costs. This was in a large part due to the use of jail and probation time for “business as-usual” processing, and is also due to significant use of treatment and court resources.	Law enforcement/corrections and the public defender’s office received an immediate savings from the drug court approach. All agencies saved money in outcomes. Data on the utility of a number of less intensive means of gathering costs data showed that in many cases a medium intensity method, generally involving the use of client level administrative data, brought reasonable results
89	February 2004	Carey, S. M. (Feb. 2004). <i>Clackamas County Juvenile Drug Court Outcome Evaluation: Final Report. NPC Research:</i>	N/A	This information, combined with the fact that the number of positive Uas was not correlated with program status (graduation vs. termination), implies that the program response to drug use is successful in guiding participants to reduce use so that they are able to graduate. That is, it is not necessary for participants to have already reduced use at the start of the program in order to graduate.

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		<i>Portland, OR.</i>		The overall trend in outcomes for the CCJDC is consistently positive. The CCJDC program appears to be impacting its youth and families in the intended manner. Further outcome evaluation as the program continues to grow (e.g., through the enhancement grant received from BJA) will allow for a larger sample size and the ability to verify the positive preliminary results achieved in the current evaluation
90	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., & Linhares, R. (April 2007). Indiana Drug Courts: Vanderburgh County Day Reporting Drug Court Evaluation: Final Report. NPC Research: Portland, OR.</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Over a 2-year period, the VCDRDC cost outcomes were \$6,656 per participant compared to \$8,044 per offender that did not participate in Drug Court. When this per participant savings is multiplied by the 203 offenders who have participated in the Drug Court Program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) is \$281,764.	Using the 10 Key Components of Drug Courts (NADCP, 1997) as a framework, NPC examined the practices of the VCDRDC program. The VCDRDC fully satisfies many of the 10 Key Components through its current policies and structure. We found that VCDRDC: <ul style="list-style-type: none"> • Integrates alcohol and other drug treatment services effectively with justice system case processing, • Does an excellent job of using a non-adversarial approach between prosecution and defense counsel, • Provides a very good continuum of treatment services, • Uses frequent alcohol/drug testing to monitor abstinence, • Has a consistent reward and sanction structure for responding to participant compliance, • Graduates participants within VCDRDC's recommended timeframe, • Has had a continuously sitting judge since program implementation, and • Excels at developing partnerships with public and private community agencies and organizations.
91	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Vigo County Drug Court Process,</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Over a 2-year period, the VCDC cost outcomes were \$3,684 per participant compared to \$7,935 per offender that did not participate in drug court.	Using the <i>10 Key Components of Drug Courts</i> (NADCP, 1997) as a framework, NPC examined the practices of the VCDC program. The VCDC satisfies some of the 10 Key Components through its current policies and structures. We found that VCDC: <ul style="list-style-type: none"> • Uses frequent alcohol/drug testing to monitor abstinence, • Has a consistent reward and sanction structure for responding to participant compliance,

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		<i>Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	When this per participant savings of \$4,251 is multiplied by the 697 offenders who have participated in the drug court program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) is nearly \$3 million.	<ul style="list-style-type: none"> • Graduates participants within VCDC's recommended time-frame, • Has had a continuously sitting judge since program implementation, and • Excels at developing partnerships with public and private community agencies and organizations.
92	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: St. Joseph County Drug Court Program Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	<p>Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants.</p> <p>Over a 2-year period, the SJCDP cost outcomes were \$3,838 per participant compared to \$7,971 per offender that did not participate in drug court, resulting in a savings of \$4,133 per drug court participant. When the 2-year per participant savings is multiplied by the 465 offenders who have participated in the drug court program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) comes to nearly \$2 million</p>	<p>Using the <i>10 Key Components of Drug Courts</i> (NADCP, 1997) as a framework, NPC examined the practices of the SJCDC program. The SJCDC satisfies many of the 10 Key Components through its current policies and structure. We found that SJCDC:</p> <ul style="list-style-type: none"> • Integrates alcohol and other drug treatment services effectively with justice system case processing, • Does an excellent job of using a non-adversarial approach between prosecution and defense counsel, • Provides a very good continuum of treatment services, • Uses frequent alcohol/drug testing to monitor abstinence, • Has had a continuously sitting Judge since program implementation, • Graduates participants within a recommended time frame, and • The SJCDC program completion and retention rates are high compared to other drug court programs in the U.S. <p>SJCDC participants consistently showed less drug use than the comparison group as measured by percent positive urine drug screens over 12 months. Figure B illustrates the percent of positive drug tests over time for the drug court and comparison group. The participant group includes graduates, terminated participants, and active participants. This figure shows a consistently smaller percentage of positive drug tests for SJCDC participants relative to the comparison group. An important trend over time is the decreasing positive urine screens for the drug court participants. Although the comparison group</p>

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				participants showed a trend of decreasing positive drug tests as well, their overall percentage of positive tests was significantly higher.
93	November 2009	Analysis of the Sisseton-Wahpeton Oyate Tribal Drug Court	Average Sentence for treatment court participants is 5.2 years. Savings are described as obvious no actual hard number	Added benefits of keeping families together Allows participants to keep working and add to the tribal economy.

CICAD Survey Instrument



This publication is being drafted by the Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security of the Organization of American States (OAS); the Justice Programs Office, School of Public Affairs, American University; the Institute for International Research on Criminal Policy (IRCP), Universiteit Gent; the Ministerio Público of Chile (General Prosecutor's Office); and the International Association of Drug Treatment Courts (IADTC). It is being developed in the framework of *the EU-LAC Drug Treatment City Partnerships*, an initiative coordinated by CICAD/OAS and funded by the European Commission. The content of this publication does not necessarily reflect the position of the EU or the OAS.

Establishing Drug Treatment Courts: Strategies, Experiences and Preliminary Outcomes

DTC Program Survey

PART ONE: DTC BACKGROUND INFORMATION

A. Name and contact information for Individual(s) completing this survey form:

Name:

Title

Agency

Address:

Telephone:

Fax:

email:

B. Location(s) of Drug Treatment Court Program:

City:

Country:

C. Drug Court Judge(s):

Name

Court

Address:

Telephone:

Fax:

email:

D. Date DTC Program Began

E. Total Number of Participants:

1. Please provide the most current statistics on your DTC:

- a. total number who have ever enrolled in the DTC program
- b. total number who have successfully completed the program
- c. total number who were terminated unsuccessfully
- d. total number who are currently enrolled

2. Are the number of participants reported above consistent with your expectations regarding program participation when the program was planned? If not, please explain

G. Background Leading Up to Development of the DTC; Goals/Mission of the

Program:

- 1. What was the situation leading to the development of the DTC?
- 2. Were specific goals developed for the program to achieve? If so, what were they?
- 3. To what degree to you feel these goals have been achieved?

PART TWO: DTC PROGRAM DESCRIPTION

A. Summary Program Description:

1. Please briefly describe your DTC and how it differs from the traditional method of dealing with drug involved offenders.
2. Please indicate on the chart below the staff assigned to the DTC:

Position	Number	Full-time	Part-Time
Judge			
Prosecutor			
Defense Attorney			
Substance Abuse Counselor			
Mental Health Counselor			
Social Worker			
Probation Officer			
Nurse			
Psychiatrist			
Other (please describe)			

B. Target Populations; Eligibility Determination

1. What offenders (e.g, "target population") was the DTC established to serve?
2. Have there been any changes in the target population served by the DTC since the DTC began?
If so, please describe the changes and why they were made.
3. DTC Eligibility
 - a. Please summarize the eligibility requirements to participate in your DTC
 - (1) Criminal justice characteristics (i.e. nature of offense, prior criminal history, etc.)
 - (2) Substance Use/Treatment needs (i.e. nature/extent, etc.)
 - (3) Other

b. Have there been any changes in the eligibility requirements since the DTC began? If so, please describe the changes and why they were made.

4. Referral process and stage in the criminal justice process at which DTC eligibility is determined

(1) At what stage of the criminal justice process is DTC eligibility determined?

(2) How are potential DTC participants identified?

(3) On average, how many days after arrest is DTC eligibility determined?

C. Operational Components

1. What incentives, if any, are offered to offenders to become DTC participants?

2. What role does the DTC judge play in your DTC?

(e.g., Does the drug court judge hold periodic hearings to review the progress of TC participants? If so, how frequently? What role, if any, does the drug court judge play in coordinating the services provided to DTC participants?

3. Monitoring and Responding to Compliance/Noncompliance with DTC requirements

a. What method(s) are used to monitor DTC participants' compliance with DTC program requirements?

b. What information do you feel is most useful in assessing compliance with DTC requirements?

c. What responses/sanctions are given to noncompliance with DTC requirements?

d. Are incentives or other positive reinforcement provided for participants who comply with DTC requirements? If so, please describe.

4. Length of the DTC program

a. How long is the required period of participation for your DTC?

b. Do you feel this period is too short? Too long?

D. Treatment Services

1. Please indicate whether the following services are available to the majority of DTC participants:

Detox

Outpatient

Residential

Acupuncture

Pharmacological interventions (e.g., methadone, suboxone, etc.)

Other (please explain)

2. Please describe generally the nature and extent of drug addiction among participants in your DTC (i.e., types of drugs used, length of drug use, associated physical and/or mental health conditions, etc.)
3. What types of agencies/organizations provide the treatment services for your DTC program participants? (e.g, NGO's, public health department, local hospital, etc.)
4. Since the inception of the DTC, have any changes been made in the nature and/or frequency of treatment services provided to DTC participants? If so, please describe the changes and the reason(s) they were made.

E. Other Program Services

1. Does your DTC provide other services to DTC participants (e.g., housing, dental/medical, employment, etc.)? If so, please summarize the services provided and the types of agenc(ies) that provide them.
2. Are there any additional services you would like to see provided to improve operations? If so, please describe them
3. Are any services provided to participants once they leave the DTC program? If so, please describe them. Are these services voluntary?

F. Legal Process

1. What changes, if any, have been made to the traditional criminal justice process in order to implement the DTC?
2. What is the legal outcome for cases of DTC participants if they:
 - (a) successfully complete the program?
 - (b) do not successfully complete the program?
3. Was special legislation needed to implement the DTC? If yes, what issues did the legislation address? Please provide a copy of the legislation.

G. Building and Maintaining Inter- and Intra-Agency Consensus and Support

1. What strategies were used to develop buy-in and support for the DTC program
 - From the judiciary?
 - From other criminal justice officials?
 - From attorneys?
 - From public health officials?
 - From community leaders?

- From others whose support was needed?
- 2. What obstacles, if any, were encountered in building support for the DTC? How were these addressed?
- 3. What strategies are used to maintain interagency support for the DTC now that it has been implemented?

H. Planning and Testing Feasibility of the DTC

- 1. Was a pilot project used to test the viability of the DTC? If yes, how was its success determined?
- 2. How much time was devoted to planning the DTC, including any pilot testing conducted?

I. Training

- 1. Has any interdisciplinary training been provided for staff involved in the DTC to enhance understanding of the program? If so, please describe the nature of training provided.
- 2. What training/continuing education do you feel is needed to sustain the DTC, particularly as personnel change?

J. Program Costs

- 1. What additional resources/costs, if any, have been required to plan, implement and operate the DTC program and provide DTC services?
- 2. What source(s) have been used to provide these resources/funds?

K. Criteria for Effectiveness

- 1. What criteria are used to measure the effectiveness of the DTC program?
- 2. Are recidivism rates among participants in the DTC noticeably different than those among offenders processed by traditional criminal justice procedures? If so, please describe.
- 3. Are the costs for sending an offender through the DTC noticeably different than those entailed with the traditional criminal justice process? If so, please describe.
- 4. Have any evaluation reports on the DTC been published? If so, please attach a copy. If they are not available, please briefly summarize the results reported.

L. Broader Impact of the DTC

1. What benefit(s), if any, do you feel the DTC provides to the community?
2. Has your city or municipality been involved with the planning and/ or implementation of the DTC? If so, please describe the involvement.

M. Unanticipated Issues That Have Developed

1. Have any unanticipated issues developed since implementing the DTC? If so, please briefly describe them and indicate how they were addressed.

Other Comments:

Please return completed survey by February 15, 2010 to:

Justice Programs Office, School of Public Affairs
American University
Email: justice@american.edu

Attention: Caroline Cooper

With an electronic copy to: Antonio Lomba at: Alomba@oas.org

Thank you for completing this survey. We will recognize each contributor's response in the publication as well as send you a draft compilation of all of the responses shortly.

THE ORGANIZATION OF AMERICAN STATES

The Organization of American States (OAS) is the world's oldest regional organization, dating back to the First International Conference of American States, held in Washington, D.C., from October 1889 to April 1890. At that meeting the establishment of the International Union of American Republics was approved. The Charter of the OAS was signed in Bogotá in 1948 and entered into force in December 1951. The Charter was subsequently amended by the Protocol of Buenos Aires, signed in 1967, which entered into force in February 1970; by the Protocol of Cartagena de Indias, signed in 1985, which entered into force in November 1988; by the Protocol of Managua, signed in 1993, which entered into force on January 29, 1996; and by the Protocol of Washington, signed in 1992, which entered into force on September 25, 1997. The OAS currently has 35 member states. In addition, the Organization has granted permanent observer status to 63 states, as well as to the European Union.

The essential purposes of the OAS are: to strengthen peace and security in the Hemisphere; to promote and consolidate representative democracy, with due respect for the principle of nonintervention; to prevent possible causes of difficulties and to ensure peaceful settlement of disputes that may arise among the member states; to provide for common action on the part of those states in the event of aggression; to seek the solution of political, juridical, and economic problems that may arise among them; to promote, by cooperative action, their economic, social, and cultural development; and to achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the member states.

The Organization of American States accomplishes its purposes by means of: the General Assembly; the Meeting of Consultation of Ministers of Foreign Affairs; the Councils (the Permanent Council and the Inter-American Council for Integral Development); the Inter-American Juridical Committee; the Inter-American Commission on Human Rights; the General Secretariat; the specialized conferences; the specialized organizations; and other entities established by the General Assembly.

The General Assembly holds a regular session once a year. Under special circumstances it meets in special session. The Meeting of Consultation is convened to consider urgent matters of common interest and to serve as Organ of Consultation under the Inter American Treaty of Reciprocal Assistance (Rio Treaty), the main instrument for joint action in the event of aggression. The Permanent Council takes cognizance of such matters as are entrusted to it by the General Assembly or the Meeting of Consultation and implements the decisions of both organs when their implementation has not been assigned to any other body; it monitors the maintenance of friendly relations among the member states and the observance of the standards governing General Secretariat operations; and it also acts provisionally as Organ of Consultation under the Rio Treaty. The General Secretariat is the central and permanent organ of the OAS. The headquarters of both the Permanent Council and the General Secretariat are in Washington, D.C.

MEMBER STATES: Antigua and Barbuda, Argentina, The Bahamas (Commonwealth of), Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica (Commonwealth of), Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, United States, Uruguay, and Venezuela.



Organization of
American States

Inter-American Drug Abuse Control Commission (CICAD)
Secretariat for Multidimensional Security (SMS)





Organization of
American States

***Establishing Drug Treatment Courts: Strategies, Experiences and
Preliminary Outcomes***

**APPENDIX OF ADDITIONAL SUPPORTING MATERIALS
Volume Two (2010)**

Justice Programs Office, School of Public Affairs, American University

Caroline S. Cooper

Brent Franklin

Tiffany Mease

Prepared for Drugs Summit: European, Latin American and Caribbean Mayors and Cities

April 21 -23, 2010 Lugo, Spain

Inter-American Drug Abuse Control Commission (CICAD)

Secretariat for Multidimensional Security (SMS)



*Establishing Drug Treatment Courts: Strategies, Experiences and
Preliminary Outcomes*

VOLUME TWO:

Appendix of Additional Supporting Materials

April 2010

Justice Programs Office, School of Public Affairs, American University

Caroline S. Cooper

Brent Franklin

Tiffany Mease

Prepared for the

Drugs Summit: European, Latin American and Caribbean Mayors and Cities

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This publication was drafted by the Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security of the Organization of American States (OAS); the Justice Programs Office, School of Public Affairs, American University; the Institute for International Research on Criminal Policy (IRCP), Universiteit Gent; the Ministerio Público of Chile (General Prosecutor's Office); and the International Association of Drug Treatment Courts (IADTC). It was developed in the framework of *the EU-LAC Drug Treatment City Partnerships*, an initiative coordinated by CICAD/SMS/OAS and funded by the European Commission. The content of this publication does not necessarily reflect the position of the EU or the OAS.

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Editorial Committee

From the Justice Programs Office, School of Public Affairs, American University: Caroline S. Cooper. Brent Franklin, and Tiffany Mease; from Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security of the Organization of American States (OAS): Anna McG. Chisman, and Antonio Lomba

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Volume Two: Appendix of Additional Supporting Materials

The materials included in this Volume are organized as follows:

- (1) Legislation and/or regulations enacted to implement the Drug Treatment Court program;
- (2) Program descriptive information provided by the respondents to the CICAD survey; and
- (3) Evaluative information provided by the respondents to the CICAD survey

In view of the growing body of documentation and diversity of materials being developed on global Drug Treatment Courts, reference should be made on an ongoing basis to the various websites on which these materials are posted. A few of them are listed below:

The International Association of Drug Treatment Courts (IADTC):
<http://iadtc.carousel30.com/iadtc-home/>

Drug Court Clearinghouse (American University Justice Programs Office) (includes information on American and international drug courts):
<http://www1.spa.american.edu/justice/project.php?ID=1>

Inter-American Drug Abuse Control Commission (CICAD) Secretariat for Multidimensional Security of the Organization of American States (OAS):
<http://www.cicad.oas.org/>

EU-LAC Drug Treatment City Partnerships:
<http://www.eulacdrugs.org/eulac/>

United Nations Office on Drugs and Crime—Drug courts page (includes many links to national and international drug courts):
<http://www.unodc.org/unodc/en/legal-tools/Drug-Treatment-Courts.html>

Country links:

Australia (New South Wales):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (Queensland):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (South Australia):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (Victoria):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (Western Australia):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Bermuda drug treatment court:

http://www.gov.bm/portal/server.pt?open=512&objID=270&&PageID=1271&mode=2&in_hi_userid=2&cached=true

Canadian Department of Justice drug court program:

<http://www.justice.gc.ca/eng/pi/pb-dgp/prog/dtc-ttt/index.html>

Dublin (Ireland) drug treatment court office (includes contact information and links to other documents):

<http://www.courts.ie/offices.nsf/fd1b5d60ef39f31380256e43003d0107/cfaf3511b9b9639e80256e45005861cf?OpenDocument>

Judges who are interested in developing DTC programs may also find useful the “Solution-Focused Judging Bench Book” by Michael S. King, published by the Australasian Institute of Judicial Administration, Inc. (2009) and available at:

<http://www.aija.org.au/Solution%20Focused%20BB/SFJ%20BB.pdf>

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A. Legislation and Regulations Enacted in Support of Drug Treatment

Courts

Australia:

New South Wales: Drug Court Act 1998 No. 150

Queensland: Drug Court Act 2000

Bermuda

Drug Treatment Programmes: Criminal Code Act 1907. Title 8, Item 31

Jamaica

The Drug Court (Treatment and Rehabilitation of Offenders) Act, 1999

The Drug Court (Treatment and Rehabilitation of Offenders) Regulations, 2000

The Drug Court Act, 1999

Norway

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AUSTRALIA:



New South Wales

Drug Court Act 1998 No 150

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New South Wales

Drug Court Act 1998 No 150

Act No 150, 1998

An Act to provide for the establishment of the Drug Court of New South Wales, for the referral of drug offenders to the Drug Court, and for the supervision of drug programs by the Drug Court; and for other purposes.
[Assented to 8 December 1998]

The Legislature of New South Wales enacts:

Part 1 Preliminary

1 Name of Act

This Act is the *Drug Court Act 1998*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Objects

- (1) The object of this Act is to reduce the level of criminal activity that results from drug dependency.
- (2) This Act achieves that object by establishing a scheme under which drug dependent persons who are charged with criminal offences can be diverted into programs designed to eliminate, or at least reduce, their dependency on drugs.
- (3) Reducing a person's dependency on drugs should reduce the person's need to resort to criminal activity to support that dependency and should also increase the person's ability to function as a law abiding citizen.

4 Definitions

- (1) In this Act:

court includes a Magistrate or Justice.

Drug Court mean the Drug Court of New South Wales constituted by this Act.

drug offender means a person who has been convicted and sentenced by the Drug Court under section 7.

eligible person is defined in section 5.

exercise a function includes perform a duty.

function includes a power, authority or duty.

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eligible person is defined in section 5.

exercise a function includes perform a duty.

function includes a power, authority or duty.

initial sentence, in relation to a person who is convicted and sentenced under section 7, means the sentence imposed on the person under section 7 (2).

Judge means a person appointed to be a Drug Court Judge, as referred to in section 20 (1).

member of staff of the Drug Court means any person appointed as an officer of the Drug Court as referred to in section 28 (1) or whose services are used by the Drug Court as referred to in section 28 (2), and includes any other person prescribed by the regulations.

program, in relation to a person who is convicted and sentenced under section 7, means the program of supervision and control that arises from the conditions accepted by the person and imposed by the Drug Court under section 7 (3) (a).

referring court, in relation to a person who has been referred to the Drug Court under section 6, means the court by which the person has been referred.

registrar means the registrar of the Drug Court.

Senior Judge means the person appointed to be the Senior Judge of the Drug Court, as referred to in section 21 (1).

suspension order, in relation to a person who is convicted and sentenced under section 7, means an order under section 7 (3) (b) by which the person's sentence is suspended for the duration of the person's program.

- (2) In this Act, a reference to the criminal jurisdiction of a Local Court includes a reference to the jurisdiction exercisable by a Magistrate, or by one or more Justices, under the *Justices Act 1902*.

5 Definition of "eligible person"

- (1) A person is an eligible person if:
- (a) the person is charged with an offence, other than an offence referred to in subsection (2), and
 - (b) the facts alleged in connection with the offence, together with the person's antecedents and any other information available to the court, indicate that it is likely that the person will, if convicted, be sentenced to imprisonment, and

- (c) the person has pleaded guilty to, or indicated that he or she intends to plead guilty to, the offence, and
 - (d) the person appears to be dependent on the use of prohibited drugs (within the meaning of the *Drug Misuse and Trafficking Act 1985*) or other drugs prescribed by the regulations, and
 - (e) the person satisfies such other criteria as are prescribed by the regulations.
- (2) A person is not an eligible person if the person is charged with:
- (a) an offence punishable under Division 2 of Part 2 of the *Drug Misuse and Trafficking Act 1985*, not being an offence that (under Part 9A of the *Criminal Procedure Act 1986*) is capable of being dealt with summarily, or
 - (b) an offence involving violent conduct or sexual assault, or
 - (c) any other offence of a kind prescribed by the regulations.

Part 2 Drug Court programs

Division 1 Acceptance into program

6 Courts may refer persons to Drug Court

- (1) This section applies to such courts and proceedings as are prescribed by the regulations.
- (2) It is the duty of a court before which a person is charged with an offence:
 - (a) to ascertain whether the person appears to be an eligible person, and
 - (b) if so, to ascertain whether the person is willing to be referred to the Drug Court to be dealt with for the offence, and
 - (c) if so, to refer the person to the Drug Court to be dealt with for the offence.
- (3) The power conferred on a court by this section is to be exercised as soon as practicable after the person is charged with the offence.

7 Persons accepted into program

- (1) This section applies to a person who has been referred to the Drug Court under section 6.
- (2) The Drug Court may, under this section, convict and sentence a person who has pleaded guilty to the offence for which the person has been referred (whether before the referring court or the Drug Court) if, and only if, it is satisfied as to each of the following matters:
 - (a) that the person is an eligible person,
 - (b) that, having regard to the person's antecedents, it would be appropriate for the person to participate in a program under this Act,
 - (c) that facilities to supervise and control the person's participation in such a program are available, and have been allocated to the person, in accordance with the guidelines prescribed by the regulations,

- (d) that the person accepts the conditions that the Drug Court proposes to impose on the person (whether immediately or at some later date) as a consequence of his or her conviction and sentence under this section,
 - (e) that the person has been informed of the Drug Court's powers under Division 2 and of the respective consequences, as regards the sentence to be imposed under section 12, of the person's compliance or non-compliance with a program.
- (3) On sentencing the person, the Drug Court:
 - (a) must make an order imposing on the person the conditions that the person has accepted as referred to in subsection (2) (d) (the person's *program*), and
 - (b) must make an order suspending execution of the sentence for the duration of the person's program (the person's *suspension order*).
- (4) A person who is convicted and sentenced by the Drug Court under this section with respect to an offence for which the person has been referred to the Drug Court under section 6 may at the same time be convicted and sentenced for any other offence to which he or she has pleaded guilty (other than an offence referred to in section 5 (2)), whether or not the person has been referred to the Drug Court under section 6 in relation to that other offence.
- (5) Nothing in this Act entitles a person to be convicted and sentenced under this section, and no appeal lies against any decision by the Drug Court not to convict or sentence a person under this section.

8 Persons not accepted into program

- (1) This section applies to a person who has been referred to the Drug Court under section 6 but whom the Drug Court has not convicted and sentenced under section 7.
- (2) The Drug Court may, under this section, convict and sentence a person who has pleaded guilty to the offence for which the person has been referred (whether before the referring court or the Drug Court) if, and only if, the person consents to being dealt with under this section.

- (3) If the person does not consent to being dealt with under this section, the Drug Court is to refer the person back to the referring court.
- (4) If the Drug Court refers a person back to the referring court, the proceedings against the person are to be continued before the referring court at a time and place specified in the order, as if:
 - (a) the person had not been referred to the Drug Court, and
 - (b) the proceedings had merely been adjourned to the time and place specified in the order.
- (5) A person who is convicted and sentenced by the Drug Court under this section with respect to an offence for which the person has been referred to the Drug Court under section 6 may at the same time be convicted and sentenced for any other offence to which he or she has pleaded guilty (other than an offence referred to in section 5 (2)), whether or not the person has been referred to the Drug Court under section 6 in relation to that other offence.

Division 2 Administration of program

9 Variation of conditions of program

- (1) The Drug Court may from time to time, in accordance with a drug offender's program, vary the program by adding new conditions to, or varying or revoking existing conditions of, the program.
- (2) No appeal lies against any decision by the Drug Court to vary a drug offender's program under this section.

10 Proceedings for non-compliance with program

- (1) If it is satisfied, on the balance of probabilities, that a drug offender has failed to comply with his or her program, the Drug Court:
 - (a) may, in accordance with the program, impose any one or more of the sanctions specified in the program as sanctions that the Court may impose on the drug offender, or
 - (b) if it is also satisfied that there is no useful purpose to be served in the drug offender's further participation in the program, may decide to terminate the program.

- (2) Without affecting the other circumstances in which a drug offender is taken to have failed to comply with his or her program, a drug offender is taken to have failed to comply with the program if the drug offender is charged before a court with an offence referred to in section 5 (2).
- (3) No appeal lies in relation to any action taken or decision made by the Drug Court under this section.

11 Termination of program

- (1) The Drug Court may terminate a drug offender's program:
 - (a) if the drug offender successfully completes the program, or
 - (b) if the drug offender requests the Drug Court to terminate the program, or
 - (c) if the Drug Court decides to terminate the program as referred to in section 10 (1) (b).
- (2) No appeal lies against the Drug Court's termination of a drug offender's program.

12 Imposition of final sentence

- (1) On terminating a drug offender's program, the Drug Court must reconsider the drug offender's initial sentence.
- (2) In reconsidering a drug offender's initial sentence, the Drug Court must take into consideration:
 - (a) the nature of the drug offender's participation in his or her program, and
 - (b) any sanctions that have been imposed on the drug offender during the program.
- (3) After reconsidering a drug offender's initial sentence, the Drug Court is to determine the drug offender's final sentence:
 - (a) by making an order setting aside the initial sentence and discharging the drug offender, either unconditionally or conditionally on his or her entering into a recognizance to be of good behaviour of the kind referred to in section 556A (1)(b) of the *Crimes Act 1900*, or

- (b) by making an order setting aside the initial sentence, deferring the passing of sentence and releasing the drug offender conditionally on his or her entering into a recognizance to be of good behaviour of the kind referred to in section 558 (1) of the *Crimes Act 1900*, or
 - (c) by making an order setting aside the initial sentence and imposing instead any sentence that it could have imposed for the offence to which the initial sentence related, or
 - (d) by making an order confirming the initial sentence.
- (4) The final sentence determined for a drug offender in relation to an offence is not to be greater than the initial sentence imposed on the drug offender in relation to that offence.
- (5) Part 15 of the *Crimes Act 1900*:
 - (a) applies to a recognizance under subsection (3) (a) in the same way as it applies to a recognizance under section 556A (1) (b) of that Act, and
 - (b) applies to a recognizance under subsection (3) (b) in the same way as it applies to a recognizance under section 558 (1) of that Act.

13 Revocation of suspension order

On sentencing a drug offender under section 12, the Drug Court is to revoke the drug offender's suspension order.

Division 3 Miscellaneous

14 Arrest warrants

- (1) If it suspects that a drug offender may have failed to comply with his or her program, the Drug Court may issue a warrant for the drug offender's arrest.
- (2) A warrant under this section authorises any police officer to arrest the drug offender and to bring the drug offender before the Drug Court to be dealt with under this Act.
- (3) The *Bail Act 1978* does not apply to a drug offender who is arrested on the authority of a warrant under this section.

15 Sentences imposed by Drug Court

- (1) The sentences that may be imposed by the Drug Court under this Part are as follows:

- (a) in the case of an indictable offence (including an indictable offence for which an election to have the offence dealt with on indictment has been duly made under Part 9A of the *Criminal Procedure Act 1986*), any penalty that could have been imposed by the District Court had the offence been dealt with on indictment by the District Court,
 - (b) in the case of a summary offence (including an indictable offence for which an election to have the offence dealt with on indictment has not been duly made under Part 9A of the *Criminal Procedure Act 1986*), any penalty that could have been imposed by a Local Court had the offence been dealt with summarily by a Local Court.
- (2) Except for the purposes of the *Criminal Appeal Act 1912*, a person sentenced by the Drug Court for an offence referred to in subsection (1)(a) is taken to have been convicted of the offence on indictment.

16 Conditions of program

- (1) The conditions of a program may allow the Drug Court to confer the following kinds of rewards on a drug offender who maintains a satisfactory level of compliance with the program:
 - (a) conferral of specified privileges,
 - (b) an appropriate change in the frequency of counselling or other treatment,
 - (c) a decrease in the degree of supervision to which the drug offender is subject,
 - (d) a decrease in the frequency with which the drug offender must undergo testing for drugs,
 - (e) a decrease in the amount of any monetary penalty payable to the Drug Court, as referred to in subsection (2) (e),
 - (f) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which the drug offender is required to attend vocational and social services.
- (2) The conditions of a program may allow the Drug Court to impose the following kinds of sanctions on a drug offender who fails to comply with the program:
 - (a) withdrawal of privileges conferred on the person, as referred to in subsection (1) (a).

- (b) an appropriate change in the frequency of counselling or other treatment,
 - (c) an increase in the degree of supervision to which the drug offender is subject,
 - (d) an increase in the frequency with which the drug offender must undergo testing for drugs,
 - (e) a requirement that the drug offender pay a monetary penalty to the Drug Court,
 - (f) a requirement that the drug offender be subjected to imprisonment in a correctional centre for up to 14 days in respect of any one failure to comply with the requirements of the order,
 - (g) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which the drug offender is required to attend vocational and social services.
- (3) Any monetary penalty payable by a drug offender, as referred to in subsection (2) (e), is recoverable by the registrar of the Drug Court as a debt in any court of competent Jurisdiction.
- (4) This section does not limit the conditions that may form part of a program apart from this section.

17 Immunity from prosecution for certain offences

A person is not liable to prosecution for any offence comprising the unlawful possession or use of drugs:

- (a) as a result of any admission made for the purposes of seeking a referral under Division 1, not being an admission of facts giving rise to an offence referred to in section 5 (2) (a), or
- (b) as a result of any admission made for the purposes of satisfying the Drug Court that the person should be accepted into a program, or
- (c) as a result of any admission made in connection with the Drug Court's supervision of his or her program,

nor may any such admission be admitted as evidence in proceedings for any offence comprising the unlawful possession or use of drugs that are brought as a result of the admission.

18 Application of Criminal Procedure Act 1986

In the application of the *Criminal Procedure Act 1986* to proceedings before the Drug Court:

- (a) the provisions of Part 6 of that Act that enable the Drug Court, when sentencing a person for one offence, to take other offences into account in determining the penalty to impose on the person do not enable the Drug Court to take into account any offence of the kind referred to in section 5 (2), and
- (b) the provisions of Part 9A of that Act are subject to such modifications (if any) as are prescribed by the regulations under this Act.

Part 3 The Drug Court

Division 1 Constitution of Drug Court

19 Constitution of Drug Court

There is constituted by this Act a court of record to be known as the Drug Court of New South Wales.

20 Judges

- (1) The Governor may, by commission under the public seal of the State, appoint as a Drug Court Judge any person who is a Judge of the District Court.
- (2) A person ceases to be a Drug Court Judge on ceasing to be a Judge of the District Court.
- (3) In this section, a reference to a Judge of the District Court includes a reference to an acting Judge of the District Court.

21 Senior Judge

- (1) The Governor may, by a person's commission as a Judge or by a subsequent commission under the public seal of the State, appoint one of the Drug Court Judges to be the Senior Judge of the Drug Court.
- (2) Subject to subsection (3), the Senior Judge holds office as Senior Judge while he or she holds office as Judge.
- (3) With the approval of the Governor, the Senior Judge may resign office as Senior Judge without resigning office as Judge.

22 Acting Senior Judge

- (1) The Minister may appoint a Judge to be acting Senior Judge during any absence from duty or vacancy in office of the Senior Judge.

- (2) An acting Senior Judge has the functions of the Senior Judge and anything done by the acting Senior Judge in the exercise of those functions has effect as if it had been done by the Senior Judge.

Division 2 Procedure of Drug Court

23 Single Judge to constitute Drug Court

All proceedings in the Drug Court, and all matters arising out of any such proceedings, are to be heard and disposed of before a Judge, who constitutes the Court.

24 Jurisdiction of Drug Court

- (1) The Drug Court has the following jurisdiction:
 - (a) the criminal jurisdiction of the District Court,
 - (b) the criminal jurisdiction of a Local Court,
 - (c) such other jurisdiction as is vested in the Drug Court by this or any other Act.
- (2) For the purpose of enabling it to exercise its jurisdiction, the Drug Court has the following functions:
 - (a) all of the functions of the District Court that are exercisable in relation to its criminal jurisdiction,
 - (b) all of the functions of a Local Court that are exercisable in relation to its criminal jurisdiction, including all the functions exercisable by a Magistrate or Justice under the *Justices Act 1902*,
 - (c) such other functions as are conferred or imposed on it by or under this or any other Act.

25 Sittings

- (1) The Drug Court is to sit at such places and times as the Senior Judge may direct.
- (2) Two or more sittings of the Drug Court may be held at the same time.

26 Court proceedings

- (1) This section applies to proceedings before the Drug Court in the exercise of its jurisdiction under this Act, but does not apply to proceedings before the Drug Court in the exercise of the criminal jurisdiction of the District Court or the criminal jurisdiction of a Local court.

- (2) Proceedings before the Drug Court are to be conducted:
 - (a) in accordance with the directions of the Judge presiding in the proceedings, and
 - (b) subject to paragraph (a), with as little formality and technicality, and with as much expedition, as the requirements of this Act and the regulations and the proper consideration of the matters before the Court permit.
- (3) The Drug Court is not bound by the rules of evidence, but may inform itself on any matter in such manner as it considers appropriate.
- (4) The Drug Court may adjourn its proceedings from time to time.

27 Rules of court

The Senior Judge may make rules of court, not inconsistent with this Act, for or with respect to any matter relating to the practice or procedure of the Drug Court, including:

- (a) any matter for or with respect to which rules may be made under the *District Court Act 1973* in relation to the criminal jurisdiction of the District Court, and
- (b) any matter for or with respect to which rules may be made under the *Justices Act 1902* in relation to the criminal jurisdiction of a Local Court.

Division 3 Administration

28 Court officers

- (1) A registrar and such other officers as are necessary for the proper administration of this Act are to be appointed under Part 2 of the *Public Sector Management Act 1988*.
- (2) Arrangements may be made for the use by the Drug Court of the services of any staff (by secondment or otherwise) or facilities of a Government department.

29 Court business

- (1) The Senior Judge is responsible for the administration of the business of the Drug Court.
- (2) The registrar may exercise:
 - (a) such of the administrative functions of the Court as are conferred or imposed on the registrar by the regulations or the rules of court, and

- (b) such of the functions of a registrar of the District Court as are relevant to the exercise by the Drug Court of the criminal jurisdiction of a District Court, and
- (c) such of the functions of a Clerk of a Local Court as are relevant to the exercise by the Drug Court of the criminal jurisdiction of a Local Court.

30 Delegation

- (1) The Senior Judge may delegate to a Judge any of the Senior Judge's functions, other than this power of delegation.
- (2) The registrar may delegate to any other officer of the Court any of the registrar's functions, other than this power of delegation.

Part 4 Miscellaneous

31 Provision of information to Drug Court

- (1) This section applies to such persons as are prescribed by the regulations for the purposes of this section, being persons who are involved in the administration of, or who provide services in connection with, a drug offender's program.
- (2) It is the duty of a person to whom this section applies:
 - (a) to promptly notify the registrar of any failure by a drug offender to comply with the drug offender's program, and
 - (b) to promptly comply with the requirements of the regulations with respect to the giving of information to the registrar.
- (3) The following provisions apply to and in respect of any information provided for the purposes of this section (*protected information*):
 - (a) the provision of the information does not constitute a breach of professional etiquette or ethics or a departure from accepted standards of professional conduct,
 - (b) no liability for defamation is incurred because of the provision of the information,
 - (c) the provision of the information does not constitute a ground for civil proceedings for malicious prosecution or for conspiracy,
 - (d) the information is not admissible in evidence in any proceedings before a court, tribunal or committee,
 - (e) a person is not compellable in any proceedings before a court, tribunal or committee to disclose the information or to produce any document that contains the information.
- (4) The provisions of subsection (3) (d) and (e) do not apply to or in respect of the provision of protected information:
 - (a) in proceedings before the Drug Court or any court hearing or determining an appeal from a decision of the Drug Court, or
 - (b) in support of, or in answer to, any charge or allegation made in proceedings against a person in relation to the person's exercise of functions under this Act.

- (5) A drug offender is taken to have authorised the communication of protected information:
 - (a) from any person to whom this section applies to the registrar, and
 - (b) from the registrar to any person to whom this section applies, and
 - (c) from any member of staff of the Drug Court to any other member of staff of the Drug Court.
- (6) A provision of any Act or law that prohibits or restricts the disclosure of information does not operate to prevent the provision of information in accordance with this section.

32 Regulations

The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular, for or with respect to:

- (a) the forms to be used for the purposes of this Act,¹ and
- (b) the fees to be charged under this Act, and
- (c) the postponement, waiver or remittal of fees charged under this Act.

33 Amendment of other Acts

Each Act referred to in Schedule 1 is amended as set out in that Schedule.

34 Savings, transitional and other provisions

Schedule 2 has effect.

35 Review of Act

- (1) The Minister is to review this Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.

- (2) The review is to be undertaken as soon as possible after the period of 2 years from the date of assent to this Act.
- (3) A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of 2 years.

Schedule 1 Amendment of other Acts

(Section 33)

1.1 Bail Act 1978 No 161

[1] Section 4 Definitions

Insert after paragraph (c) of the definition of *court* in section 4 (1):

(c1) the Drug Court, or

[2] Section 6 Grant of bail for certain periods

Insert after section 6 (g8):

(g9) the period between a person being referred to the Drug Court under section 6 of the *Drug Court Act 1998* and the person being brought before the Drug Court consequent on the referral.

(g10) the period between a person being referred back to a court under section 8 of the *Drug Court Act 1998* and the person being brought before that court consequent on the referral,

1.2 Children (Criminal Proceedings) Act 1987 No 55

Section 7 Jurisdiction of Children's Court not to be exercised by certain other courts

Insert at the end of the section:

(2) The Drug Court may not hear or determine criminal proceedings that a Children's Court has jurisdiction to hear and determine.

1.3 Criminal Appeal Act 1912 No 16

[1] Section 5AE

Insert after section 5AD:

5AE Appeals from sentences imposed by the Drug Court

- (1) Section 5AA applies to and in respect of a person convicted of an offence by the Drug Court in the exercise of its jurisdiction under Part 2 of the *Drug Court Act 1998* (in relation only to a final sentence determined by the Court under section 12 of that Act) in the same way as it applies to a person referred to in section 5AA (1).
- (2) For the purposes of this section, a reference in section 5AA to the Supreme Court is to be construed as including a reference to the Drug Court.
- (3) The power of the Court of Criminal Appeal to hear and determine an appeal under this section is to be exercised by such single judge of the Supreme Court as the Chief Justice may direct.

[2] Section 10 Time for appealing

Omit "or 5AD" from section 10 (4).

Insert instead ". 5AD or 5AE".

1.4 Criminal Procedure Act 1986 No 209

Section 20 Definitions

Insert after paragraph (d) of the definition of court in section 20 (1):

the Drug Court, or

1.5 Justices Act 1902 No 27

[1] Section 51A Effect of plea of guilty in 'committal proceedings

Insert after section 51A (6) (a):

- (a1) is being dealt with in accordance with Part 2 of the *Drug Court Act 1998*, or

[2] Section 121B No appeal in certain cases

Insert after section 121B (2):

- (3) Despite section 122, there is no appeal to the District Court in relation to any order made on the conviction of a person by the Drug Court under the provisions of the *Drug Court Act 1998*.

1.6 Search Warrants Act 1985 No 37

Section 3 Definitions

Insert "or the registrar of the Drug Court" after "Local Court" in paragraph (b) of the definition of *authorised justice*.

1.7 Victims Compensation Act 1996 No 115

Section 78 Application of Part

Insert "the Drug Court," after "the District Court," in section 78 (1) (b).

Schedule 2 Savings, transitional and other provisions

(Section 34)

Part 1 Preliminary

1 Savings and transitional regulations

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts:

this Act
- (2) Such a provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or a later day.
- (3) To the extent to which such a provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
 - (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of that publication, or
 - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of that publication.

Part 2 Provisions consequent on enactment of Drug Court Act 1998

2 Transitional provision for past offences

Part 2 applies to and in respect of an offence committed before the commencement of that Part in the same way as it applies to and in respect of an offence committed after that commencement, and so applies whether proceedings for the offence were commenced before or after that commencement.

[Minister's second reading speech made in—
Legislative Assembly on 27 October 1998
Legislative Council on 25 November 1998]



Queensland

Drug Court Act 2000

Reprinted as in force on 1 July 2008

Reprint No. 3

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This Act is reprinted as at 1 July 2008. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- use different spelling consistent with current drafting practice (s 26(2))
- use standard punctuation consistent with current drafting practice (s 27)
- use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- when provisions commenced
- editorial changes made in earlier reprints.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

Drug Court Act 2000

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Drug Court Act 2000

[as amended by all amendments that commenced on or before 1 July 2008]

An Act to provide a drug court program for intensive drug rehabilitation of drug dependent offenders

Part 1 Preliminary

1 Short title

This Act may be cited as the *Drug Court Act 2000*.

2 Commencement

This Act commences on a day to be fixed by proclamation.

3 Objects of this Act

(1) The objects of this Act are—

- (a) to reduce the level of drug dependency in the community and the drug dependency of eligible persons; and
- (b) to reduce the level of criminal activity associated with drug dependency; and
- (c) to reduce the health risks associated with drug dependency of eligible persons; and
- (d) to promote the rehabilitation of eligible persons and their re-integration into the community; and
- (e) to reduce pressure on resources in the court and prison systems.

(2) The objects are to be achieved by establishing drug courts.

4 Relationship with Penalties and Sentences Act 1992

- (1) A drug court magistrate—
 - (a) must have regard to the principles stated in the *Penalties and Sentences Act 1992*, section 9;¹ and
 - (b) may exercise the powers and make the orders a magistrate may exercise or make under that Act.
- (2) Subsection (1) applies unless a contrary intention appears.

4A Notes in text

A note in the text of this Act is part of the Act.

Part 2 Definitions and important terms

5 Definitions

The dictionary in the schedule defines particular words used in this Act.

6 Who is an *eligible person*

- (1) A person charged with an offence is an *eligible person* if—
 - (a) the person is not a person who must be dealt with as a child under the *Juvenile Justice Act 1992*; and
 - (b) the person is drug dependent and that dependency contributed to the person committing the offence; and
 - (c) it is likely the person would, if convicted of the offence, be sentenced to imprisonment; and
 - (d) the person satisfies any other criteria prescribed under a regulation.

¹ *Penalties and Sentences Act 1992*, section 9 (Sentencing guidelines)

- (2) Without limiting subsection (1)(d), the regulation may require that the person be someone who resides within a stated locality at the time—
- (a) the person is referred for an indicative assessment; or
 - (b) the person is referred for an assessment; or
 - (c) an intensive drug rehabilitation order is made for the person.
- (3) The person is not an *eligible person* if—
- (a) the person is serving a term of imprisonment other than a community term of imprisonment; or
 - (b) the person is the subject of a parole order that is cancelled by a parole board and the person is to serve the unexpired portion of the person's period of imprisonment; or
 - (c) a charge against the person for a disqualifying offence is pending in a court.

Note for subsection (3)(a)—

A person released on parole is taken to be still serving the sentence imposed on the person: *Corrective Services Act 2006*, section 214.

- (4) For the purpose of deciding whether a person ordered to serve a term of imprisonment under a law of another State or the Commonwealth (the *relevant law*) is a person serving a term of imprisonment for subsection (3)(a)—
- (a) the *Corrective Services Act 2006*, section 214 applies; and
 - (b) a reference in the *Corrective Services Act 2006*, section 214 to parole includes a reference to a release under the relevant law that is similar to parole.
- (5) In this section—
- parole order* includes a release under a law of another State or the Commonwealth that is similar to a parole order.

7 What is a *disqualifying offence*

- (1) A *disqualifying offence* is—
-

Drug Court Act 2000

- (a) an offence of a sexual nature; or
 - (b) an offence involving violence against another person, other than an offence charged under any of the following provisions of the Criminal Code—
 - section 335
 - section 340(a), but only if the offence is the assault of another with intent to resist or prevent the lawful arrest or detention of the person or of any other person
 - section 340(b)
 - section 413.²
- (2) For section 6(3)(b), a reference in subsection (1) to a provision of the Criminal Code includes a reference to a corresponding provision of a law of another State or the Commonwealth.
- (3) For subsection (1), an offence of a sexual nature does not include an offence by a prostitute in providing prostitution, or in offering or accepting an offer to provide prostitution.
- (4) For subsection (1)(b), an offence involving violence against another person is an offence that involves any allegation of personal violence, whether as an element of the offence or as an act of violence associated with the offence.

Examples of offences involving violence other than as an element of the offence—

- operating a vehicle dangerously involving dragging a person behind the vehicle
- operating a vehicle dangerously involving intentionally colliding with another vehicle or a person
- breaching a domestic violence order involving a wilful injury

² Criminal Code, section 335 (Common assault), 340 (Serious assaults), 413 (Assault with intent to steal)

7A What is a *community term of imprisonment*

- (1) A term of imprisonment in relation to a person is a *community term of imprisonment* if the person is ordered to serve the term of imprisonment—
 - (a) by way of intensive correction in the community under an intensive correction order made under the *Penalties and Sentences Act 1992*, section 112; or
 - (b) in a similar way under an order made under a law of another State or the Commonwealth.
- (2) However, a term of imprisonment is not a *community term of imprisonment* if the order mentioned in subsection (1) was revoked and the person was committed to prison.

8 What is a *relevant offence*

- (1) Each of the following is a *relevant offence*—
 - (a) a simple offence;
 - (b) an indictable offence that may be dealt with summarily;
 - (c) a prescribed drug offence;
 - (d) another offence prescribed under a regulation that is punishable by imprisonment for a term of not more than 7 years.
- (2) A relevant offence does not include a disqualifying offence.

Part 3 Drug courts and drug court magistrates

9 Drug courts

- (1) The Governor in Council, by regulation, may declare 1 or more Magistrates Courts to be drug courts.
 - (2) A court is a drug court under subsection (1) whether or not it is constituted by a drug court magistrate.
-

- (3) However, a power of a drug court magistrate may be exercised only in a drug court.

10 Drug court magistrates

- (1) The Chief Magistrate must allocate the functions of a drug court magistrate to 1 or more magistrates.
- (2) Nothing in this Act prevents a drug court magistrate exercising the jurisdiction of a Magistrates Court at any time.

11 Functions, additional jurisdiction and powers of drug court magistrates

- (1) A drug court magistrate has the functions given by this Act.
- (2) For the performance of a drug court magistrate's functions, a drug court magistrate has jurisdiction to deal with a person appearing before the magistrate charged with a prescribed drug offence.
- (3) A drug court magistrate has power to do all things necessary or convenient to be done for the performance of the magistrate's functions.
- (4) A drug court magistrate must conduct proceedings under this Act quickly and in a way that avoids unnecessary technicalities and facilitates the fair and practical conduct of the proceedings.
- (5) In a proceeding under this Act, the drug court magistrate is not bound by the rules of evidence, but may inform himself or herself in any way the magistrate considers appropriate.

12 Other functions of drug court magistrates

- (1) This Act does not affect the application of the *Magistrates Act 1991* to a drug court magistrate.
 - (2) For example, a drug court magistrate, in addition to exercising functions as a drug court magistrate, must—
 - (a) exercise other functions as a magistrate as directed by the Chief Magistrate; and
-

- (b) comply with reasonable directions given, or requirements made, by the Chief Magistrate.

Part 3A Indicative assessment of drug dependency

12A Application of pt 3A

This part applies if—

- (a) a person charged with a relevant offence appears before a magistrate in a Magistrates Court prescribed under a regulation for this section; and
- (b) the person has pleaded guilty to the offence or has indicated that he or she intends to plead guilty to the offence; and
- (c) the magistrate is satisfied the person may be drug dependent; and
- (d) the person appears, to the magistrate, to be an eligible person; and
- (e) the maximum number of active intensive drug rehabilitation orders prescribed under a regulation has not been exceeded.

12B Referral for indicative assessment

- (1) The magistrate may decide to refer the person for an indicative assessment.
 - (2) If the magistrate decides to refer the person for an indicative assessment, the magistrate may adjourn the proceedings and—
 - (a) remand the person in custody to appear before a drug court magistrate; or
 - (b) release the person on bail to appear before a drug court magistrate.
-

- (3) If the magistrate adjourns the proceedings to refer the person for an indicative assessment, the magistrate must require—
 - (a) the person to attend at the times and places decided by the chief executive (health) for an indicative assessment by an appropriately qualified health professional decided by the chief executive (health); and
 - (b) the chief executive (health) to prepare and submit to a drug court magistrate, within the time allowed by the magistrate, a report (an *indicative assessment report*) containing an indicative assessment of the person by the appropriately qualified health professional.
- (4) The magistrate may require the indicative assessment report to be given orally or in writing.
- (5) If the magistrate remands the person in custody, the chief executive (corrective services) must ensure the person—
 - (a) is assessed by an appropriately qualified health professional decided by the chief executive (health); and
 - (b) appears before a drug court magistrate to be dealt with as required by the drug court magistrate.
- (6) After the indicative assessment report is submitted to a drug court magistrate, the prosecuting authority appearing before the court and the person's legal representatives may make submissions about whether the proceedings should continue in the drug court or the matter should be dealt with by a magistrates court.

12C Indicative assessment reports

- (1) When required to do so by a magistrate, the chief executive (health) must arrange for an appropriately qualified health professional to prepare an indicative assessment report for a drug court magistrate about a stated person remanded or required to appear before the drug court magistrate.
 - (2) The indicative assessment report must be given to the drug court magistrate within the time allowed under section 12B(3) by the magistrate.
 - (3) The drug court magistrate must give a copy of the indicative assessment report to—
-

- (a) the prosecuting authority that appeared before the court when the offender was referred for an indicative assessment; and
 - (b) the person's legal representatives; and
 - (c) the chief executive (corrective services).
- (4) The drug court magistrate must ensure the prosecuting authority and the person's legal representatives have sufficient time before the proceedings to consider and respond to the report.

12D Additional matters for indicative assessment report

- (1) The drug court magistrate may order that the report, or part of the report, not be shown to the person.
- (2) A report purporting to be an indicative assessment report made by an appropriately qualified health professional is evidence of the matters contained in it.
- (3) An objection must not be taken or allowed to the evidence on the ground that it is hearsay.
- (4) To remove any doubt, it is declared that this section does not limit the jurisdiction and powers of the drug court magistrate under section 11.

Part 4 Referral for assessment

13 Application of pt 4

This part applies if—

- (a) a person charged with a relevant offence appears before a drug court magistrate; and
 - (b) there is evidence the person is drug dependent.
-

14 Referral to be decided as soon as practicable

- (1) The powers conferred on a drug court magistrate under this part must be exercised as soon as practicable after the person first comes before the drug court for a relevant offence.
- (2) Despite subsection (1), the powers may be exercised at any time before the court sentences the person or commits the person for trial or sentence for the offence.

15 Deciding whether to refer for assessment

- (1) The drug court magistrate must decide whether the person appears to be an eligible person.
- (2) If the person appears to be an eligible person, the drug court magistrate may decide to refer the person for assessment if satisfied—
 - (a) the person has pleaded guilty to the offence or has indicated that he or she intends to plead guilty to the offence; and
 - (b) the person is willing to be assessed for suitability for rehabilitation and to appear before a drug court magistrate to be dealt with for the offence; and
 - (c) the maximum number of active intensive drug rehabilitation orders prescribed under a regulation has not been exceeded.

16 Referral for assessment

- (1) If the drug court magistrate (the *referring magistrate*) decides to refer the person for assessment, the referring magistrate may adjourn the proceedings and—
 - (a) remand the person in custody to appear before a drug court magistrate; or
 - (b) release the person on bail to appear before a drug court magistrate.
 - (2) If the referring magistrate adjourns the proceedings, the referring magistrate must require the chief executive (corrective services) to prepare and submit to a drug court magistrate, within the time allowed by the referring
-

magistrate, a pre-sentence report under the *Corrective Services Act 2006*, section 344³ that contains—

- (a) an assessment of the person's suitability for rehabilitation; and
 - (b) if the person is suitable, a proposed rehabilitation program.
- (3) Also, if the referring magistrate adjourns the proceedings, the referring magistrate must require the chief executive (health) to prepare and submit to a drug court magistrate, within the time allowed by the referring magistrate, a written report (an *assessment report*) containing an assessment of the person by an appropriately qualified health professional.
- (4) If the referring magistrate releases the person on bail, the grant of bail must be made subject to the condition that, for the purpose of preparing the pre-sentence report and assessment report, the person—
- (a) reports to an authorised corrective services officer within a stated time; and
 - (b) reports to other persons at the times and places directed by an authorised corrective services officer, including to an appropriately qualified health professional decided by the chief executive (health) for assessment.
- (5) If the referring magistrate remands the person in custody, the chief executive (corrective services) must ensure the person—
- (a) is assessed by an appropriately qualified health professional decided by the chief executive (health); and
 - (b) appears before a drug court magistrate to be dealt with as required by the drug court magistrate.

16A Assessment report

- (1) When required to do so under section 16(3) by a referring magistrate, the chief executive (health) must arrange for an appropriately qualified health professional to prepare an assessment report for a drug court magistrate about a stated

3 *Corrective Services Act 2006*, section 344 (Pre-sentence report)

person remanded or required to appear before the drug court magistrate.

- (2) The assessment report must be given to the drug court magistrate within the time allowed by the referring magistrate.
- (3) The drug court magistrate must give a copy of the assessment report to—
 - (a) the prosecuting authority that appeared before the court when the offender was referred for assessment; and
 - (b) the person's legal representatives; and
 - (c) the chief executive (corrective services).
- (4) The drug court magistrate must ensure the prosecuting authority and the person's legal representatives have sufficient time before the proceedings to consider and respond to the assessment report.

16B Additional matters for assessment report

- (1) The drug court magistrate may order that the assessment report, or part of the assessment report, not be shown to the person.
 - (2) A report purporting to be an assessment report made by an appropriately qualified health professional is evidence of the matters contained in it.
 - (3) An objection must not be taken or allowed to the evidence on the ground that it is hearsay.
-

Part 5 Intensive drug rehabilitation orders

Division 1 Preliminary

17 Application of pt 5

- (1) This part applies if a person charged with a relevant offence (the *offender*) appears before a drug court magistrate—
 - (a) on proceedings adjourned under part 4; or
 - (b) if expressly provided in relation to a provision of this part, on other proceedings.
- (2) In deciding whether to make an order under this part, it does not matter whether the offence was committed before or after the commencement of this Act.

Division 2 Making an order

18 Drug court magistrate may make order only if conviction recorded

- (1) A drug court magistrate may make an intensive drug rehabilitation order for the offender for a relevant offence only if the magistrate records a conviction.
- (2) Subsection (1) also applies if the proceedings for the offence are before the magistrate other than on adjournment under part 4.

19 Making of order

A drug court magistrate may make an order (*intensive drug rehabilitation order*) for the offender for an offence if satisfied—

- (a) the offence is a relevant offence; and
 - (b) the offender is an eligible person; and
 - (c) the offender has pleaded guilty to the offence; and
-

- (d) the magistrate would, apart from this Act, sentence the offender to a term of imprisonment; and
 - (e) the offence is—
 - (i) a prescribed drug offence, or an offence against the *Drugs Misuse Act 1986* that may be prosecuted summarily, for which the offender may be adequately punished with imprisonment of not more than 3 years; or
 - (ii) another offence for which the offender may be adequately punished with imprisonment of not more than 4 years; and
 - (f) the offender is not suffering from any mental condition that could prevent the offender's active participation in a rehabilitation program; and
 - (g) the maximum number of active intensive drug rehabilitation orders prescribed under a regulation has not been exceeded; and
 - (h) the facilities to supervise and control the offender's participation in a rehabilitation program are available for allocation to the offender under guidelines prescribed under a regulation; and
 - (i) there are reasonable prospects the offender would satisfactorily comply with an intensive drug rehabilitation order and it would be otherwise appropriate for an intensive drug rehabilitation order to be made, having regard to all relevant matters including, for example—
 - (i) the pre-sentence report and assessment report mentioned in section 16; and
 - (ii) whether a charge for an offence that can not be dealt with under this Act (other than a disqualifying offence) is pending in a court against the offender, and if so, the nature and seriousness of the offence and when the charge is likely to be dealt with.
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20 Contents of order

- (1) If the drug court magistrate decides to make an intensive drug rehabilitation order for the offender, the order must contain—
 - (a) an order—
 - (i) sentencing the offender to serve a term of imprisonment (the *initial sentence*); and
 - (ii) suspending the whole of the term of imprisonment under this Act; and
 - (b) the requirements of the order; and
 - (c) a rehabilitation program decided by the drug court magistrate for the offender.
- (2) For subsection (1)(a)(i), the intensive drug rehabilitation order may contain an order sentencing the offender to serve a term of imprisonment of more than 3 years only if the prosecuting authority appearing before the court and the offender have consented to the offence being prosecuted summarily on the ground that the defendant will be adequately punished on summary conviction.

21 Delaying suspension of sentence

If the drug court magistrate is satisfied sufficient grounds exist, the magistrate may—

- (a) direct that the commencement of the suspension of the sentence be delayed for not more than 15 days; and
- (b) order that the offender be detained in custody in a prison until the earlier of the following days—
 - (i) the day the chief executive (corrective services) is given a release authority in the approved form signed by the clerk of the court of a drug court;
 - (ii) the day the 15 day period ends.

Example—

The drug court magistrate is satisfied the offender requires detoxification but suitable facilities for detoxification are not immediately available.

22 Core conditions of intensive drug rehabilitation order

An intensive drug rehabilitation order is subject to the following core conditions—

- (a) the offender must not commit an offence, in or outside Queensland, during the period of the order;
- (b) the offender must notify an authorised corrective services officer of every change of the offender's place of residence or employment within 2 business days after the change happens;
- (c) the offender must not leave or stay out of Queensland without an authorised corrective services officer's permission;
- (d) the offender must comply with every reasonable direction of an authorised corrective services officer, including a direction to appear before a drug court magistrate at a stated time and place;
- (e) the offender must attend before a drug court magistrate at the times and places stated in the order.

23 Additional requirements of order

- (1) The intensive drug rehabilitation order may also contain requirements that the offender—
 - (a) make restitution, or pay compensation; and
 - (b) satisfactorily perform community service of up to 240 hours for the period stated in the order, as and when directed by an authorised corrective services officer; and
 - (c) do another thing that a drug court magistrate considers may help the offender's rehabilitation.
 - (2) A requirement to make restitution may be made for property—
 - (a) in relation to which an offence was committed; or
 - (b) taken in the course of, or in connection with, the commission of the offence.
 - (3) A requirement to pay compensation may be made—
-

- (a) to a person for any loss or destruction of, damage caused to, or unlawful interference with, property—
 - (i) in relation to which an offence was committed; or
 - (ii) in the course of, or in connection with, the commission of the offence; and
 - (b) for personal injury suffered by a person, whether or not the person is the victim against whom an offence was committed, because of the commission of the offence.
- (4) In deciding whether to require the offender to perform community service under subsection (1)(b), the drug court magistrate must consider the number of hours of community service the offender has outstanding under another order and when the hours must be completed.
- (5) If the drug court magistrate decides to require the offender to perform community service under subsection (1)(b), the drug court magistrate must consider whether the offender is in a residential rehabilitation facility and is able to complete the community service.
- (6) The *Penalties and Sentences Act 1992*, part 3, division 4, does not apply to restitution or compensation under an intensive drug rehabilitation order.
- (7) The *Penalties and Sentences Act 1992*, part 5, divisions 2 and 3, do not apply to community service under an intensive drug rehabilitation order.
- (8) A requirement under subsection (1) is not a sentence within the meaning of the *Penalties and Sentences Act 1992*, section 4.

24 Contents and requirements of rehabilitation program

- (1) The intensive drug rehabilitation order must, as far as practicable, state the details of the rehabilitation program the offender must undertake, including, for example, that the offender must—
 - (a) report to, or receive visits from, an authorised corrective services officer; or
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- (b) report for drug testing to an authorised corrective services officer; or
 - (c) attend vocational education and employment courses; or
 - (d) submit to medical, psychiatric or psychological treatment.
 - (2) As part of the medical, psychiatric or psychological treatment, the offender may be required to remain at a place, and for a time, stated in the program.
 - (3) The offender's rehabilitation program must also state that a drug court magistrate may, at any time, commit the offender to a prison if, in the magistrate's opinion, the committal is necessary to facilitate—
 - (a) detoxification of the offender; or
 - (b) assessment of the offender's participation in the program.
 - (4) However, the offender must not be committed to a prison for detoxification unless the drug court magistrate is satisfied no other suitable facilities are immediately available.
 - (5) If a drug court magistrate commits an offender to prison to facilitate detoxification, the offender is committed to the prison until the earliest of the following—
 - (a) 22 days after the offender is committed to prison for detoxification;
 - (b) the chief executive (corrective services) or chief executive (health) is satisfied the offender is detoxified;
 - (c) a drug court magistrate, on the offender's application, orders the committal of the offender end.
 - (6) If an offender is committed to prison for an assessment of the offender's participation in the program, the committal must not be for more than—
 - (a) if the assessment is because the offender has failed to attend on a person or at a place as stated in the rehabilitation program—30 days; or
 - (b) otherwise—15 days.
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- (7) If a drug court magistrate commits an offender to prison under subsection (5) to facilitate detoxification, the drug court magistrate must order that after the committal ends the person must appear before a drug court magistrate at the time and place stated.
- (8) If a drug court magistrate commits an offender to prison under subsection (6) for assessment, the drug court magistrate must state that after the committal ends the offender must—
 - (a) appear before a drug court magistrate at the times and places stated; or
 - (b) attend at another place at the times stated.

25 Explaining orders

- (1) Before making an intensive drug rehabilitation order, the drug court magistrate must explain, or cause to be explained, to the offender the following matters—
 - (a) that the intensive drug rehabilitation order has 3 parts—
 - (i) the sentence of imprisonment and the suspension of the sentence; and
 - (ii) the core conditions and additional requirements of the order; and
 - (iii) the rehabilitation program;
 - (b) the purpose and effect of the order;
 - (c) what may happen if the offender does not comply with the order;
 - (d) that, subject to divisions 4 and 5, the requirements of the order or the rehabilitation program may be amended or a rehabilitation program terminated on a drug court magistrate's own initiative or on application by—
 - (i) the offender; or
 - (ii) an authorised corrective services officer; or
 - (iii) the commissioner of the police service; or
 - (iv) the director of public prosecutions.
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- (2) If the offender is charged with a prescribed drug offence, the magistrate must also explain—
 - (a) the offender would normally be dealt with in the Supreme Court for the offence; and
 - (b) the magistrate is dealing with the offender on the condition the offender successfully complete the rehabilitation program; and
 - (c) if the offender does not successfully complete the rehabilitation program, the offender will be dealt with in the Supreme Court for the offence.
- (3) The explanation must be made in language, or in a way, likely to be readily understood by the offender.

26 Offender to agree to making or amending of order

- (1) The drug court magistrate may make an intensive drug rehabilitation order for the offender only if the offender agrees to the order being made, including the core conditions, and agrees to comply with it.
- (2) The drug court magistrate may amend the requirements of an intensive drug rehabilitation order or a rehabilitation program only if the offender agrees to the order being amended and agrees to comply with it.

27 Copy of order to offender

- (1) The clerk of the court of the drug court must give the offender a copy of the intensive drug rehabilitation order.
 - (2) A copy of the core conditions must be included in, or attached to, the intensive drug rehabilitation order.
 - (3) The offender must acknowledge receipt of the copy of the intensive drug rehabilitation order in writing.
 - (4) Until subsections (1) and (3) are complied with, the offender must remain in the custody of a police officer.
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28 Multiple offences

- (1) Under section 19,⁴ the drug court magistrate (*magistrate*) may make more than 1 intensive drug rehabilitation order (*order*) for the offender for more than 1 offence.
- (2) If the magistrate makes an order for the offender in proceedings adjourned before the magistrate under part 4, the magistrate may also make an order under section 19 for the offender in relation to another relevant offence even though proceedings for the other offence are before the magistrate other than on adjournment under part 4.
- (3) However, in no case may the magistrate make more than 1 order for the offender for more than 1 offence if the total period of imprisonment for which the offender would be sentenced under section 20(a)(i)⁵ would be more than 4 years.
- (4) The orders may be included in a single form of order that specifies each offence for which an intensive drug rehabilitation order is made.

Division 3 Not making an order**29 Dealing with offenders if no intensive drug rehabilitation order made**

If the drug court magistrate decides not to make an intensive drug rehabilitation order for the offender, the magistrate must exercise the jurisdiction of a Magistrates Court and deal with the offender according to law.

Division 4 Rewards and sanctions**30 Application for reward or sanction**

A reward or sanction under this division may be given or imposed on the application of an authorised corrective

4 Section 19 (Making of order)

5 Section 20 (Contents of order)

services officer or the offender or on the drug court magistrate's own initiative.

31 Rewards

- (1) A drug court magistrate may give the following kinds of rewards to the offender if the magistrate is satisfied on the balance of probabilities the offender is satisfactorily complying with the offender's intensive drug rehabilitation order—
 - (a) stated privileges;
 - (b) a decrease in the amount of any monetary penalty payable, but not yet paid, by the offender under section 32;
 - (c) a decrease in the frequency of drug testing of the offender;
 - (d) a decrease in the level of supervision of the offender by a drug court magistrate or someone else;
 - (e) a change in—
 - (i) the nature of the vocational education and employment courses the offender attends; or
 - (ii) the nature of medical, psychiatric or psychological treatment the offender is undergoing;
 - (f) a decrease in the frequency with which the offender must attend the courses or treatment;
 - (g) a decrease in the amount of community service the offender must perform under the order.
- (2) The magistrate may, if necessary, amend the requirements of the offender's intensive drug rehabilitation order or the offender's rehabilitation program to give the reward.

32 Sanctions

- (1) A drug court magistrate may impose the following kinds of sanctions on the offender if the magistrate is satisfied on the balance of probabilities the offender is not complying with the offender's intensive drug rehabilitation order—
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Drug Court Act 2000

- (a) the withdrawal of stated privileges;
 - (b) the imposition of a monetary penalty payable to the clerk of the court of a drug court;
 - (c) an increase in the level of supervision of the offender by a drug court magistrate or someone else;
 - (d) a change in—
 - (i) the nature of the vocational education and employment courses the offender attends; or
 - (ii) the nature of medical, psychiatric or psychological treatment the offender is undergoing;
 - (e) an increase in the frequency with which the offender must attend the courses or treatment;
 - (f) a term of imprisonment for up to 15 days for each failure to comply with the order, but not so as to impose a term of more than 22 days at any 1 hearing under this section;
 - (g) an increase in the amount of community service the offender must perform, but—
 - (i) not more than 40 hours community service for each failure to comply with the order; and
 - (ii) not so as to impose more than 40 hours community service at any 1 hearing under this section; and
 - (iii) not so as to increase the total number of hours to be performed under this section and under the order to more than 240 hours.
- (2) In deciding whether to increase the amount of community service the offender must perform under subsection (1)(g), the drug court magistrate must consider—
- (a) the number of hours of community service the offender has outstanding under another order and when the hours must be completed; and
 - (b) whether the offender is in a residential rehabilitation facility and is able to complete the community service.
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- (3) The magistrate may, if necessary, amend the requirements of the offender's intensive drug rehabilitation order or the offender's rehabilitation program to give the sanction.
- (4) A monetary penalty imposed under subsection (1)(b) is not a penalty within the meaning of the *Penalties and Sentences Act 1992*, section 4.
- (5) A term of imprisonment imposed under subsection (1)(f) is not a sentence within the meaning of the *Penalties and Sentences Act 1992*, section 4.⁶

Division 5 Amending orders and terminating rehabilitation programs

33 Amending intensive drug rehabilitation orders

- (1) A drug court magistrate may, on application under this division or on the magistrate's own initiative, amend the requirements of an intensive drug rehabilitation order or a rehabilitation program.
- (2) If the magistrate amends the order, the magistrate must give reasons.
- (3) This section is subject to section 26(2).⁷

34 Terminating rehabilitation programs

- (1) A drug court magistrate may, on application under this division or on the magistrate's own initiative, terminate a rehabilitation program decided for the offender if—
 - (a) the offender asks the magistrate to terminate the rehabilitation program; or
 - (b) if the magistrate proposes to amend the order—
 - (i) the offender does not agree to the order being amended; or

⁶ *Penalties and Sentences Act 1992*, section 4 (Definitions)

⁷ Section 26 (Offender to agree to making or amending of order)

- (ii) the offender does not agree to comply with the amended order; or
 - (c) the offender does not attend before a drug court magistrate as required under the offender's intensive drug rehabilitation order or otherwise; or
 - (d) the offender has otherwise failed to comply with the intensive drug rehabilitation order; or
 - (e) the magistrate is satisfied, on the balance of probabilities, there are not reasonable prospects of the offender satisfactorily complying with the offender's intensive drug rehabilitation order.
- (2) If the magistrate terminates the rehabilitation program, the magistrate must give reasons.
 - (3) If the magistrate terminates the rehabilitation program and the offence in relation to which the intensive drug rehabilitation order for the offender was made is a prescribed drug offence, the magistrate must—
 - (a) revoke the conviction recorded for the offence; and
 - (b) vacate the intensive drug rehabilitation order; and
 - (c) under the *Justices Act 1886*, section 113,⁸ commit the offender to the Supreme Court for sentence, even though the magistrate has not addressed the defendant as required under section 104(2).

35 Process for application to amend intensive drug rehabilitation order or terminate rehabilitation program

- (1) An application under section 33 or 34 may be made by any of the following persons—
 - (a) the offender;
 - (b) an authorised corrective services officer;
 - (c) a prosecuting authority.
- (2) The application may be made—

⁸ *Justices Act 1886*, section 113 (Procedure if defendant pleads guilty)

Drug Court Act 2000

- (a) if the offender is before a drug court magistrate—without notice; or
 - (b) if the offender is not before a drug court magistrate—after giving notice in the approved form and as required under subsection (3), (4), (5) or (6).
- (3) If an application is made by the offender, notice must be given by the court to the chief executive (corrective services) and the prosecutor.
 - (4) If an application is made by an authorised corrective services officer, notice must be given to the court, the offender and the prosecutor.
 - (5) If an application is made by a prosecuting authority, notice must be given to the court, the offender and the chief executive (corrective services).
 - (6) Notice under subsection (3), (4) or (5) must be given to the person at least the day before the application is to be heard before the magistrate.
 - (7) In this section—
prosecutor means the prosecuting authority that appeared before the court when the intensive drug rehabilitation order was made.

35A Inclusion of new rehabilitation program

- (1) This section applies when an offender is brought before a drug court magistrate after the offender's rehabilitation program has been terminated by a magistrate in the offender's absence for a reason mentioned in section 34(1)(c) or (d).
 - (2) Unless the offender's intensive drug rehabilitation order has been vacated under section 34(3), the drug court magistrate may amend the intensive drug rehabilitation order to include a new rehabilitation program.
 - (3) The drug court magistrate may amend the intensive drug rehabilitation order to include a new rehabilitation program only if—
 - (a) the drug court magistrate is satisfied of the matters mentioned in section 19 and is satisfied the offender has
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reasonable prospects of successfully completing the new rehabilitation program; and

- (b) the offender agrees to the order being amended and agrees to comply with it.

36 Final sentence to be decided on completion or termination of rehabilitation program

- (1) This section applies when an offender's rehabilitation program ends—
 - (a) if the offence for which the offender's intensive drug rehabilitation order was made was a prescribed drug offence—because the offender has successfully completed the rehabilitation program under the order; or
 - (b) if the offence for which the offender's intensive drug rehabilitation order was made was not a prescribed drug offence—for any reason unless a new rehabilitation program is included in the offender's intensive drug rehabilitation order under section 35A.
- (2) The magistrate must reconsider the offender's initial sentence, vacate the intensive drug rehabilitation order and impose a final sentence.
- (3) When reconsidering the initial sentence, the magistrate must consider the extent to which the offender participated in his or her rehabilitation program, including, for example—
 - (a) whether any rewards or sanctions were given to or imposed on the offender; and
 - (b) if sanctions were imposed on the offender that included the imposition of a term of imprisonment under section 32(1)(f), the number and length of the terms imposed.
- (4) The final sentence may be—
 - (a) for a prescribed drug offence—any sentence that a magistrate could impose for an offence against the *Drugs Misuse Act 1986* on proceedings taken summarily under section 13⁹ of that Act; or

9 *Drugs Misuse Act 1986*, section 13 (Certain offences may be dealt with summarily)

- (b) for any other relevant offence—any sentence that the magistrate could have imposed for the offence.

Note to subsection (4)—

See also the Criminal Code, section 552H(1)(b) for an express extension of a drug court magistrate's power to impose a maximum penalty of 4 years imprisonment on summary conviction under section 552A or 552B of the Code.

- (5) The magistrate must revoke the conviction recorded for the offence—
 - (a) if the *Penalties and Sentences Act 1992*, section 16 or 22¹⁰ applies; or
 - (b) otherwise, if the magistrate has a discretion not to record a conviction and decides not to record a conviction.
- (6) If the magistrate sentences the offender to serve a term of imprisonment with or without suspending the sentence, the term of imprisonment must not be greater than the term imposed in the initial sentence.
- (7) It is declared that in applying the *Penalties and Sentences Act 1992*, section 161,¹¹ to a sentence for a term of imprisonment imposed on an offender under this section, time spent in custody under this Act, other than under section 32(1)(f), is taken to be imprisonment already served under the sentence.

Division 6 General

36A Drug court magistrate must consider views of drug court team

- (1) This section applies if a drug court magistrate is making a decision (a *relevant decision*) about any of the following matters—

10 *Penalties and Sentences Act 1992*, section 16 (Court may make order under this division if it does not record conviction) or 22 (Court may make order under this division if it does not record conviction)

11 Section 161 has been renumbered as section 159A—see the *Corrective Services Act 2006*, section 496 and the *Acts Interpretation Act 1954*, section 14H.

- (a) whether an offender's rehabilitation program should include medical, psychiatric or psychological treatment (*health treatment*);
 - (b) what matters should be included in an offender's rehabilitation program about the offender's health treatment;
 - (c) where the offender should be placed for health treatment, including, for example, in a residential rehabilitation facility, an outpatient facility or with a particular service provider;
 - (d) how often the offender should meet with the persons providing or supervising the offender's rehabilitation program, including health treatment;
 - (e) how often the offender should appear before a drug court magistrate;
 - (f) whether or not to give a reward to, or impose a sanction on, an offender;
 - (g) whether or not an intensive drug rehabilitation order or a rehabilitation program for an offender should be amended;
 - (h) whether or not an intensive drug rehabilitation order for an offender should be terminated.
- (2) The drug court magistrate must consider the views of the members of the offender's drug court team in making the relevant decision.
- (3) In this section—
- drug court team*, for an offender, means the persons who—
- (a) act for an interested entity; and
 - (b) attend a hearing at which a relevant decision is made about the offender.
- interested entity* means any of the following—
- (a) Legal Aid (Queensland);
 - (b) a prosecuting authority;
 - (c) the department in which the *Corrective Services Act 2000* is administered;
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Editor's note—

Corrective Services Act 2000—see the Acts Interpretation Act 1954, section 14H and Corrective Services Act 2006.

- (d) the department in which the *Health Services Act 1991* is administered.

37 Immunity from prosecution

- (1) A person is not liable to be prosecuted for an offence as a result of an admission made by the person—
 - (a) for the purposes of deciding whether the person—
 - (i) is, or appears to be, an eligible person; or
 - (ii) is suitable for rehabilitation; or
 - (b) to someone responsible for the person's supervision or treatment under this Act.
- (1A) To remove any doubt, it is declared that subsection (1) does not prevent a prosecution if there is evidence, other than the admission or evidence obtained as a result of the admission, implicating the accused.
- (2) The admission, and any evidence obtained as a result of the admission, is not admissible against the person in proceedings for an offence.
- (3) However, this section does not apply to—
 - (a) a disqualifying offence; or
 - (b) an indictable offence, other than an indictable offence mentioned in the Criminal Code, section 552B¹² or the *Drugs Misuse Act 1986*, section 13;¹³ or
 - (c) an offence committed in connection with an offence mentioned in paragraph (a) or (b).

12 Criminal Code, section 552B (Charges of indictable offences that may be dealt with summarily)

13 *Drugs Misuse Act 1986*, section 13 (Certain offences may be dealt with summarily)

38 Random drug testing

If a rehabilitation program under an intensive drug rehabilitation order includes a requirement that the offender must report for drug testing and states the frequency for the testing, an authorised corrective services officer—

- (a) may decide when and where the offender is to report; and
- (b) may require the offender to report for further random testing as directed by the officer.

39 Disclosure of compliance and related information

(1) A prescribed person—

- (a) must promptly give the chief executive (corrective services), or a drug court magistrate, any compliance information the prescribed person has about the offender; and
- (b) may enter in the drug court database any compliance information or related information the prescribed person has about the offender.

(2) Subsection (1) applies despite any Act, oath, rule of law or practice that prohibits or restricts the disclosure of information.

(3) In this section—

compliance information means any information about the offender's compliance with, or failure to comply with—

- (a) the requirements of the offender's intensive drug rehabilitation order; or
- (b) the offender's rehabilitation program.

drug court database means a database for the drug court diversion program to which only a prescribed person has access.

information includes a document.

prescribed person means a person involved in the administration of, or who provides services in connection

with, an offender's rehabilitation program who is prescribed under a regulation.

related information means any information, other than compliance information, about the offender obtained in the administration of, or in the provision of services in connection with, the offender's rehabilitation program.

39A Disclosure of relevant information

- (1) A person who is a member of a drug court team for an offender may give another member of the drug court team any relevant information the person has about the offender.
- (2) In this section—

compliance information see section 39.

drug court team, for an offender, means any of the following persons who are responsible for attending the drug court and providing reports to the drug court magistrate about the performance of the offender under the intensive drug rehabilitation order—

- (a) a corrective services officer;
- (b) a police officer;
- (c) a person employed for the purposes of the *Director of Public Prosecutions Act 1984*;
- (d) a health service employee under the *Health Services Act 1991*;
- (e) a Legal Aid employee under the *Legal Aid Queensland Act 1997*.

related information see section 39.

relevant information means—

- (a) compliance information; or
- (b) related information; or
- (c) any other information prescribed under a regulation for this section;

but does not include information to which legal professional privilege attaches.

39B Protection from liability

- (1) This section applies if—
 - (a) a person who is a health professional gives an indicative assessment report to the chief executive (health) or a drug court magistrate; or
 - (b) a person who is a health professional gives an assessment report to the chief executive (health) or a drug court magistrate; or
 - (c) a prescribed person gives the chief executive (corrective services) or a drug court magistrate compliance information under section 39; or
 - (d) a prescribed person enters compliance information or related information in the drug court database under section 39; or
 - (e) a person who is a member of a drug court team for an offender gives another member of the team relevant information under section 39A.
 - (2) The person is not liable, civilly, criminally or under an administrative process, for giving the report, or giving or entering the information, honestly and on reasonable grounds.
 - (3) Also, merely because the person gives the report, or gives or enters the information, the person can not be held to have—
 - (a) breached any code of professional etiquette or ethics; or
 - (b) departed from accepted standards of professional conduct.
 - (4) Without limiting subsections (2) and (3)—
 - (a) in a proceeding for defamation, the person has a defence of absolute privilege for publishing the report or information; and
 - (b) if the person would otherwise be required to maintain confidentiality about the report or information under an Act, oath or rule of law or practice, the person—
 - (i) does not contravene the Act, oath or rule of law or practice by giving the report or giving or entering information; and
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- (ii) is not liable to disciplinary action for giving the report or giving or entering information.

39C Protection of personal information about offenders

- (1) This section applies if a personal information document about an offender is given to a drug court.
- (2) The clerk of the court of a drug court may give a copy of a personal information document to a person, other than the offender to whom the document relates, only if—
 - (a) the person applies to the drug court for a copy of the document; and
 - (b) the court is satisfied the person has a sufficient interest in the document; and
 - (c) the court orders the person is to be given a copy of the document.
- (3) A regulation may provide for the storage of personal information documents to ensure the confidentiality of information in the document.

Example for subsection (3)—

A regulation may provide that a medical report about an offender, kept in the offender's file, is to be stored in a sealed envelope.

- (4) This section applies despite any other Act, including the *Justices Act 1886*, section 154.
- (5) In this section—

personal information document means a document that is prescribed, under a regulation, to be a document to which this section applies.

40 Arrest warrants

- (1) A drug court magistrate may issue a warrant for the offender's arrest if the magistrate—
 - (a) reasonably suspects an offender has failed to comply with his or her rehabilitation program; or
 - (b) terminates the offender's rehabilitation program.
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- (2) The warrant authorises any police officer to arrest the offender and to bring the offender before a drug court magistrate.
- (3) The *Bail Act 1980* does not apply to an offender who is arrested on the authority of a warrant under this section.
- (4) If the drug court magistrate decides to refer the offender for an assessment as to whether the offender should continue with the offender's intensive drug rehabilitation order or to reserve making a decision about terminating the offender's rehabilitation program, the magistrate may remand the offender in custody to appear before a drug court magistrate.
- (5) The period for which an offender may be remanded in custody is as follows—
 - (a) an initial period of not more than 30 days;
 - (b) a further period or periods of not more than 8 days.
- (6) If the drug court magistrate remands the offender in custody, the chief executive (corrective services) must ensure the person appears before a drug court magistrate to be dealt with as required by the drug court magistrate.
- (7) The clerk of the court of a drug court may perform the magistrate's functions under subsection (1).

41 Warrants of commitment

- (1) A drug court magistrate may issue a warrant of commitment for the purposes of section 21 or 32(1)(f).¹⁴
- (2) The clerk of the court of a drug court may perform the magistrate's functions under subsection (1).

42 When no appeal

- (1) An appeal does not lie against—
 - (a) an initial sentence; or
 - (b) a decision to do or not to do any of the following—

¹⁴ Section 21 (Delaying suspension of sentence) or 32 (Sanctions)

- (i) remand a person to appear before a drug court magistrate;
 - (ii) make an intensive drug rehabilitation order for a person;
 - (iii) amend an intensive drug rehabilitation order or terminate a rehabilitation program for an offender;
 - (iv) give a reward to or impose a sanction on an offender.
- (2) Subsection (1) applies despite the *Justices Act 1886*, section 222 and the Criminal Code, chapter 67.¹⁵

42A Application of Penalties and Sentences Act 1992, s 188

To remove any doubt, it is declared that the *Penalties and Sentences Act 1992*, section 188 applies to initial sentences and final sentences imposed under this Act.

Part 6 General

43 Regulation-making power

- (1) The Governor in Council may make regulations under this Act.
- (2) A regulation prescribing the maximum number of active intensive drug rehabilitation orders may prescribe the maximum number of active intensive drug rehabilitation orders applicable for persons who reside within a stated locality.
- (3) A regulation may prescribe guidelines for drug courts or a particular drug court.

¹⁵ *Justices Act 1886*, section 222 (Appeal to a single judge) and Criminal Code, chapter 67 (Appeal—pardon)

- (4) Without limiting subsection (3), a regulation may prescribe guidelines for drug courts or a particular drug court about the following matters—
- (a) the requirements of an intensive drug rehabilitation order;
- Example—*
- the maximum number of attendances ordinarily required before a drug court magistrate during a particular period
- (b) the contents and requirements of a rehabilitation program;
- Example—*
- the maximum number of times an offender must ordinarily report for drug testing during a particular period
- (c) the ordinary requirements for successful completion of a rehabilitation program.
- (5) A regulation may prescribe the minimum frequency with which offenders must be drug tested under the offenders' intensive drug rehabilitation orders.

44 Approved forms

The chief executive may approve forms for this Act.

Part 7 Transitional provisions

Division 1 Transitional provision for Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002

46A Transitional provisions for Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002

- (1) Sections 6 and 19,¹⁶ as in force immediately before the commencement of this subsection, continue to apply in relation to an intensive drug rehabilitation order made before the commencement.
- (2) The release under section 16(1)¹⁷ during the transitional period of a person on bail subject to a condition that the person report to persons at the times and places directed by a community correctional officer is taken instead to have been subject to a condition that the person report to persons at the times and places directed by a corrective services officer.
- (3) In this section—
transitional period means the period beginning on 1 July 2001 and ending immediately before the commencement of subsection (2).

Division 2 Transitional provisions for Drug Legislation Amendment Act 2006

47 Definition for div 2

In this division—

commencement means the commencement of this division.

16 Sections 6 (Who is an *eligible person*) and 19 (Making of order)

17 Section 16 (Referral for assessment)

48 References to Act

In an Act or document, a reference to the *Drug Rehabilitation (Court Diversion) Act 2000* may, if the context permits, be taken as a reference to this Act.

49 Transitional provision for courts

A Magistrate Court that was, immediately before the commencement, declared to be a pilot program court is, on the commencement, taken to be a drug court.

50 Transitional provision for magistrates

A magistrate who, immediately before the commencement, had been allocated the functions of a pilot program magistrate is, on the commencement, taken to have been allocated the functions of a drug court magistrate.

51 Transitional provision for proceedings

If proceedings before a pilot program court had been started but not finished before the commencement, the proceedings may continue as if they had been started after the commencement.

Schedule Dictionary

section 5

active intensive drug rehabilitation order means an intensive drug rehabilitation order other than—

- (a) an intensive drug rehabilitation order, the rehabilitation program for which has been terminated under section 34; or
- (b) an intensive drug rehabilitation order that has been vacated.

appropriately qualified, for a health professional, means having the qualifications or experience to carry out an indicative assessment or assessment of a person.

approved form see section 44.

assessment, of a person, means an assessment of the following to help decide the person's capacity to undertake treatment—

- (a) the person's physical and mental health;
- (b) the person's past and present drug dependency and drug use;
- (c) the treatment options appropriate for the person.

assessment report see section 16(3).

authorised corrective services officer see *Penalties and Sentences Act 1992*, section 4A.¹⁸

chief executive (health) means the chief executive of the department in which the *Health Services Act 1991* is administered.

community service means any activity declared by the chief executive (corrective services) to be community service for

¹⁸ *Penalties and Sentences Act 1992*, section 4A (Meaning of *authorised corrective services officer*)

Schedule (continued)

the *Corrective Services Act 2006* or the *Penalties and Sentences Act 1992*.

community term of imprisonment see section 7A.

core condition, of an intensive drug rehabilitation order, means a condition mentioned in section 22.

corrective services officer see the *Corrective Services Act 2006*.

corresponding provision means a corresponding provision of a law of another State or the Commonwealth.

disqualifying offence see section 7.

drug means—

- (a) a dangerous drug within the meaning given by the *Drugs Misuse Act 1986*; or
- (b) another drug prescribed under a regulation.

drug court means a Magistrates Court declared to be a drug court under section 9.

drug court magistrate means a magistrate to whom functions are allocated under section 10(1).

eligible person see section 6.

health professional has the meaning given by the *Health Services Act 1991*, section 60.

health service facility means a place at which a health service, within the meaning of the *Health Services Act 1991*, section 3, is provided.

indicative assessment, of a person, means an assessment as to whether the person is drug dependent.

indicative assessment report see section 12B.

initial sentence see section 20(a)(i).

intensive drug rehabilitation order see section 19.

offender see section 17.

Schedule (continued)

period of imprisonment means the unbroken duration of imprisonment that an offender is to serve for 2 or more terms of imprisonment, whether—

- (a) ordered to be served concurrently or cumulatively; or
- (b) imposed at the same time or different times;

and includes a term of imprisonment.

prescribed drug offence means an offence under the *Drugs Misuse Act 1986*—

- (a) for which the maximum penalty is 20 years imprisonment; and
- (b) that is prescribed under a regulation.

prison means a prison within the meaning of the *Corrective Services Act 2006*.

prosecuting authority means the commissioner of the police service or the director of public prosecutions.

referring magistrate see section 16(1).

rehabilitation program means a rehabilitation program under an intensive drug rehabilitation order.

relevant offence see section 8.

term of imprisonment means the duration of imprisonment imposed for a single offence.

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2008. Future amendments of the Drug Court Act 2000 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	13 June 2000	7 July 2000
1A	2000 Act No. 46	25 October 2000	8 November 2000
1B	2000 Act No. 58	17 November 2000	27 November 2000

Reprint No.	Amendments included	Effective	Notes
1C	2002 Act No. 23	19 July 2002	
1D	2002 Act No. 41	25 October 2002	
2	2003 Act No. 55	18 September 2003	
2A rv	2004 Act No. 43	3 December 2004	
2B	2006 Act No. 8	3 July 2006	
2C	2006 Act No. 29	28 August 2006	
2D	2007 Act No. 37	28 September 2007	
3	2007 Act No. 37	1 July 2008	

5 List of legislation

Drug Court Act 2000 No. 3 (prev Drug Rehabilitation (Court Diversion) Act 2000)

date of assent 8 March 2000

ss 1–2 commenced on date of assent

remaining provisions commenced 13 June 2000 (2000 SL No. 103)

amending legislation—

Statute Law (Miscellaneous Provisions) Act 2000 No. 46 ss 1, 3 sch

date of assent 25 October 2000

commenced on date of assent

Justice and Other Legislation (Miscellaneous Provisions) Act 2000 No. 58 ss 1–2 sch

date of assent 17 November 2000

s 2 sch amdt 4 commenced on date of assent (amdt could not be given effect)

remaining provisions commenced on date of assent

Criminal Law Amendment Act 2002 No. 23 ss 1, 2(3), pt 5

date of assent 23 May 2002

ss 1–2 commenced on date of assent

remaining provisions commenced 19 July 2002 (2002 SL No. 157)

Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002 No. 41

date of assent 12 September 2002

ss 1–2 commenced on date of assent

remaining provisions commenced 25 October 2002 (2002 SL No. 279)

Evidence (Protection of Children) Amendment Act 2003 No. 55 pts 1, 9A

date of assent 18 September 2003

commenced on date of assent

Justice and Other Legislation Amendment Act 2004 No. 43 pts 1, 9, s 3 sch

date of assent 18 November 2004

ss 1–2 commenced on date of assent

remaining provisions commenced 3 December 2004 (2004 SL No. 263)

Drug Legislation Amendment Act 2006 No. 8 pts 1–2

date of assent 15 March 2006

ss 1–2 commenced on date of assent

remaining provisions commenced 3 July 2006 (2006 SL No. 151)

Corrective Services Act 2006 No. 29 ss 1, 2(2), 518 sch 3

date of assent 1 June 2006

ss 1–2 commenced on date of assent

s 518 sch 3 amds 5, 6 and 8 (to the extent it amds def “corrective services office”)

commenced 28 August 2006 (amds could not be given effect)

remaining provisions commenced 28 August 2006 (2006 SL No. 213)

Justice and Other Legislation Amendment Act 2007 No. 37 pts 1, 11, s 51 sch

date of assent 29 August 2007

ss 1–2 commenced on date of assent

ss 52–61 commenced 1 July 2008 (2008 SL No. 197)

remaining provisions commenced 28 September 2007 (2007 SL No. 241)

6 List of annotations**Title** sub 2006 No. 8 s 4**Short title**

s 1 sub 2006 No. 8 s 5

Objects of this Act

s 3 sub 2006 No. 8 s 6

Relationship with Penalties and Sentences Act 1992

s 4 amd 2006 No. 8 s 7

Notes in text

s 4A ins 2002 No. 41 s 4

Who is an “eligible person”

s 6 amd 2002 No. 41 s 5; 2006 No. 8 s 8; 2006 No. 29 s 518 sch 3; 2007 No. 37 s 52

BERMUDA:

DRUG TREATMENT PROGRAMMES

Drug treatment programmes

68 (1) There is established a special magistrates court to be known as the Drug Treatment Court.

(2) The Chief Justice may designate any magistrate as a judge of the Drug Treatment Court.

(3) Where an accused other than a corporation—

(a) pleads guilty to or is found guilty of an offence;

(b) appears to the court to satisfy the eligibility criteria; and

(c) is willing to undergo an assessment by a qualified person to determine his suitability for a drug treatment programme,

the court may by order direct the offender to appear before the Drug Treatment Court.

(4) The Drug Treatment Court on being satisfied—

- (a) that the offender is suitable for enrollment in a drug treatment programme;
- (b) that it is in the best interests of the offender that he be enrolled in such programme; and
- (c) that the offender agrees to be enrolled in such programme,

may, instead of convicting the offender, order that he be enrolled in a drug treatment programme of such description, for such period and subject to such conditions as the Drug Treatment Court may specify in the order.

(5) Where an offender has been enrolled in a drug treatment programme, the Drug Treatment Court shall monitor the progress of the offender throughout the duration of the programme.

(6) Where the offender fails, without reasonable excuse, to comply with the rules of a drug treatment programme or any conditions set out in an order under subsection (4), the Drug Treatment Court may—

- (a) (i) impose any sanction, including, imprisonment for a period not exceeding 20 days, that it could have imposed for the offence in respect of which the order was made; and
- (ii) require the offender to continue in the drug treatment programme; or
- (b) (i) revoke the order,
- (ii) convict the offender of the offence in respect of which the order was made, and
- (iii) impose any sentence that could have been imposed if the offender had been convicted at the time the order was made.

(7) For the avoidance of doubt it is declared that where an accused

- (a) has pleaded guilty to an offence; and
- (b) has been enrolled in a drug treatment programme,

the plea is irrevocable.

(8) For the purposes of the Rehabilitation of Offenders Act 1977 a person shall be deemed to have become a rehabilitated person if he successfully completes a drug treatment programme pursuant to an order under subsection (4).

CRIMINAL CODE ACT 1907

(9) In this section—

- (a) "drug treatment programme" means a drug treatment and rehabilitative programme approved by the Minister of Health and Family Services;
- (b) "eligibility criteria" means eligibility criteria for participation in a drug treatment programme that are approved by the Minister of Health and Family Services and are published in the Gazette;
- (c) "qualified person" means a person approved by the Minister of Health and Family Services as qualified to conduct an assessment under this section.

[Section 68 repealed and substituted by 2001:29 effective 29 October 2001]

JAMAICA:

THE DRUG COURT (TREATMENT AND REHABILITATION OF OFFENDERS) ACT, 1999

The Drug Court (Treatment and Rehabilitation Of Offenders) Regulations, 2000

In exercise of the power conferred upon the Minister by section 18 of the Drug Court Act, 1999, and of every other power hereunto enabling, the following Regulations are hereby made:-

- | | | |
|--|----------|---|
| Citation. | 1. | These Regulations may be cited as the Drug Court (Treatment and Rehabilitation of Offenders) Regulations, 2000. |
| Approval of treatment providers. | 2. | The Minister may in writing, designate any individual or organization as an approved treatment provider if he is satisfied as to the kind of care, treatment or rehabilitation which is to be provided by that individual or organization. |
| Criteria for eligibility. | 3. | A person is an eligible person for the purposes of section 5(c) of the Act if that person -

(a) is at least seventeen years of age; and

(b) is not suffering from any mental condition that could prevent or restrict the person's active participation in a prescribed treatment programme. |
| Procedure for referring persons to Drug Court. | 4. - (1) | For the purposes of section 6 of the Act (procedure after arrest) the person arrested shall be brought before the court on the first sitting of the court following the date of arrest. |
| | (2) | Where , pursuant to section 6 (2) of the Act, a recommendation is made to the court that a person be referred to the Drug Court, the Resident Magistrate shall -

(a) ascertain whether the person is an eligible person;

(b) explain to the person the reasons why he is being referred to the Drug Court and the consequences of such referral; and

(c) require the person to signify in writing ,his consent to being so referred. |
| Procedure in Drug Court. | 5. - (1) | The Drug Court shall, in relation to a person referred to it under section 6 of the Act or brought directly before it under section 7 of the Act –

(a) explain to the person that he will be assessed by an approved treatment provider in order to determine his suitability for participation in a prescribed treatment programme; |

- (b) if the person agrees to undergo such assessment, adjourn the case for a period of two weeks to facilitate the carrying out of the assessment during that period.

(2) Where the approved treatment provider recommends to the Drug Court that a drug offender is suitable to participate in a prescribed treatment programme and furnishes to that Court, a plan of that programme, the Drug Court shall, if satisfied as to the matters specified in section 9 (1) of the Act -

- (a) require the drug offender to signify in writing his consent to such participation;
- (b) require a probation officer to carry out a means test in relation to the drug offender in order to determine the amount of contribution, if any, to be made by that offender in relation to such participation; and
- (c) make an order in relation to that offender in accordance with section 9 (2) of the Act.

(3) Where an assessment is not completed at the end of the period referred to in paragraph (1) (b), the Drug Court shall adjourn the case for such further period as it thinks fit to facilitate the completion of the assessment.

(4) An assessment shall include the following in relation to a drug offender -

- (a) social, economic and family background;
- (b) health profile;
- (c) history of drug use and previous treatment, if any;
- (d) level of education;
- (e) vocational achievements;
- (f) previous convictions, if any.

(5) The provisions of paragraphs (1) (a) and (2) shall apply in relation to a person who is convicted of a relevant offence before a regular sitting.

Conditions. 6. - (1) The conditions which may be imposed by the Drug Court pursuant to section 9 (1) (c) of the Act in relation to a drug offender's participation in a prescribed treatment programme may include the advantages specified in paragraph (2) and the sanctions specified in paragraph (3).

(2) The following advantages may be specified by the Drug Court on the recommendation of the approved treatment provider in relation to a drug offender who maintains a satisfactory level of compliance with the programme -

- (a) specified privileges;
- (b) a change in the frequency of counselling or other treatment;
- (c) a decrease in the degree of supervision to which the drug offender is subject;
- (d) a decrease in the frequency with which the drug offender is required to undergo drug tests;
- (e) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which he is required to attend those services.

(3) The following sanctions may be specified by the Court on the recommendation of the approved treatment provider in relation to a drug offender who fails to comply with the programme -

- (a) withdrawal of privileges referred to in paragraph (2) (a);
- (b) an appropriate change in the frequency of counselling or other treatment;
- (c) an increase in the degree of supervision to which the drug offender is subject;
- (d) an increase in the frequency with which the drug offender is required to undergo drug tests;
- (e) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which he is required to attend those services.

Means test. 7. In carrying out a means test pursuant to regulation 5 (2) (b), the probation officer shall take into account such factors as he considers relevant, including -

- (a) the nature of the offence committed by the drug offender ;
- (b) the drug offender's income and expenses;
- (c) the drug offender's property, if any;
- (d) the ability and willingness of the offender's relatives, friends or employers to make the contribution referred to in regulation 5(2)(b).

Duration of programme. 8. - (1) A prescribed treatment programme shall commence on the date specified by the Court in the order under section 9 (2) of the Act and shall, unless it is sooner terminated pursuant to section 12 (1) (b) or (c) of the Act, be for such period as the Court shall specify in the order.

(2) Before the commencement of the prescribed treatment programme, the approved treatment provider shall conduct an intake interview with the drug offender, in the form of a discussion of the following -

- (a) the goals and objectives for participation, including abstinence from the use of drugs during the period of the programme;
- (b) counselling and education requirements;
- (c) attendance requirements;
- (d) drug testing requirements;
- (e) payment of contribution, if any;
- (f) the place and times for participation;
- (g) reasons for termination of the programme;
- (h) rules which will relate to the drug offender.

(3) The drug offender shall sign the rules referred to in paragraph (2) (h) in duplicate and one copy shall be given to the offender and the other shall be kept in the record of the offender's participation in the programme.

(4) The following documents shall be used for enrollment of a drug offender in the prescribed treatment programme -

- (a) registration form containing the information referred to in paragraph (2) ;
- (b) a form permitting the release of confidential information concerning the drug offender to the Drug Court;
- (c) an agreement to be signed by the drug offender and the approved treatment provider, listing the services to be provided under the programme, the amount of contribution, if any, payable by the offender, attendance requirements and the reasons for termination of the programme.

(5) One copy of the signed agreement shall be given to the drug offender and a copy shall be kept in the record of his participation in the programme.

Reports.	9.	The progress report required under section 11 of the Act shall be submitted to the Drug Court by an approved treatment provider at such intervals as the Court may direct.
Termination of programme.	10. - (1)	Where an approved treatment provider intends to report to the Drug Court that there is no useful purpose to be served by a drug offender's continued participation in a prescribed treatment programme, the treatment provider shall inform the drug offender of that intention.
	(2)	On receipt of a report referred to in paragraph (1), the Drug Court shall permit the drug offender to show cause why the approved treatment programme should not be terminated in accordance with section 12 (1) (c) of the Act.
	(3)	A conditional discharge of a drug offender by the Drug Court upon his successful completion of a prescribed treatment programme shall have effect for such period, not exceeding twelve months, as the Court may specify.
Register.	11.	The register required by section 14 of the Act shall contain the particulars specified in the First schedule.
First Schedule.		
Plan of prescribed treatment programme.	12.	A plan of a prescribed treatment programme shall include the matters specified in the Second Schedule.
Second Schedule.		

FIRST SCHEDULE

(Regulation 11)

Particulars to be entered in register kept pursuant to section 14 of the Act.

1. Name and address of each drug offender.
2. Nature of relevant offence and date and place of arrest.
3. Date of first appearance in regular sitting and date of reference to the Drug Court.
4. Date of appearance in Drug Court and whether the prosecution of the offence is deferred or sentence is deferred after a guilty plea.
5. Name of approved treatment provider making an assessment and recommendation under section 8 (1) of the Act.

6. Date of adjournment for assessment and date of completion of assessment.
7. Whether the drug offender is -
 - (a) considered suitable or unsuitable for participation in an approved treatment programme; or
 - (b) not willing to be dealt with by the Drug Court.
8. Date of trial by the Drug Court of offence specified in section 7 (3) of the Act.
9. Date of order made under section 9 (2) of the Act.
10. Date of commencement and period of prescribed treatment programme.
11. Date of termination of prescribed treatment programme and basis of termination.
12. Where the drug offender failed to complete the prescribed treatment programme -
 - (a) if the prosecution was deferred under section 7 (2) (a) of the Act -
 - (i) the date of the order for trial of the relevant offence and the outcome; or
 - (ii) the date of any order requiring the offender to undergo a new treatment programme and date of commencement and period of that programme;
 - (b) where sentence was deferred under section 7 (2) (b) of the Act, the nature of the sentence imposed;
 - (c) date of confirmation of any sentence, the execution of which was deferred pursuant to section 9 (4) of the Act.
 - (d) where trial was deferred by a regular sitting, the date of reference back to that sitting.
13. Date of warrant of arrest in respect of a person who has failed to comply with specified conditions.
14. Date of notification under section 17 of the Act of a drug offender's failure to comply with the prescribed treatment programme.

SECOND SCHEDULE**(Regulation 12)****Plan of Prescribed Treatment Programme**

The following matters shall be included in a plan of a prescribed treatment programme

Educational Sessions -

- (1) a minimum of 8 weekly educational sessions of at least 60 minutes (excluding time allowed for breaks) for each drug offender.
- (2) Information on -
 - (a) the effects of drug use on the individual, the foetus, the family and society;
 - (b) the physiological and psychological facets of drug use;
 - (c) the nature of addiction;
 - (d) HIV/AIDS, intravenous drug use and sex and sexuality;
 - (e) Alternatives to drug use;
 - (f) Relapse prevention;
 - (g) Stress management;
 - (h) Conflict resolution

Group Counselling Sessions -

- (1) a minimum of 12 weekly group sessions, at times convenient to the programme structure following the initial educational sessions;
- (2) at least 90 minutes in length, excluding time allowed for breaks;
- (3) conducted in such a manner as to -
 - (a) encourage participants to talk and share ideas and information in order to identify and resolve drug related problems;
 - (b) provide an opportunity for participants to examine their own personal attitudes and behaviour;
 - (c) provide support for positive changes in life style to facilitate reduction or elimination of drug use.

One-to-One Sessions -

- (1) a minimum of four separate sessions with each participant.
- (2) Conducted for the purpose of -

- (a) reviewing the participant's progress related to the treatment and recovery plan;
- (b) identifying problems which may be barriers to accomplishing the goals of that plan;
- (c) developing action plans to address the matters specified in (a) and (b);
- (d) evaluating the participant's need for voluntary referral to ancillary services, such as residential or additional non-residential services.

- (3) The frequency of one-to-one sessions shall be increased whenever the approved treatment provider or the participant determines that additional time is required.

Drug Testing -

- (1) Minimum monthly random urinalyses.
- (2) The frequency of testing shall increase whenever the approved treatment provider determines that additional drug tests are necessary
- (3) Positive results will not necessarily exclude a participant from the programme but will be used to arrive at a decision based on evaluation of the participant's progress in the programme and evaluate the participant's level of treatment intensity.

Treatment/Recovery Plan

- 1. Each participant shall have an individual written treatment/ recovery plan based on the information obtained in the process of intake and assessment.
- 2. The treatment/recovery plan shall be developed within 30 days of the date of commencement of the programme.
- 3. The treatment/recovery plan shall be reviewed and updated at least every 60 days
- 4. The treatment/recovery plan shall include the following -
 - (a) statement of problems to be addressed;

- (b) time-limited goals to be achieved which address the problem;
- (c) steps to be taken by the treatment provider and the participant to achieve the goals;
- (d) target date for achievement of steps and goals, and where possible, dates of resolution;
- (e) a description of the type and frequency of counselling services to be provided.

Dated this 28th day of December , 2000.



Minister of National Security and Justice

THE DRUG COURT ACT, 1999

Consent of Drug Offender to Participate in a Prescribed Treatment Programme (Under Regulation 5 (2) (a))

I,
of
being a drug offender who *having been referred to the Drug Court/* being brought
before the Drug Court/* being convicted of a relevant offence before a regular sitting,
and the Drug Court has made an order in relation to me under section 9(2) of the Drug
Court Act, 1999, declare that the Resident Magistrate has -

(a) explained to me that I will be required to undergo a treatment programme
and that I will have to comply with the specified conditions imposed by the
Drug Court in relation to my participation in the prescribed treatment
programme; and

(b) informed me of the consequences of my failure to comply with the specified
conditions,

do hereby signify my consent to participate in the prescribed treatment programme and
to comply with the specified conditions, including, if applicable, a condition that I
undergo

drug tests at such times as are specified in the order.

.....
Signature of Offender

.....
Date

.....
Signature of Clerk of the Courts

.....
Date

*Cross out which is inapplicable

THE DRUG COURT (TREATMENT AND
REHABILITATION OF OFFENDERS) ACT

ARRANGEMENT OF SECTIONS

1. Short title.
2. Interpretation.
3. Objects of Act.
4. Declaration and jurisdiction of Drug Court.
5. Eligible persons.
6. Procedure after arrest for relevant offence.
7. Persons who may be brought directly before Drug Court.
8. Assessment of offender and determination of relevant offence.
9. Jurisdiction of Drug Court.
10. Variation of conditions.
11. Reports.
12. Termination of programme.
13. Procedure on termination.
14. Register.
15. Arrest warrant.
16. Immunity from prosecution for certain offences.
17. Provision of information.
18. Regulations.

SCHEDULE.

[The inclusion of this page is authorized by L.N. 112/2002]

DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)

3

THE DRUG COURT (TREATMENT AND
REHABILITATION OF OFFENDERS) ACT

Act
40 of 1999.

[15th January, 2001.]

Short title

1. This Act may be cited as the Drug Court (Treatment and Rehabilitation of Offenders) Act.

Interpreta-
tion.

2. In this Act, unless the context otherwise requires—

“approved treatment provider” means an individual or organization approved by the Minister to carry out prescribed treatment programmes for the purposes of this Act;

“drug” includes alcohol and any dangerous drug falling within Parts III, IIIA and IV of the Dangerous Drugs Act;

“Drug Court” means the sitting of the Resident Magistrate’s Court declared to be a Drug Court pursuant to section 4;

“drug offender” means a person who is referred to the Drug Court under section 6(2)(b) or brought before the Drug Court pursuant to section 7;

“eligible person” means a person described in section 5;

“regular sitting” means a sitting of the Resident Magistrate’s Court other than the Drug Court;

“prescribed treatment programme” means a programme for treatment and supervision prescribed by the Drug Court pursuant to section 9;

“relevant offence” means any offence triable by a Resident Magistrate.

[The inclusion of this page is authorized by L.N. 112/2002]

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

Objects of
Act.

3. The objects of this Act are to—

- (a) reduce the incidence of drug use and dependence by persons whose criminal activities are found to be linked to such dependence;
- (b) reduce the level of criminal activity that results from drug abuse;
- (c) provide such assistance to those persons as will enable them to function as law abiding citizens.

Declaration
and juris-
diction of
Drug Court.

4.—(1) The Resident Magistrate presiding in each parish shall declare a sitting of the Resident Magistrate's Court to be a Drug Court for the purposes of this Act.

Schedule.

(2) The Drug Court shall be constituted in accordance with the provisions of the Schedule and when so constituted and sitting shall have the jurisdiction and powers conferred upon it by this Act.

Eligible
persons.

5. A person is an eligible person for the purposes of this Act if—

- (a) the person is charged with a relevant offence;
- (b) the person appears to be dependent on the use of drugs; and
- (c) the person satisfies such other criteria as may be prescribed.

Procedure
after arrest
for relevant
offence.

6.—(1) Subject to section 7, where a person is arrested and charged with a relevant offence and the arresting officer has reasonable cause to believe that the person is dependent on any drug, the arresting officer shall include in the police report, a note of the facts giving rise to that belief.

(2) As soon as practicable after the person is charged with the offence, the Clerk of Courts in the parish in which the person is arrested—

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- (a) shall review the police report and the person's criminal record; and
- (b) may, if satisfied that the person is eligible, recommend to the Court that the person be referred to the Drug Court to be dealt with in accordance with section 8.

7.—(1) A person who is arrested and charged with a relevant offence specified in subsection (3) shall be brought before the Drug Court to be dealt with in accordance with section 9.

(2) The Drug Court may, on the recommendation of the prosecution in relation to a person brought before it pursuant to subsection (1)—

- (a) defer prosecution of the offence; or
- (b) defer the imposition of a sentence for the offence after a guilty plea.

(3) The offences referred to in subsection (1) are offences under the Dangerous Drugs Act as follows—

- (a) possession of not more than—
 - (i) one ounce of prepared opium;
 - (ii) eight ounces of ganja;
 - (iii) one-tenth of an ounce of cocaine, heroin or morphine, as the case may be;
- (b) possession of any pipes or other utensils for use in connection with the smoking of opium or ganja, as the case may be, or any utensils used in connection with the preparation of opium for smoking;
- (c) smoking or otherwise using ganja or prepared opium, as the case may be;
- (d) frequenting any place used for the purpose of smoking opium.

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Assessment
of offender
and deter-
mination of
relevant
offence.

8.—(1) A person referred to the Drug Court under section 6 or brought before it pursuant to section 7 shall be assessed by an approved treatment provider who shall make a recommendation to the Drug Court as to the person's suitability for participation in a prescribed treatment programme and shall furnish to the Court, a plan of that programme.

(2) Where—

- (a) based upon an assessment by an approved treatment provider, a person is not considered suitable for participation in a prescribed treatment programme; or
- (b) a person is not willing to be dealt with by the Drug Court,

the relevant offence in relation to that person shall, subject to subsection (3), be heard and determined in a regular sitting.

(3) A relevant offence specified in section 7 (3) shall be heard and determined by the Drug Court.

Jurisdiction
of Drug
Court.

9.—(1) The Drug Court may act in accordance with subsection (2) in relation to a person referred to it under section 6 or brought before it pursuant to section 7 if the Court is satisfied that—

- (a) the person is an eligible person;
- (b) having regard to the person's antecedents, it would be appropriate for the person to participate in a prescribed treatment programme;
- (c) the person accepts the conditions to be imposed by the Drug Court (whether immediately or at some later date) in relation to his participation in a prescribed treatment programme;

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(d) the person has been informed of the Drug Court's powers under this Act and of the respective consequences of the person's compliance or non-compliance with a prescribed treatment programme.

(2) The Drug Court shall make an order—

(a) requiring the drug offender to undergo a prescribed treatment programme and to comply with the conditions imposed by the Court pursuant to paragraph (b);

(b) imposing such conditions as the Court deems fit (hereinafter referred to as specified conditions) in relation to the drug offender's participation in the prescribed treatment programme.

(3) Where the Drug Court makes an order under subsection (2), it shall inform the drug offender of the consequences of any failure to comply with the specified conditions.

(4) The Drug Court may make an order under subsection (2) in relation to an offender who is convicted of a relevant offence before a regular sitting, and in such a case the regular sitting shall defer execution of the sentence during the period for which that order is in force.

(5) Where the Court makes an order under subsection (2), the drug offender to whom it relates shall be required to signify his consent in writing to participate in the prescribed treatment programme, and to comply with the specified conditions, including, where applicable, a condition that the offender undergo drug tests at such times as are specified in the order.

10. The Drug Court may, from time to time, on the recommendation of the approved treatment provider, vary or revoke the conditions imposed pursuant to section 9 (2).

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Reports.

11.—(1) An approved treatment provider shall submit to the Drug Court, at such intervals as may be prescribed, a progress report in respect of each drug offender who participates in a prescribed treatment programme.

(2) A report under subsection (1) shall include, in any case where the drug offender fails to comply with any directions given by the approved treatment provider or any specified condition, the nature of the non-compliance and the effect or likely effect on the offender's successful completion of the prescribed treatment programme.

Termination
of pro-
gramme.

12.—(1) The Drug Court shall terminate a prescribed treatment programme in relation to a drug offender if—

- (a) the offender successfully completes the programme;
- (b) the offender requests the Drug Court to terminate the programme; or
- (c) based on the report of the approved treatment provider, the Drug Court is satisfied that there is no useful purpose to be served by the drug offender's continued participation in the prescribed treatment programme.

(2) Where a prescribed treatment programme is terminated, the records of any tests performed on the person concerned shall not be admissible in evidence in any proceedings against that person.

Procedure
on termina-
tion.

13.—(1) As soon as may be reasonably practicable after the termination of a prescribed treatment programme, the drug offender shall be brought before the Drug Court to be dealt with in accordance with subsection (2) or (3), as the case may require.

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

(2) If the offender has successfully completed the prescribed treatment programme, the Drug Court shall discharge the offender in relation to the relevant offence and that discharge may be either absolute or conditional as the Court thinks fit.

(3) If the offender has failed to complete the prescribed treatment programme the Drug Court may—

(a) if the trial was deferred pursuant to section 7(2)(a)—

- (i) hear and determine the relevant offence; or
- (ii) if the Court considers that the circumstances of the case so warrant, make an order requiring the offender to undergo a new prescribed treatment programme for such period and subject to such conditions as the Court may, on the recommendation of an approved treatment provider, specify;

(b) if sentencing was deferred pursuant to section 7(2)(b), impose any sentence which it could have imposed for the relevant offence;

(c) if the execution of a sentence was deferred pursuant to section 9(4), make an order confirming that sentence;

(d) if the trial was deferred by a regular sitting, refer the relevant offence back to the regular sitting to be heard and determined by that sitting, unless it is an offence specified in section 7(3).

(4) Subject to subsection (5), a conviction in respect of a relevant offence shall not form part of the criminal record of any person who successfully completes a prescribed treatment programme.

(5) Subsection (4) shall not apply in any case where

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

a person is convicted of a relevant offence on more than two occasions.

Register.

14. The Clerk of Courts in each parish shall keep a register containing such particulars as may be prescribed in respect of persons who are dealt with by the Drug Court in accordance with this Act.

*Arrest
warrant.*

15. Where, based upon a report by an approved treatment provider under section 11, the Drug Court is satisfied that a drug offender has failed to comply with the specified conditions, the Court may issue a warrant authorizing a constable to arrest the offender and bring him before the Drug Court to be dealt with under this Act.

*Immunity
from
prosecution
for certain
offences.*

16.—(1) A person shall not be liable to prosecution for any offence comprising the unlawful possession or use of drugs as a result of any admission made—

- (a) for the purpose of seeking a referral to the Drug Court under this Act;
- (b) for the purpose of satisfying the Drug Court that the person should participate in a prescribed treatment programme;
- (c) in connection with the supervision of the prescribed treatment programme in relation to that person.

(2) An admission referred to in subsection (1) shall not be admissible in evidence against the person making it, in proceedings brought as a result of the admission, for an offence referred to in that subsection.

*Provision of
information.*

17.—(1) Every approved treatment provider shall forthwith notify the Drug Court of any failure by a drug offender to comply with the prescribed treatment programme.

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(2) The following provisions apply to and in respect of information furnished in accordance with this section (hereinafter referred to as protected information)—

- (a) the provision of the information—
 - (i) does not constitute a breach of professional etiquette or ethics or a departure from accepted standards of professional conduct on the part of the person furnishing it;
 - (ii) shall not give rise to any action for defamation against that person;
 - (iii) shall not constitute a ground for civil proceedings for malicious prosecution or for conspiracy;
- (b) the information shall not be admissible in any proceedings before a court, tribunal or committee;
- (c) a person shall not be compellable in any such proceedings to disclose the information or to produce any document that contains the information.

(3) The provisions of subsection (2) (b) and (c) shall not apply to or in respect of the provision of protected information—

- (a) in proceedings before the Drug Court; or
- (b) in support of, or in answer to, any allegation made in proceedings against a person in relation to the exercise of his functions under this Act.

(4) A drug offender shall be taken to have authorized the provision of protected information—

- (a) by an approved treatment provider to the Drug Court;
- (b) by any member of staff of the Drug Court to any other member of staff.

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*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

Regulations. 18. The Minister may make regulations generally for giving effect to the provisions of this Act.

SCHEDULE (Section 4)

1. The Minister shall, in each parish, appoint to a special panel of Justices, those Justices whom he may consider to be specially qualified to deal with cases before the Drug Court, and no Justice of the Peace shall be qualified to sit as a member of the Drug Court unless he is a member of such a panel.

2. A Drug Court shall be constituted of a Resident Magistrate as chairman, and two Justices one of whom shall be a woman and both of whom shall be members of the panel referred to in paragraph 1:

Provided that subject to paragraph 3—

- (a) the Court shall be deemed to be fully constituted where the chairman and only one such Justice sit;
- (b) until the panel referred to in paragraph 1 is prepared, the Court shall be constituted of a Resident Magistrate alone.

3. Where a Drug Court conducts a trial to determine guilt or innocence, the Court shall be constituted of a Resident Magistrate alone.

NORWAY:

Regulations relating to a trial scheme for court-controlled drug programmes

Laid down by Royal Decree xxxxx pursuant to the General Civil Penal Code (the Penal Code) no 10 of 22 May 1902 section 53 subsection 6, cf. Act no 92 of 17 June 2005 relating to amendments to the Penal Code sections 53 and 54 (trial scheme for court-controlled drug programmes). Proposed by the Ministry of Justice and the Police.

Section 1 Establishment and objective

A three-year trial scheme for court-controlled drug programmes (drug courts) in the municipalities of Oslo and Bergen will be established with effect from 1 January 2006, cf. section 14.

The objective of the trial scheme is to prevent new crime and to promote the rehabilitation of convicted persons. It is also intended to help improve the practical support and treatment offered to problem drug users covered by the scheme. Completion of the drug programme will require a combined effort from and binding cooperation between different sectors and administrative levels.

Section 2 Scope of the trial scheme

The trial scheme applies to problem drug users convicted of drug-related crimes, where the court has stipulated a condition that the convicted person complete a court-controlled drug programme. The drug user must reside in one of the trial municipalities and illicit drugs must be the main substance abused. Only courts with jurisdiction in the trial municipalities are authorised to stipulate completion of a drug programme as a condition.

Section 3 Definitions

By drug-related crime is meant violations of the Penal Code section 162 and the Act relating to medicines etc. section 31 second paragraph, crimes committed under the influence of illicit drugs, and crimes committed in order to finance personal drug abuse.

By trial municipalities is meant the municipalities in which a trial scheme for drug courts is established, cf. the Regulations section 1.

Section 4 Consent

The court may only stipulate completion of a drug programme as a condition with the consent of the convicted person. Consent shall be given in a declaration of consent that shall also contain necessary exemptions from the duty of confidentiality. For consent to participate to be valid the person charged must have been given and have understood sufficient information on the implications of giving his/her consent.

The declaration of consent shall be signed by the person charged in connection with the social inquiry, cf. section 5. The person charged can withdraw his/her consent at any time. If the person charged is under the age of 18, the provisions conferring rights of a party on guardians in the Criminal Procedure Act sections 83-84 shall apply.

Section 5 *Social inquiry*

Pursuant to the provisions of the Criminal Procedure Act chapter 13, the prosecuting authority or the court may decide to carry out a social inquiry of a person charged. In its decision, the prosecuting authority or the court shall state that it wishes the person charged to be assessed with a view to completion of a drug programme. A social inquiry shall always be carried out prior to a conviction in which it may be an option to stipulate completion of a drug programme as a condition of sentence. The correctional service is responsible for carrying out the social inquiry. The social inquiry is carried out by the correctional service's representative on the team in cooperation with the other team members. The person charged shall be given detailed information about the drug programme in connection with the social inquiry, including the consequences of violating the conditions stipulated for the programme and of the withdrawal of his/her consent to participate in the programme.

Section 6 *Conditions*

Pursuant to the Penal Code section 53 subsection 3, a court can stipulate special conditions for suspended sentences, including completion of a court-controlled drug programme. Before the case is brought to court, the team must prepare a plan for the drug programme including proposed conditions for the completion of the programme. The correctional service is responsible for monitoring that the conditions are complied with. The provisions relating to investigations in the Execution of Sentences Act section 56 apply correspondingly.

Section 7 *Contents and completion of the drug programme*

A drug programme is an individually adapted rehabilitation programme and a condition for a suspended criminal sentence. The programme can contain individually adapted treatment plans, referral to interdisciplinary specialist treatment for problem drug users, treatment by the municipal health service, educational and employment measures, residential follow-up, recreational plans, follow-up by social services and other measures of importance to the individual's rehabilitation and integration into society.

The contents of the drug programme shall be based on the individual's need for measures that reduce the risk of new crimes being committed and further the convicted person's rehabilitation. The contents of each individual programme shall be the result of the team's professional evaluations arrived at in cooperation with the convicted person and of the conditions stipulated by the court, for example that during completion of the programme the convicted person shall comply with the provisions laid down by the correctional service with respect to place of domicile, place of residence, work, training or treatment. The team shall prepare an intensive programme of regular and frequent appointments, continuity and work with a view to integrating the individual concerned into society.

The drug programme shall be described in an implementation plan. The plan shall contain compulsory measures, including a requirement for the submission of regular urine samples, which is compulsory for all convicted persons, and individual measures planned in cooperation with the individual. The implementation plan shall be formulated in a manner that makes the conditions for participating in the programme predictable and clear to the convicted person. If an individual plan already exists for the convicted person pursuant to the Act relating to the municipal health services section 6-2a, the Act relating to specialist health service section 2-5, the Mental Health Act Section 4-1 or the Act relating to social services section 4-3, the team shall attempt to coordinate the implementation plan with such existing plan.

The drug programme shall be carried out in four phases. The phases are designated the instigation phase, the stabilisation phase, the responsibility phase and the continuation phase. The phases are decided on the basis of an individual assessment and of what constitutes realistic progress. The contents of the phases and the conditions for progressing from one to the next shall be stated in the implementation plan.

Section 8 *The team*

The correctional service shall set up local interdisciplinary teams that will be responsible for the professional implementation of the drug programme, and it shall help provide a comprehensive programme of treatment and rehabilitation for each convicted person. Teams shall consist of a team coordinator, who shall be an employee of the correctional service, and representatives from the correctional service, municipal social services, the educational sector and the specialist health service. Which other bodies shall be represented on the team shall be assessed locally. The team coordinator is the administrative manager of the centre and organises the team's work, chairs team meetings and facilitates cooperation within the team. The coordinator shall also ensure documentation of the project, contribute to marketing and follow up important principles. The coordinator shall also prepare more detailed descriptions of team roles and work processes. The public bodies involved are responsible for the sub-tasks within their respective areas of responsibility.

Section 9 *Centre*

The correctional service shall establish a day centre in each trial municipality. The purpose of the day centre is to meet the professional requirement that convicted persons participating in the scheme receive a comprehensive service. The centre shall be the base for the team's activities. Unless otherwise agreed, the centre shall also be the place attended regularly by the convicted person. At the centre, the team shall coordinate studies, planning and follow-up of convicted persons. It is a precondition that the ordinary treatment and intervention services are used as part of the programme, but follow-up at the centre will be important, during the start-up phase in particular, until the participants are gradually transferred to ordinary services outside the centre. Moreover, as a part of its role in crime prevention and the rehabilitation of convicted persons, the centre should offer evening and weekend activities.

Section 10 *Changes in conditions etc.*

When justified by the convicted person's situation, the court may, if petitioned by the correctional service during the probationary period, decide to revoke or change stipulated conditions, or stipulate new conditions. If the court finds it necessary, it can also prolong the probationary period, not, however, such that it totals more than five years. The correctional service's petition shall be based on the discussions and conclusions of the team. The regional director or person authorised to act on his/her behalf shall submit the petition to the court. The correctional service shall notify the prosecuting authority when it submits a petition for a court ruling.

If the court decides that it is justified by the convicted person's situation, it may, on petition from the correctional service, rule that the convicted person shall proceed to the next phase of the programme. The correctional service's petition shall be based on the discussions and conclusions of the team. The regional director or person authorised to act on his/her behalf shall submit the petition to the court. The correctional service shall notify the prosecuting authority when it submits a petition for a court ruling.

Section 11 *Violation of conditions*

If the convicted person seriously or repeatedly violates the conditions stipulated by the court or if he/she withdraws his/her consent to participate, the court may, on petition from the correctional service, rule that the sentence be fully or partially enforced. Instead of ordering that the sentence be served, the court may order a new probationary period and stipulate new conditions if it finds this more expedient. Moreover, on petition from the correctional service, the court may also rule that the convicted person be returned to a phase with stricter conditions. The correctional service's petition pursuant to the second and third sentences, shall be based on team discussions and conclusions. The regional director or person authorised to act on his/her behalf shall submit the petition to the court. The correctional service shall notify the prosecuting authority when it submits a petition for a court ruling.

If the convicted person refuses to provide a urine sample aimed at detecting the use of illegal intoxicants or narcotic substances, this shall be regarded as a violation. This also applies to failure to attend treatment appointments and other appointments that have been made with the involved bodies.

The correctional service may, in the event of violations deemed to be less serious, give the convicted person a written warning about the consequences of repeated violations. The correctional service may also decide to enforce more rigorous testing of urine samples for a certain period of time or decide that the convicted person shall undergo intensive programmes aimed at improving drug control.

If the convicted person commits a criminal offence during the probationary period, the court may, pursuant to the Penal Code section 54 subsection 3, hand down a combined sentence for both criminal acts or a separate sentence for the new criminal act. The prosecuting authority is responsible for bringing the criminal case to court, and the correctional service is obliged to notify the police/prosecuting authority if it learns that the convicted person has committed any criminal acts during the probationary period.

Section 12 Evaluation

The trial scheme for drug programmes shall be evaluated during the trial period. By evaluation is meant a research-based process and assessment of results. The main objective of the evaluation is to arrive at a recommendation on whether the programme should be concluded after three years or whether it should be continued. Confidential information to be used during the evaluation shall as a rule be anonymised. If this is not the case, the convicted person must give his/her consent.

Section 13 Amendments and supplementary provisions to the regulations

The Ministry of Justice and the Police may make amendments to the regulations and issue additional provisions concerning the consent of convicted persons, the contents and completion of drug programmes, the team, the centre, the evaluation and the processing of personal information. Any proposed amendments or additional provisions must be clarified with the involved ministries before the proposal is adopted.

Section 14 Entry into force

These regulations enter into force on 1 January 2006.

UNITED STATES:

In addition to the federal Crime Bill Authorizing funding to state and local drug courts (H.R. 3355, Title V-Drug Courts. Violent Crime Control and Law Enforcement Act of 1994), statutes have been enacted in the following state and territories regarding the funding and/or other matters relating to drug court programs: Alaska; Arizona; Arkansas; California; Colorado; Connecticut; Delaware; District of Columbia; Florida; Georgia; Guam; Hawaii; Idaho; Illinois; Indiana; Iowa; Kentucky; Louisiana; Maine; Michigan; Mississippi; Missouri; Montana; Nebraska; Nevada; New Jersey; New Mexico; New York; North Carolina; North Dakota; Ohio; Oklahoma; Oregon; Puerto Rico; Rhode Island; South Carolina; South Dakota; Tennessee; Texas; Utah; Vermont; Virginia; Washington; West Virginia; and Wyoming. The following Tribal Councils have enacted Drug Court Statutes: Eastern Band of Cherokee Indians (North Carolina) and Spokane Tribe (State of Washington)²

² See Selected Statutes and Resolutions Relating to Drug Courts Enacted by State Legislatures and Tribal Councils. Compiled by Caroline S. Cooper, BJA Drug Court Clearinghouse, American University. May 2008. at www.american.edu/justice

B. PROGRAM DESCRIPTIVE INFORMATION

Australia Drug Courts: An Overview

New South Wales

Queensland

South Australia

Victoria

Western Australia

Brazil: Therapeutic Justice Program:

Partial Data in Four States

Sao Paulo St.

Pernambuco St.

Rio de Janeiro St.

Rio Grande do Sul St.

About the Therapeutic Justice Program in Brazil:

General Information

Jamaica:

The Jamaican Drug Court – Life Style Changes

“The Importance of the Drug Rehabilitation Programme and
Why I should be a Member of It. “ By Davian Smith, Age 19

New Zealand

Christchurch Youth

Norway

The establishment of the drug treatment court in Norway

The Norwegian Way. Bergen. May 2006. Ingunn Seim

United States:

BJA Drug Court Clearinghouse: Drug Court Activity Update:

June 1, 2009

AUSTRALIA:

Australia Drug Courts

An Overview

Australia's drug court program jurisdiction is bound by state borders within Australia. The states with drug court activity are New South Wales, Queensland, South Australia, Victoria, and Western Australia. Formation processes and procedures differ across jurisdiction. The purpose of this overview is to provide information on the drug court program being implemented in each of the states and to extract relevant information in relation to the OAS drug treatment court preliminary report.

New South Wales

Source: *Australian Government-Australian Institute of Criminology*.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- The New South Wales Drug Court was established by the *Drug Court Act of 1998* and exercises both local and district court jurisdiction.
- Eligible defendants are referred from other courts within the catchment area.
- Acceptance into the program results in a custodial remand for detoxification and assessment. This takes up to two weeks and each participant leaves with an individual treatment plan.
- Successful completion of the three phase treatment program can take up to 12 months.
- The court can impose a series of sanctions or award privileges during that time. If the program is not completed successfully the participant returns to court and may be re-sentenced.
- NSW magistrates can place defendants whose offending may not be as significant as those entering the Drug Court and are likely to be granted bail, into the Magistrates Early Referral into Treatment (MERIT) program. MERIT involves completing compulsory treatment as a condition of bail.
- The State has operated a Youth Drug and Alcohol Court since 2000 which functions under the Children's Court.

Reasons for Establishment of the Drug Court³

-Research has consistently shown that there is an association between illicit drug use, particularly heroine, and income-generating crime. The study by Stevenson and Forsythe revealed that

³ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 7. 2002.

burglars who use heroine reported a higher median rate of burglary (13.0 per month compared to 8.7 per month) and generated a much higher weekly income from their burglaries than burglars who did not use heroine.

-In NSW up to 80% of the adult male prison population has committed a drug related crime, a figure that may be even higher among women in prison.

Objectives of the Court

-The Drug Court Act, which commenced on Feb. 5, 1998, outlines the objectives of the Act in section 3:

1. The object of the act is to reduce the level of criminal activity that results from drug dependency.
2. This Act achieves that object by establishing a scheme under which drug dependent persons who are charged with criminal offenses can be diverted into programs designed to eliminate, or at least reduce, their dependency on drugs.
3. Reducing a person's dependency on drugs should reduce the person's need to resort to criminal activity to support that dependency and should also increase the person's ability to function as a law-abiding citizen. (Drug Court Act s.3)

Court Procedures²

-Court procedures conducted by the Court itself outlined ten components of U.S. drug courts that were applied by the NSW Drug Court:

- Treatment is integrated into the criminal justice system
- Prosecution and defense lawyers work together as part of a drug court team
- Eligible offenders are identified early
- Participants have access to a continuum of quality treatment and rehabilitation services which meet their health needs
- Participants are frequently monitored for illicit drug use
- Any non-compliance by a participant results in a swift and certain sanction by the court
- There is ongoing judicial supervision and regular judicial interaction with each participant
- There is evaluation of the rehabilitation outcomes achieved through the drug court
- The drug court team and others associated with the court receive ongoing interdisciplinary education
- Networks are forged with other drug courts, law enforcement authorities, public bodies, treatment providers and the community'. (NSW Drug Court 1999a, point 3.10)

Addition critical components of the NSW Drug Court include ongoing case management and the provision of the social support necessary to achieve reintegration into the community (NSW Drug Court 1999a).⁴

Structure of the Drug Court Team⁵

-The Drug Court team in NSW consists of:

- Ø Senior Judge
- Ø Senior Judge's Associate
- Ø Registrar
- Ø Prosecutors (from the Office of the Director of Public Prosecutions)
- Ø Solicitors (Legal Aid Commission)
- Ø Inspector of Police (NSW Police Service)
- Ø Nurse Manager (CHS)

Drug Treatment Court Eligibility⁶

In NSW, the Drug Court exercises the functions of the criminal jurisdictions of both the District Court and the Local Court, which means that offenders appearing before both Local and District Courts can be referred to the Drug Court.

Under the Drug Court Act: it is the duty of a court before which a person is charged with an offence:

- a) To ascertain whether the person appears to be an eligible person, and
- b) If so, willing to be referred to the Drug Court to be dealt with for the offence, and
- c) If so refer the person to the Drug Court to be dealt with for the offence.' (Drug Court Act s. 6 (2))

Section 6 of the Drug Court Regulation lists the courts that are required to determine whether the person appearing before the court appears to be eligible for referral to the Drug Court. Criminal proceedings brought before the District Court sitting in Campbelltown, Liverpool, Parramatta or Penrith, and Local Courts in Bankstown, Blacktown, Burwood, Campbelltown, Fairfield, Liverpool, Parramatta, Penrith, Richmond, Ryde or Windsor are listed.

An assessment of an offender's potential eligibility for participation in the Drug Court

⁴ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 8. 2002.

⁵ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 61-64. 2002.

⁶ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 11-12. 2002.

Program may be made either by the presiding judge/magistrate at the District/Local Court, or following a request by the offender or his/her legal representative.

For a referral to be successful, the following eligibility criteria must be met. The Drug Court Act outlines the eligibility criteria as follows: if

- a) The person is charged with an offence, other than an offence referred to in subsection (2), and
- b) The facts alleged in connection with the offence, together with the person's antecedents and any other information available to the court, indicate that it is highly likely that the person will, if convicted, be required to serve a sentence of full-time imprisonment, and
- c) The person has pleaded guilty to, or indicated that he or she intends to plead guilty to the offence; and
- d) The person appears to be dependent on the use of prohibited drugs (within the meaning of the *Drug Misuse and Trafficking Act 1985*) or other drugs prescribed by the regulations, and
- e) The person satisfies such other criteria as are prescribed by the regulations.' (Drug Court Act s. 5 (1)).

Further criteria are provided to determine persons who cannot be considered eligible for the Drug Court Program. These criteria include persons charged with:

- a) An offence punishable under Division 2 of Part 2 of the Drug Misuse and Trafficking Act 1985, not being an offence that (under Part 9A of the Criminal Procedure Act 1986) is capable of being dealt with summarily, or
 - b) An offence involving violent conduct or sexual assault; or
 - c) Any other offence of a kind prescribed by the regulations.
- (Drug Court Act s. 5 (2))

In his Second Reading speech introducing the Drug Court Bill into Parliament, the Minister for Police noted that the types of offences which are eligible for referral to the Drug Court are break, enter and steal, fraud, forgery, stealing from person, unarmed robberies (with no violence), possession and use of prohibited drugs, or dealing in quantities of prohibited drugs below the indictable limit (Hansard 27/10/1998, p. 9031).

Drug Court Regulation prescribes further criteria that a person must satisfy in order to be an eligible person within the meaning of the Act:

- a) The person's usual place of residence must be within one of the following local government areas, namely, Auburn, Bankstown, Baulkham Hills, Blacktown, Campbelltown, Fairfield, Hawkesbury, Holroyd, Liverpool, Parramatta or Penrith,

- b) The person must not be suffering from any mental condition that could prevent or restrict the person's active participation in a program under the Act,
- c) The person must be of or above the age of 18 years,
- d) Criminal proceedings against the person for the offence with which the person is charged must not be criminal proceedings that are within the Children's Court jurisdiction to hear and determine'. (Drug Court Regulations s. 5)

****There are numerous other eligibility conditions and assessments, including a procedure for Referral to the NSW Drug Court, a Preliminary Health Assessment, and additional Conditions for Acceptance into the Program. See Evaluation report for further information.⁷**

Treatment and Supervision Services⁸

- Treatment and services are provided by the Corrections Health Service (Detoxification Unit) (CHS), the Probation and Parole case managers, and health treatment providers.
- Participants are only sent to the Detoxification Unit following the preliminary assessment if there is a high probability that they will be accepted onto the Drug Court Program.
- Staff at the Detoxification Unit undertake the detoxification, stabilization and development of treatment plans for Drug Court participants, and provide health services to participants on sanctions, including treatment reviews.
- Two detoxification Units were established. One for men and another for women.

Queensland

Source: *Australian Government-Australian Institute of Criminology.*

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- In Queensland. Five drug courts have been established under the *Drug Rehabilitation (Court Diversion) Act* as a pilot project. The Act and regulations limit the number of people who can enter the system from each court each year.
- In August 2005, Queensland Premier Peter Beattie issued a media statement announcing that the drug courts would be made permanent.
- To be eligible, defendants must be adults, dependant on illicit drugs, and this dependency must be a contributing factor to their offending. They must be sentenced to prison, not subject to a pending violent or sexual offence charge, and live within the prescribed areas and plead guilty.

⁷ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. 2002.

⁸ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 68-73. 2002.

- Participants receive an intensive drug treatment order which includes treatment, drug testing, and court supervision.
- These orders generally run for up to 18 months. During that time the participant may receive added privileges or sanctions.
- Successful completion is taken into account when sentencing is conducted at the end of the order.

Queensland Drug Court Act 200-Drug Court Regulation 2006. [See Appendix, Section A.]

South Australia

Source: *Australian Government-Australian Institute of Criminology.*

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- South Australia's Drug Court operates in the Adelaide Magistrates Court.
- Participants must live within the Adelaide metropolitan area, be over 18 years of age, plead guilty to the most serious and bulk of offences and be dependent on illicit drugs.
- The participants do not have to be charged with a drug offence but their offending must have resulted from their drug addiction.
- Those accepted into the program are given an individual treatment regime, which can include electronically monitored home detention bail, urinalysis, treatment and vocational training.
- Successful completion of the program will be taken into consideration at sentencing.

⁹Program Entails:

- Withdrawal management-including in-patient detoxification if necessary
- Pharmacological treatment if necessary-for example methadone
- Relapse prevention-for example counseling, group therapy
- Group Therapy and individual counseling to develop pro-social thoughts and behaviors
- Prevention of further offending behavior through restricted bail
- Referral and assistance to manage physical and mental health issues
- Referral to access education or vocational training
- Provision of accommodation from up to 15 months and referral to access long term housing
- Assistance to restore family relationships
- Referral to obtain income support and manage financial issues
- Support to find or maintain employment
- Practical assistance on leaving detention with basic personal items and food items until income support is arranged

*Funding is set aside to purchase services where none exist.

⁹ Obtained from the Courts Administration Authority-South Australia.

http://www.courts.sa.gov.au/courts/drug_court/index.html. Accessed on March 26, 2010.

Victoria

Source: Australian Government-Australian Institute of Criminology.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- The Victorian Drug Court is located in Dandenong and services defendants within a specific geographical catchment area.
- Only adult defendants who are addicted to illicit drugs, likely to be imprisoned for a drug related offence and prepared to plead guilty are eligible.
- If they are willing to enter the program, they are placed on a Drug Treatment Order.
- Drug Treatment Orders have two components; a custodial sentence of not more than two years and a treatment and supervision component. Failure to complete the order renders the participant liable for re-sentencing.
- Other Victorian courts can place defendants within the Court Referral and Evaluation for Drug Intervention and Treatment (CREDIT) program.
- The 12 week program provides assessment, treatment and support for defendants on bail.

Western Australia

Source: Australian Government-Australian Institute of Criminology.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- In Western Australia, the drug court operates in the Perth Magistrates' Court and the Perth Children's Court.
- The Magistrates' Court drug court is supported by the *Magistrates' Court Act 2004*, which enables the Chief Magistrate to establish divisions within the court to deal with specific classes of cases or offenders, such as drug cases or family violence cases.
- Following a plea of guilty, defendants are placed within one of three regimes depending on their level of previous offending and the type of drug involved.
- The brief intervention regime is a pre-sentence option for second or third time cannabis offenders and involves three sessions of drug education.
- Supervised treatment intervention is for mid-range offenders who are required to undertake case managed treatment before sentencing.
- The drug court regime consists of more intensive treatment and judicial case management.
- Additionally, a drug court style program operates in Geraldton in the form the Geraldton Alternative Sentencing Regime (GASR). The GASR has a broader remit that includes alcohol and solvent abuse cases, domestic violence and other offending behaviors.
- It does not replace other sentencing options but offers alternative pathways for selected offenders: the Court Supervision Regime which involves the offender being managed by a court management team for a period of four to six months whilst participating in rehabilitation programs; and the Brief Intervention Regime which also includes offender participation in rehabilitation programs but without the supervision of the court management team.

BRAZIL:

Therapeutic Justice Program – Brazil

Partial data in 4 States

São Paulo St.

Source: Promotoria de Justiça Criminal de Santana

Address: Rua Benvinda de Andrade, 150 Bairro SantanaZC: 02403-030

São Paulo – SP

Phone: 55 – 11 – 2281.1800

pjcrimsantana@mp.rs.gov.br

Data reported: During the year 2009, this “court” had 120 drug abuse offenders going to treatment instead of a criminal trial.

Pernambuco St.

Source: Judge Flavio Fontes

flavioafl@uol.com.br

Data reported: In Recife (state capital city) there are two “courts” which apply the Justice Therapeutic Program, i.e., treatment instead of criminal trial for drug abuse offenders. No other info provided.

Rio de Janeiro St.

Source: Prosecutor Marcos Kac

mkac@globo.com

Data reported: In the St. of Rio de Janeiro there are 20 “courts” for adults and 10 for juveniles which apply the Justice Therapeutic Program, i.e., treatment instead of criminal trial for drug abuse offenders. No other info provided.

Rio Grande do Sul St.

Source: Brazilian Association of Therapeutic Justice

Data reported: In Porto Alegre (state capital city) there are 09 “courts” for adults and 03 for juveniles which apply the Justice Therapeutic Program, i.e., treatment instead of criminal trial for drug abuse offenders.

Further information:

For juvenile:

Pilot carried through 2001 - 2003

- reduction in use drugs and offenses

- enhancement on education, family relationships, health and professional training
- enhancement on parenting

For adults:

- most judges offer treatment as alternative to the criminal trial and incarceration for drug users offenders
- 2001 – 2006 for each 10 offenders, 7 used to accept treatment instead of criminal trial
- 2007 à Prosecutors proposed 589 offenders to TJP (DTC)
- 2008 à Prosecutors proposed 989 offenders to TJP (DTC)

About the Therapeutic Justice Program in Brazil

General information

Legal Procedures to apply the TJP (DTC) in Brazil

- **2.1 Pre-judgement phase**
- * “Transaction” – a kind of bargain
- * Procedure suspended
- **2.2 Judgement phase**
- * Up to 4 years in jail à alternative punishment + treatment
- * More than 4 years in jail à punishment + treatment
- **2.3 Post-judgement phase à executing punishment**
- * Probation (Conditional suspense of the punishment)
- * Parole (Conditional freedom)

Treatment through the TJP (DTC) in Brazil

Is provided by the public health system (which is not sufficient) and private health services.

JAMAICA:

The Jamaican Drug Court - Life Style Changes

The majority of our clients are from inner cities, socially disadvantaged backgrounds and single parent families. In the rehabilitation of the offender and in order to carry out the objectives of the Drug Court Act, we adapt the holistic approach:

In achieving our goals, help is given by:

Justices of the Peace who sit with The Drug Court Judge

Treatment Provider

Probation Officers

Defence Attorneys

Friend's of the Drug Court

Government Organizations

Non Government Organizations

Our clients receive advice and support in the following areas:

Family and Emotional Support

Self esteem building

Conflict management

- Counselling with parents, partners, siblings

Education

Referred to institutions of further education

National Youth Service

Illiterates are referred to remedial classes

Heart Academy for skills training

Employment

Referred to Employment Agencies

Assistance in job application, resumé, interview techniques

If enter program unemployed, encouraged to find employment before graduation

Business Loans Secured

Development of Social Skills

Dress, deportment

Development of interpersonal skills

Legal Counselling

Successes in Life Style changes of our Graduates

Germaine From carrying a gun to carrying books to school.
Now married, they are expecting their first child.

Kadia From spear fisherman to fire fighter

Conroy From sitting on the corner smoking ganja and drinking to motivational speaker and making presentations to our present clients about safe sex

Judith From an 18 year old prostitute and cocaine addict to a University Student. Married to an executive chef and now able to travel abroad because she has a clean record.

Nicholas From a dejected angry orphan to a happy educated youngman reunited with his mother in Belgium. In college and speaks three languages.

Recently one of our clients, Davian Smith, took leave of absence from the program without permission. He was asked to write a letter giving reasons why he should be re-admitted to the program. The attached letter speaks for itself.

We feel the Drug Court Program is making a difference in the lives of our clients. They not only kick the habit but their souls are mended.

Winsome Henry (Ms)
Senior Resident Magistrate
St. James
May, 2008

THE IMPORTANCE OF THE DRUG REHABILITATION PROGRAMME & WHY I SHOULD BE A MEMBER OF IT

Davian Smith
Age 19

The drug rehabilitation programme is a programme which is offered in Jamaica to provide our strong youths with a second chance.

It is a group which is well organized by the country's government body that includes a Judge with the members of the Justice's of the Peace, a Probation Officer and a Drug Rehabilitation centre of course with a counselor.

For a young man to be a part of the programme is after he is caught smoking or with the possession of marijuana and is brought before the jury, he is instantly seen as committing a criminal offence so automatically he have achieve a criminal record.

The law of the country states that if anyone has been confined by a criminal record to his file, he /she shouldn't be able to travel to or from abroad.

Knowing that you have made a mistake and you have pursue a bad record, you won't be able to apply for a legal visa which is very challenging to live with. That is where one of the benefits of the Drug Rehabilitation Programme is quite beneficial to the future of the youth of today.

If a survey was done on the graduates of the drug programme, it could show that more than sixty (60) percent of the youths who has been through it is continually to achieve successfully with their lives and has also manage to overcome the addiction of the drug.

If you have entered the drug rehabilitation programme without working or schooling, you should be able to find a permanent or a simple job, if not you should be able to go and try to be certified or try to get a proper qualification at a tertiary school.

As a member of the programme I would like to thank the programme for the great effort they are trying exerts to direct the footsteps of our youths.

The constructive speeches which has been delivered is really helping our youths to visualized that life is really out there for all of us to be successful. Being apart of the programme you have to keep active at all times and keep preparing for the upcoming future.

One of the largest opportunity which is been offered by the rehabilitation programme to our youths, other than clearance of records and motivation towards the future is that they provides the chance to be drug free. Without been drug free you will have very serious consequences to be faced, so there it leaves you with no choice than to give marijuana a instant break. The programme is there to help the youths see that they don't have to be under the influence of drug but they can keep the vibes natural. Most after leaving the programme is a changed person, getting to understand that have both negative and positive impact is liable to overthrow the positive. For the fear of the negative impact most change the route while a few continue on their addiction.

Therefore I see the drug rehabilitation programme playing a very important role, because after getting a bad record it give the opportunity to get a new start and it allow we as youth to be drug free.

The reason I feel that I should be apart of the programme is because, after abusing or using the drug marijuana for almost half my life, definitely I would like to give it a break and not only a break I would like to ceased it permanently. With the help of the programme you have to be drug free for at least a six month period and to be free from it so long I really don't think that I should continue the same journey.

To be on this programme is really helping in different ways, because to be addicted for such a long time I didn't expect the day would really exist when I would be telling myself that I can carry on without the influence of marijuana. This programme don't only help us by offering a second chance by freeing our records from criminology.

We hear the term " **experience teaches knowledge**" quite often and I don't think it should be taken lightly because our youth of today really needs experience. To receive enough of that we will have to do a little traveling, and with a criminal record I can say that it is quite impossible to travel and seek for whether a job, school, training or even vacationally.

From my point of view I think that the Drug Rehabilitation Programme should be highly recommended for the great changes which they delivers to the lives of our youth. Without the program I don't think that some of our youth would be able to be drug free, a clean record and really get on with their lives.

Done by


.....
Davian Smith

New Zealand:

Christchurch Youth Drug Court Pilot:

The Christchurch Youth Drug Court pilot (YDC) was established by the Ministerial Taskforce on Youth Offending and started operating on 14 March 2002.

The pilot's overall objectives are to:

- Improve the young people's health and social functioning and to decrease their alcohol and/or drug use
- Reduce crime associated with alcohol and/or drug use
- Reduce criminal activity

Reasons Why the Christchurch Youth Drug Court Pilot was established:

1. The perceived intensity of the drug problems amongst the Youth Court population.
2. The relatively high number of young persons going through the Youth Court.
3. The services available for alcohol and other drug treatment.
4. Youth Specialty Services in Christchurch performs dual diagnosis of alcohol and other drug and forensic mental health with young people.
5. The geographical layout of Christchurch meant that one Youth Court serviced a large metropolitan area where other areas such as Wellington were more geographically dispersed with disparate services.
6. There was an assumption that there would be a reasonably culturally homogenous population so that the pilot program could be designed and evaluated relatively easily. Other centers such as Manukau have many different cultured groups that would need to be considered in the design.

Entry into the Youth Drug Court pilot:

The criteria and process for selecting participants for the YDC pilot includes: identifying young people to be screened by Youth Specialty Services (YSS) clinicians, the YSS full assessment, the role of the Family Group Conference (FGC), and acceptance onto the pilot.

- The pilot targets young offenders appearing at Youth Court who have been identified as having moderate to severe alcohol and/or other drug dependency that is linked to their offending behavior.
- To be eligible for the YDC young people should meet the following criteria:
 - Age 14-17
 - Moderate to severe alcohol and/or drug dependency linked to offending behavior
 - Recidivist offender defined as appearing in the Youth Court two or more times in the previous 12 months
 - Sexual offending is excluded
 - Some violent offending may be excluded and is assessed on a case by case basis
 - The offenses before the Youth Court have been proved or have not been proved

Linkage Between Alcohol and/or other drug use and offending:

1. offending under the influence
2. offending to obtain alcohol and/or other drugs
3. drug offenses

Acceptance on to the Youth Drug Court:

The process from screening to acceptance in the Youth Drug Court for the first 30 participants took an average of 4.5 weeks. This timeframe is slightly longer than the initial 4 weeks proposed. The time ranged from 2 to 7.5 weeks due to a variety of factors including timing of FGCs and YSS assessments. The length of time attending the YDC varied greatly from five to 74 weeks, with the mode 48 weeks and the median 45 weeks.

Programmes and Services Utilized by YDC participants:

- Alcohol and other Drug Services
 - Alcohol and other drug services are classified into three categories for the purpose of this evaluation
 1. Residential
 2. Day Programme
 3. Counselling

Types of Alcohol and Drug Treatment Services Required:

The key respondents considered that any residential facility should be well resourced with a constructive programme based on international models of best practice working with young people.

Some key respondents emphasized that working with young people requires a very different approach; for example, a much higher staff to client ratio is required to treat young people. A youth residential programme also requires more flexibility because of the range in maturity of the young people.

For young people who were required to be in custody, the YDC team considered that a medical detoxification facility attached to Kingslea may be appropriate. However, it was also noted that international research shows that the place of incarceration should be physically separate from the treatment facility, possibly to ensure that the treatment programme is not negatively associated with the incarceration facility.

The Youth Drug Court Team is made up of the following practitioners:

- Judge
- YDC Social Worker (Department of Child, Youth and Family Services)
- YJ Coordinator (Department of Child, Youth and Family Services)
- Police Prosecutor (NZ Police)
- Youth Advocates (lawyers) representing TDC participants
- Youth Specialty Services coordinator of the alcohol and other drug steam and mental health team (Ministry of Health)
- Group Special Education Team Leader (Ministry of Education)
- YDC Court Clerk (Ministry of Justice)

Source:

Dr. Carswell, Sue, *Process Evaluation of the Christchurch Youth Drug Court*

Pilot. Ministry of Justice. Wellington, New Zealand. November 2004.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

NORWAY:

The establishment of the drug treatment court in Norway

On January 1, 2006, two “Drug treatment courts” were established in Norway as pilot projects in the cities of Oslo and Bergen. According to the US National Association of Drug Courts Professionals, a drug court is “... a special court given the responsibility to handle cases involving substance-abusing offenders through comprehensive supervision, drug testing, treatment services and immediate sanctions and incentives” (<http://www.nadcp.org/whatis>). In Norway, drug treatment courts deal with offenders of all ages and of both sexes, with an established relationship between a pattern of serious drug misuse and offending. The aim of the drug treatment court is to reduce or eliminate offenders' dependence on drugs and to reduce the level of drug-related criminal activity.

In the juridical sense, the drug treatment court sentence is a suspended sentence where participation in drug treatment court programs is a condition. The offender has to agree to participate in the drug treatment court programme. The programmes include court-controlled treatment and rehabilitation activities. The programme consists of four phases, and is specially designed for each individual client. Flexibility is an essential feature of the programme in order to meet the client's various needs. Some may need a 24-hour a day treatment at an institution, while others may need policlinic treatment. A supervision and treatment team is responsible for the design of the program. The team consists of representatives from the correctional service, the social service, the health service and the educational and employment service. Other organizations may also be represented in the team, like the police, the child protection agency etc. The permanent members of the team work together at a drug treatment court centre, and some of the client's activities also take place there. The drug treatment court programme transforms the roles of the criminal justice practitioners as well as other involved parties, and one of the aims for the pilot project is to develop good models for cooperation between the services.

A special feature of the Norwegian model is that the court's involvement in the program is not as prominent as for example in the Irish or the Scottish model. However, the programme is supervised by the court, and all the time during the programme, the offender is accountable to the court. It is the court that rewards progress, by for example moving the client to the next phase, or sanctions non-compliance. Naturally, it is also the court that responds to criminal activity during the program. The punishment for not complying with the conditions as well as for new criminality may be imprisonment.

The Norwegian Way

Bergen may 2006

Ingunn Seim

In Norway there were established a working group with participants from different ministries in the government. Their mandate was to make a report on whether the Drug Court system should be implemented in the Norwegian legal system or not, and if so: how to implement it.

The report was presented in September 2004, and the conclusion was that the results from other drug-court countries were so good that this was something Norway should try. The report suggested that the court should lead the drug treatment program.

The report was send out for comments to a lot of different agencies and also all the courts. A lot of agencies, and especially the Supreme Court, was very sceptic to a system where the courts would be so involved in the serving of a sentence. This would break the legal principle of the courts independence to the public administration. The result of the hearing was that when the bill was presented to the Parliament (Stortinget) it suggested that Norway should implement what they called a drug treatment program supervised/controlled by the court (not led by). This resulted in a new statutory provision in the Criminal Code, section 53 and 54. I have enclosed the two sections (document "strl. §§ 53 og 54"). I'm sorry I could not find these in English. The new section also decided that the Ministry of Justice should give administrative regulation to the drug-treatment program. (Enclosed in the document "Forskriften på engelsk"). Both I and Hans-Gunnar were involved in making the administrative regulations for the drug treatment program. The new statutory provision in the Criminal code and the administrative regulations came into force on the 1st of January 2006.

Description of the procedure from a person getting arrested by the police until sentences to a suspended sentence with the condition of attending the drug treatment program supervised by the court:

- ☐ Arrest
- ☐ Usually custody while the police are investigating the crimes
- ☐ A public prosecutor from the police (or the court) has to apply to the drug treatment program- team to write a social inquiry report on the person charged. The team has to conclude whether the charged is suitable for the program or not. This report will be used in court to decide what kind of sentence the judge will give. The court can theoretically come to another conclusion than the team. (Very often a defence lawyer takes the initiative to get a social inquiry report for this purpose, but they still have to apply through the public prosecution. I have spent a lot of time giving information about the drug treatment program to: lawyers, judges, police officers, public prosecutors, prison officers, social workers, health workers, people working with education for grown-ups, and you name it. So the chance for someone to know about this possibility for drug-addicts is good. Theoretically all these different people can guide the drug-addict into getting a sentence like this, as long as it is the public prosecution/the court that formally asks for the social inquiry report).

The team usually needs 4-5 weeks to finish the report. We talk to the charged and we get information from other agencies. Then the team work closely together to conclude on suitability. That is one of our most difficult and major tasks at the moment – finding the right persons to attend the program.

- ☐ When we have finished the report we send it back to the public prosecutor.
- ☐ Then we have to wait until the main hearing is over and the judge passing the sentence, then we formally start the serving of the sentence.

I have enclosed the document “The establishment of Drug Court in Norway”, made by Berit Johnsen. She is a researcher working at the Prison and Probation staff education centre. Here she explains a lot about how the system is supposed to work in Norway.

The Prison and Probation staff education centre is also responsible for evaluating the drug treatment program.

There is only one district court in Bergen and one court in Oslo. It is the ordinary court with all of the judges there, who can pass a suspended sentence and put the condition to attend the drug-treatment program. The correctional service is responsible for the execution of the sentence.

When the convicted has qualified to be transferred to the next phase in the program, the court has to say an order to do so. And also when the convicted has broken any of the conditions the court has to say a sentence that the convict has to go to jail or put other conditions to the sentence.

In Bergen there will be 5 judges (Drug Court judges) in the district court who will follow up the convicted every time they have qualified to be transferred to the next phase or when there is a breach of conditions. One of these 5 judges is probably not the same judge that pronounced the sentence (but it can be). Other than that, the judges will not be part of the team and there will be no pre-court meetings. There is no legal authority for this in Norway. The court is only involved when there is a petition, there is no routinely review.

The team in Bergen consists of:

- ☐ A coordinator (me), employed by the regional level of the correctional service. I have a law degree, and have worked as a public prosecutor, a probation officer and a legal advisor for the correctional service. Hans-Gunnar has almost the same background.
- ☐ A social worker employed by the local council.
- ☐ A psychologist employed by the local health service. (In Oslo a nurse).
- ☐ A probation officer also employed by the correctional service.
- ☐ An educational adviser employed by the county administration.

All the different ministries involved grant money to the project. All the team-members get their salary from their own agency, and the correctional service is responsible for the operating costs.

Where are we today?

We are working on a lot of social inquiry reports. It is a big challenge finding the right persons for the program. Who can we help with this program? How addicted can they be? How mentally ill can they be? Do they need a safe place to live before we start working with them? We have a lot of questions, and very few answers. But we are getting more and more experienced every day.

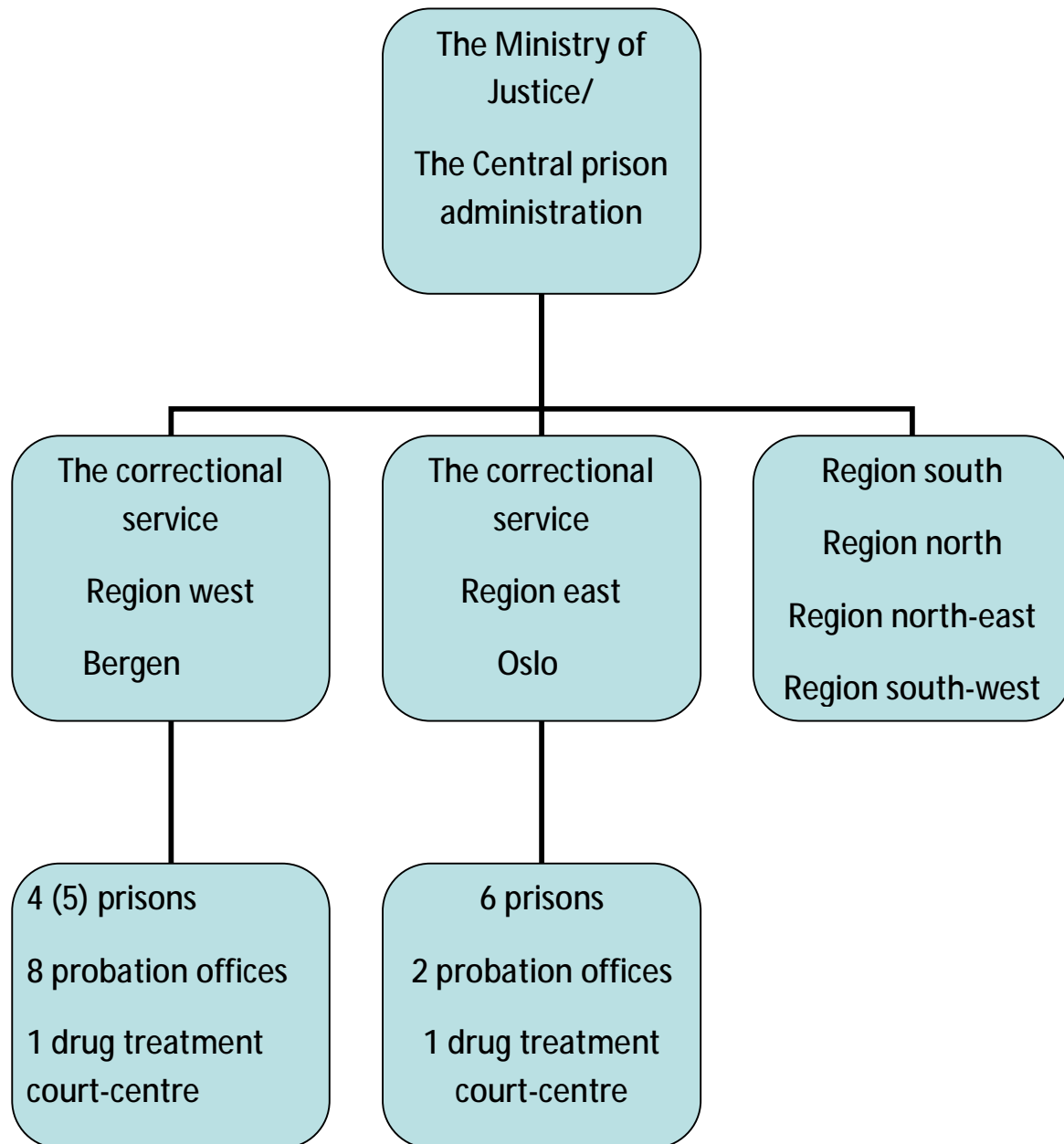
We also have five persons convicted to the program: two of them still serving a prison sentence for a couple of more months, one already breached the conditions by committing new crimes, and two convicts have started using the drug treatment court-centre. There are more to come....

Where are we in 12 months?

In 12 months I really hope we are more certain of whom the target group really is. I also hope we have found a good way to organize and administrate the project with so many agencies involved. (For example the different budgets and the organization of the staff).

I guess we will be working with about 20 convicts in different phases of the program. Hopefully some of the convicts we have today are still with us.

In case it is of any interest I have tried to illustrate the organisation of the correctional service in Norway:



UNITED STATES:



BUREAU OF JUSTICE ASSISTANCE (BJA) DRUG COURT CLEARINGHOUSE Drug Court Activity Update: June 1st, 2009

Drug Court Activity Underway

No. of Programs Currently Operating: Courts)	2,035 ¹⁰ (includes 83 Tribal Drug
<i>[Additional No. of Operating Drug Court Programs that have been consolidated with other drug courts/ or suspended operations]</i>	147
No. of Programs Planned:	227 ¹¹ (includes 35 Tribal Drug Courts)
<i>[Additional No. of Drug Court Programs that were planning but are no longer planning programs]</i>	188
No. of Drug Courts with Alumni Groups:	175+
No. of States with Drug Court Programs: (Operating or being planned):	All 50 (including Native American Tribal Courts), plus the District of Columbia, Northern Mariana Islands, Guam, and Puerto Rico
No. of states and territories with:	
Adult drug courts (operating or being planned)	50 (including Native American Tribal Courts), plus the District of Columbia, Guam, and Puerto Rico
Juvenile drug courts (operating or being planned) Courts), plus the District of Columbia, Guam, and Northern Mariana Islands	49 (including Native American Tribal
Family drug courts (operating or being planned) Courts), plus the District of Columbia	41 (including Native American Tribal
No. of counties with drug court programs (operating or being planned)	1,416 out of 3,155 Counties ¹² (44.8 %)
No. of Tribes and Native Villages with Drug Court Programs (Operating or being planned)	86
No. of tribal drug court/healing to wellness court programs: (Operating or being planned)	118
No. of counties with drug court programs being planned or are operating and also have mental health courts	100+
No. of Judges Who:	
Are currently serving as Drug Court Judges for programs Operating or being planned	2,775 approx.

¹⁰ Includes 1171 adult drug courts; 488 juvenile drug courts; 268 family drug courts; 24 combination adult/juvenile/family drug courts; and 84 tribal drug/healing to wellness courts.

¹¹ Includes 103 adult drug courts; 51 juvenile drug courts; 35 family drug courts; 3 combination adult/juvenile/family drug courts; and 35 tribal drug/healing to wellness courts

¹² U.S.Census Bureau, "Geographic Coverage," Washington, DC: U.S. Census Bureau. June 2006

[<http://censtats.census.gov/usa/usainfo.shtml.>](http://censtats.census.gov/usa/usainfo.shtml)

Have previously served as Drug Court Judges
Are also serving as Mental Health Court Judges

2,800 approx.
25+ approx.

States That Have:

Enacted legislation relating to the planning, operating and/or funding of Drug Courts:

44 plus the District
of Columbia, and
Guam

Enacted state or local rules/orders relating to the operation of drug courts:

24 plus the District
of Columbia

Appellate Caselaw Relating to Drug Courts:

36 states plus
District of Columbia,
3 tribal courts & 6
fed. Distrs; 4 fed. Circs.

**Native American Tribal Councils which have enacted legislation relating
to the Planning/operation of drug court programs:**

2

DRUG COURT IMPLEMENTATION BY YEAR

	JUVENILE		ADULT		FAMILY		TRIBAL/Healing to Wellness Courts		COMBINED		TOTAL*	
Year	For Year	To Date	For Year	To Date	For Year	To Date	For Year	To Date	For Year	To Date	For Year	To Date
1989	0	0	1	1	0	0	0	0	0	0	1	1
1990	0	0	0	0	0	0	0	0	0	0	0	0
1991	0	0	4	5	0	0	0	0	0	0	4	5
1992	0	0	4	9	0	0	0	0	0	0	4	9
1993	0	0	9	18	1	1	0	0	0	0	10	19
1994	0	0	21	39	2	3	0	0	0	0	23	42
1995	7	7	30	69	0	3	1	1	0	0	38	80
1996	10	17	49	118	3	6	0	1	0	0	62	142
1997	20	37	65	183	2	8	4	5	3	3	94	236
1998	29	66	72	255	8	16	7	12	2	5	118	354
1999	39	105	94	349	7	23	8	20	0	0	148	502
2000	72	177	101	450	17	40	8	28	2	7	200	702
2001	60	237	113	563	18	58	8	36	4	11	203	905
2002	62	299	128	691	39	97	10	46	2	13	241	1146
2003	33	332	74	765	30	127	4	50	1	14	142	1288
2004	44	376	120	885	28	155	8	58	1	15	201	1489
2005	45	421	112	997	37	192	9	67	3	18	206	1695
2006	25	446	68	1065	28	220	10	77	0	18	131	1826
2007	17	463	46	1111	18	238	2	79	1	19	84	1910
2008	22	485	55	1166	27	265	4	83	5	24	113	2023
6/1/2009	3	488	5	1171	3	268	1	84	0	24	12	2035

* Does not include 147 additional programs that were implemented and subsequently suspended operations or consolidated with other programs.

For further information, contact:

BJA Drug Court Clearinghouse
Justice Programs Office, School of Public Affairs
American University

4400 Massachusetts Avenue NW, Brandywine, Suite 100
Washington D.C. 20016-8159

Tel: 202/885-2875 Fax: 202/885-2885 E-mail: justice@american.edu Web: www.american.edu/justice

C. EVALUATIVE INFORMATION

Ireland:

Evaluation of Irish Drug Courts, October 2002: Summary

Jamaica:

Statistical Information

United States:

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IRELAND:

Evaluation of Irish Drug Courts, October 2002¹³: Summary

In the 1990's, informal estimates of the Irish prison system, particularly in Dublin, showed that approximately 80% of indictable crimes were drug-related and that 66% of a sample of Dublin prisoners were heroin users. In 1997, a Drug Court Planning Commission was set up to investigate the feasibility of establishing an alternative to incarceration and, in 2001, the very first participant was admitted to the drug court in Dublin.

In January, 2001, a Steering Committee decided to establish January 16th, 2001-January 31st, 2002 as the time period in which a formal evaluation of the pilot project would be conducted. Although the relatively short timeframe precluded any conclusive comparisons of recidivism to incarcerated drug users, the evaluation was able to assist in determining whether the program should be continued.

The evaluation was based on three components:

- 1) Process Evaluation: the collection of both quantitative and qualitative information to determine whether or not the drug court program met procedural and administrative goals, and to identify strengths and weakness of the model
- 2) Outcomes Evaluation: the collection of information to determine whether the drug court program was effective in reducing recidivism, drug usage, and addiction, when compared to a control group of non-participant drug offenders
- 3) Cost-Effectiveness Analysis: the collection of Average Standard Cost for processing a drug court participant compared to members of the control group

Process Evaluation: All stakeholders in the drug court process agreed that the program could address in a significant way the causes of acquisitive crime and make a strong positive impact on the lives of certain drug addicted offenders. However, there was less clarity as to the established mission and objectives of the drug court, which some believed contributed to the relatively low number of referrals. Some respondents expressed optimism that referrals would increase as the program became more established. Many respondents felt that the drug court program needed to have its own dedicated treatment service in order to appropriately address treatment needs, since "mainstream" treatment often lagged behind the established time deadlines. Furthermore, while some difficulties were experienced in getting various agencies to work together on the joint project, respondents were generally positive about future cooperation. Finally, drug court participants (offenders) believed the program to be quite demanding, but felt that it provided an experience that was overall supportive and ultimately rewarding.

Outcomes/Impact Evaluation: Despite the low numbers of referrals as of the conclusion of the evaluation, the overall profile of participants was similar to that of drug courts in other countries. Participants were primarily male; in their 20s; unemployed; undereducated; possessed a high number of prior convictions, with a high risk of reconviction; and all 35 participants were heroin addicts using an average of 5 different drugs. By the end of the evaluation period, significant results became evident: the re-offense had declined substantially, as had the percentage of positive drug tests, and participation in

¹³ This summary was prepared by staff at the Justice Programs Office, School of Public Affairs at American University. The full text of the report can be found, with statistical appendices, on the website for the Irish Courts website at [http://www.courts.ie/Courts.ie/library3.nsf/%28WebFiles%29/0D3E40D7D530786380256DA6003DB7DB/\\$FILE/Final%20Report.pdf](http://www.courts.ie/Courts.ie/library3.nsf/%28WebFiles%29/0D3E40D7D530786380256DA6003DB7DB/$FILE/Final%20Report.pdf).

educational activities was generally high. Some issues adversely affected participants' progress, including alcoholism, homelessness, and gender/childcare troubles.

Cost-Effectiveness: The study finds that, in many jurisdictions that have already established drug courts, much of the cost savings comes from participation over incarceration. However, Ireland had relatively low incarceration rates to begin with. Respondents felt that efficiency could be improved in three areas—shortening the assessment phase from an average of 27 days; revoking bail less frequently, especially in the early days of the evaluation; and increasing referrals to capacity level—but that most indicators point to cost savings over time.

JAMAICA:

STATISTICAL INFORMATION

REPORT OF DRUG COURT TREATMENT & REHABILITATION PROGRAMME FROM START OF PROGRAMME TO MARCH 2009

YEAR	TOTAL REFERRED BY COURT	ADMITTED & ELIGIBLE FOR PROGRAMME	GRADUATED	DROP OUT
2001	20	17	5	5
2002	36	32	5	10
2003	43	29	18	10
2004	57	38	18	9
2005	64	45	25	7
2006	36	29	21	5
2007	43	42	11	18
2008	30	25	6	11
2009	5	5	-	-
TOTAL	334	262	109	75

UNITED STATES:

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PART ONE

#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
1	2004	<i>Phase II Douglas County [Nebraska] Drug Court Evaluation Report.</i> Thomas J. Martin, Cassia C. Spohn, R.K. Piper, and Jill Robinson	Recidivism and cost benefit study comparing criminal justice outcomes of offenders in drug court with offenders in County Attorney's pre-trial diversion program and offenders in traditional adjudication	Drug court participants	offenders in County Attorney's pre-trial diversion program and offenders in traditional adjudication
2	September 2004	<i>Participation in Drug Treatment Court and Time to Rearrest.</i> Duren Banks and Denise C. Gottfredson. <i>Justice Quarterly</i> . Vol. 21, no. 3, September 2004. Academy of Criminal Justice Sciences	Review of arrest history of 139 drug court and 96 control group defendants re arrests for two year period following assignment to drug court (drug court participants randomly assigned to drug court; control group was eligible but randomly assigned to nondrug court treatment)	139 drug court participants randomly assigned to drug court; and 96 control group was eligible but randomly assigned to nondrug court treatment)	96 control group defendants who were eligible for drug court but randomly assigned to nondrug court treatment
3	January 29, 2004	<i>Cost Analysis of Anne Arundel County, Maryland Drug Court. Prepared by: NPC Research, Inc., Portland, Oregon</i>	Tracked sample (53) of Drug court participants who entered the drug court from 1997 – 1998 re recidivism and costs resulting	Sample (53) of drug court participants who entered drug court from 1997 -1998	Comparable defendants who did not enter the drug court during the same period
4	January 29, 2004	<i>Cost Analysis of Baltimore City, Maryland Drug Treatment Court: Includes Outcome Findings, Cost Analysis, and Summary and Conclusions, Only; Prepared by NPC Research, Inc., Portland, Oregon</i>	Tracked sample of 60 drug court participants from 2000 and comparable sample of 63 offenders who did not enter the drug court for 3 year period to determine possible cost savings for justice system, victimization, and for other areas	Sample of 60 drug court participants who entered program in 2000 compared with comparable sample of 63 offenders who did not enter the drug court	Comparable defendants from 2000 who did not enter the drug court

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
5	January 2004	<i>Kalamazoo County 9th Judicial Circuit Court Office of Drug Treatment Court Programs: Statistical Report: 2003. Prepared January 2004</i> - Part One: Female Drug Court - Part Two: Male Drug court	Updates previous annual report with 2003 data to cover 543 female enrollees and 506 male enrollees since program began	543 female enrollees and 506 male enrollees in Kalamazoo Drug Court since its inception	n/a
6	January 2004	<i>Oklahoma Drug Courts: Fiscal Years 2002 and 200. Prepared by The Oklahoma Criminal Justice Resource Center.</i>	Review of data from 19 adult drug and DUI courts operating in 21 counties in Oklahoma, including drug court participant characteristics at time of program entry; compliance with Oklahoma Drug Court Statute; use of sanctions; outcome, recidivism and costs	1,666 participants in 19 drug courts during period July 2001 – June 2003. [findings reported for graduates only]	(1) successful standard probation drug offenders; and (2) released inmates who had drug convictions;
7	October 2003	<i>The New York State Adult Drug Court Evaluation: Policies, Participants and Impacts.</i> Center for Court Innovation. New York, New York.	Reviews operations, recidivism and other impacts in the following nine drug courts: Bronx, Brooklyn, Queens, Rochester, Suffolk Co., and Syracuse	Studied post-arrest recidivism of drug court participants for 3 years (Bronx, Manhattan, Queens, and Suffolk) and 4 years (Brooklyn and Rochester), compared with reconviction rates of similar defendants not entering the drug court;	Similar defendants not entering drug court
8	August 1, 2003	<i>Drug Court More Beneficial for Women:</i> [author not provided]	Oklahoma female prison population Drug-Court Enrollments as of July 1, 2003	Oklahoma female drug court graduates	Oklahoma male drug court graduates
9	July 2003	<i>16th Judicial District of Tennessee (Rutherford Co.) Drug Court Program 2003 Process Evaluation.</i> Dana K. Fuller, Ph.D. July 2003	Studied 99 persons admitted to the program as of July 15, 2003	Studied 99 persons admitted to the program as of July 15, 2003	n/a – process evaluation with limited outcome data

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10	June 1, 2003	<i>Recidivism Among Federal Probationers</i> Minor, Kevin; Wells, James; Sims, Crissy.	Individuals serving federal probation sentences in the Eastern District of Kentucky.	200 individuals sentenced from Federal Probation in the Eastern District of Kentucky between 1/96 and 6/99. Individuals were studied during a 2-year follow-up period between 1/96 and 6/99.	N/A
11	May 2003	<i>Coconino County DUI/DRUG Court Evaluation</i> . Prepared by: Frederic I. Solop, Nancy A. Wonders, et. Al. Social Research Laboratory, Northern Arizona University	Outcome data compiled May 1, 2001 – October 31, 2002 for Drug court participants and control group with similar characteristics and processed through traditional criminal justice system	Participants in DUI Drug Court during May 1, 2001-October 31, 2002	Randomly assigned eligible offenders with similar characteristics processed through traditional criminal justice system
12	April 18, 2003	<i>Assessing the Efficacy of Treatment Modalities in the Context of Adult Drug Courts</i> . Donald F. Anspach, Ph.D. and Andrew S. Ferguson.	Examines various issues relating to the delivery of treatment services in four drug court sites: Bakersfield, Cal; St. Mary Parish La.; Jackson Co., Mo.; and Creek Co., Okla.;	In addition to treatment and related staff, 2,357 offenders enrolled in the four programs between January 1997 and December 2000	n/a

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
13	April 15, 2003	<i>Bibb County Special Drug Court Program: Eight-Year Annual Report. April 15, 2003.</i> Prepared by Chief Judge Tommy Day Wilcox, Superior Courts, Macon Judicial Circuit and Jacqueline Duncan, Program Administrator	Review of program operations and analysis of graduates: 1994 – 2002	394 graduates of program from 1994 – 2002	n/a
14	March 2003	<i>Summary Report of Virginia's Drug Court Programs.</i> Office of the Supreme Court of Virginia and Virginia Department of Criminal Justice Services.	Individuals in the Virginia drug court program between November 1995 and December 2002 were analyzed.	1727 Virginians admitted to the felony drug court program	N/A

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
15	March 2003	<i>Washington State's Drug Courts for Adult Defendants: Outcome Evaluation and Cost-Benefit Analysis.</i> Washington State Institute for Public Policy	Presents statistical summary of other drug court studies in U.S; describes Washington's outcome evaluation and cost-benefit analysis of the following 6 of Washington's adult drug courts (with implementation dates noted): King Co. (8/1/94); Pierce Col (10/11/94); Spokane Co. (1/1/95); Skagit Co. (4/1/97); Thurston Co. (5/1/98); and Kitsap Co. (2/1/99); and presents findings and recommendations (study conducted at direction of Washington Legislature)	Evaluated six adult drug courts in Washington operating during 1998 and 1999 to test whether Washington's drug courts reduce recidivism rates	Obtained individual-level data (gender, age, ethnicity, prior criminal history, and current offense) for defendants who entered drug court and, for four of the programs also obtained individual-level data for defendants screened for the drug court; then constructed comparison groups; used this information to construct comparison groups, using six different comparison groups and several sampling approaches, including: selecting cases filed in the same counties 2 years prior to start of drug court; selecting comparable cases from non-drug court counties filed at same time; tested drug court effectiveness using all six groups to provide a range of estimates for drug court outcomes
16	February 7, 2003	<i>Judicial Council of California. Administrative Office of the Courts. Report. Collaborative Justice Courts Advisory Committee. Progress Report</i>	Evaluated cost and effectiveness of drug courts in state; Phase I: study of three courts	Participants who completed drug court	N/A; compared arrest rates two years following admission with arrest rates two years prior to admission

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
17	January 6, 2003	<i>Evaluating the Effectiveness of Drug Courts in Idaho: Report to Governor Dirk Kempthorne and the First Regular Session of the 57th Idaho Legislature.</i> Idaho Supreme Court	Review of developments of 30 drug courts in Idaho; data provided on participants in Districts 4 and 5 (6 programs with 206 participants)	6 programs in Districts 4 (Ada Co and Elmore Co.) and 5 (Mini-Cassia Minidoka Co and Twin Falls Co.) [findings reported for graduates only]	n/a
18	January 2003	<i>Evaluating Treatment Drug Courts in Kansas City, Missouri and Pensacola, Florida: Final Reports for Phase I and Phase II.</i> Abt Associates. Prepared by Linda Truitt; Wm. Rhodes; N.G. Hoffman; Amy Maizell Seeherman; Sarah Kuck Jalbert; Michael Kane; Cassie P. Bacani; Kyla M. Carrigan; Peter Finn	Phase I: retrospective study of 1992-7 participants including case studies (process); and impact evaluation (survival analysis of recidivism); Phase II: study of 1999-2000 participants re program retention and participant perceptions	Phase I; 1992-7 and Phase II: 1999-2000 participants in Escambia County, Florida (74 participants) and Jackson County, Kansas (182 participants)	Phase I: Recidivism: Defendants with similar criminal histories arrested before drug court started and defendants with similar criminal histories arrested between 1993-7 who participated and did not participate in the drug court Phase II: n/a
19	May 5, 2002	<i>From Whether to How Drug Courts Work: Retrospective Evaluation of Drug Courts in Clark County (Las Vegas) and Multnomah County (Portland), [Oregon].</i> John S. Goldkamp; Michael D. White; Jennifer B. Robinson.	Tracks implementation and development of drug court in Portland, Oregon (1991-98) and Las Vegas, Nevada (1992-1998, focusing on outcomes and possible impact of various factors relating to structure, operation, and various innovations introduced in these programs	75 Drug court participants from each year since program inception in Portland (except 143 defendants for 1997); and 100 participants for each year in Las Vegas, and similar groups of defendants who didn't enter drug court and whose cases were disposed of through the traditional process.	Two groups of comparable defendants in each site whose cases were disposed of through the traditional process: (a): defendants who failed to attend first drug court appearance; and (b) defendants who attended first drug court appearance but failed to attend treatment

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20	March 2002	<i>Drug Court Partnership Act of 1998, Chapter 1007, Statutes of 1998. Final Report.</i> Prepared by The California Department of Alcohol and Drug Programs and the Judicial Council of California, Administrative Office of the Courts.	Present results of evaluation of 34 drug courts operating under Drug Court Partnership Act to demonstrate cost effectiveness of program	34 drug courts operating under Drug Court Partnership Act	
21	October 2001	<i>Kentucky Drug Court Outcome Evaluation: Behaviors, Costs, and Avoided Costs to Society. Prepared by TK Logan, William Hoyt and Carl Leukefeld. Center on Drug and Alcohol Research. University of Kentucky</i>	Outcome evaluation of drug court programs in Fayette, Jefferson and Warren Counties, Kentucky	Study of 745 drug court participants from three drug courts; studied graduates, program terminators and individuals assessed for the drug court but who did not enter	Individuals assessed for the drug court but did not enter
22	October 2000	<i>Tulsa County Adult Drug Court: Phase II Analysis.</i> Wright, David. O'Connell, Paul. Clymer, Bob. Simpson, Debbie.	Clients that had entered the Tulsa County Adult Drug Court Programs from 5/96 to 6/00.	117 adult non-violent felony offenders with substance abuse histories who had entered the drug court program were monitored from 5/96 to 6/00 within the Tulsa County Adult Drug Court system.	A sample of 113 individuals on probation was matched by criminal history and felony charge to the population studied.

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23	May 1999	<i>Evaluation of the Hennepin County {Minneapolis} Drug Court. Minnesota Citizens Council on Crime and Justice (R. Ericson; S. Welter and Thomas L. Johnson]</i>	Reviews program operations and outcomes of drug court participants during 1996-998 period; analyses treatment recidivism (readmission to new program after completing drug court treatment) and criminal recidivism (felony and gross misdemeanor charges and misdemeanor convictions occurring during 9 month follow up study period); also looked at employment status and improved parenting skills of participants while in program	Drug court participants whose cases were filed between August 1, 997 and December 31, 1997 (with certain stated exceptions)	past drug offenders prior to drug court program implementation with similar demographic characteristics
24	October 2000	<i>North Carolina Drug Treatment Court Evaluation Final Report. Craddock, Amy.</i>	Data was collected from 534 individuals attending 4 pilot drug court treatment programs in North Carolina, monitored 12 months after graduation	Individuals attending the pilot drug court treatment programs in North Carolina	Eligible drug court treatment applicants not admitted to the program
25	October 2000	<i>Evaluation of Oklahoma Drug Courts, 1997-2000. O'Connell, Paul. Wright, David. Clymer, Bob.</i>	Individuals in the Oklahoma drug court program were monitored at 6, 9, 12, 18, and 24 months.	Oklahoma Drug Court Graduates	Probation offenders matched by criminal history and felony charge

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26	October 2000	<i>1998 Drug Court Recidivism Report Update.</i> Administrative Office of the Courts, Dade County (Miami), Florida	Provides cumulative re-arrest rates for defendants who refused drug court, withdrew from drug court, and those who successfully completed probation.	Drug court graduates through 1998	Defendants who refused drug court withdrew from drug court, and those who successfully completed probation.
27	January 2001	<i>Final Report on the Polk County Adult Drug Court: Executive Summary and Summary of Findings.</i> Iowa Dept. of Human Rights. Division of Criminal and Juvenile Justice Planning. Statistical Analysis Center.	Study comparing clients entering program from its inception through September 30, 1998 with group of revoked probationers from FY96 and other offenders referred to the drug court who didn't enter	Drug court clients who entered program from inception through September 30, 1998 [findings reported for graduates only]	Group of revoked probationers from FY 96 and defendants who were referred to the drug court but didn't enter
28	July 2001	<i>NW HIDTA/DASA Washington State Drug Court Evaluation Project.</i> G. Cox, L. Brown, C. Morgan, M. Hansten. Alcohol and Drug Abuse Institute. University of Washington, Seattle, Wash.	Study of drug court processes and outcomes in King County, Pierce Co;; Spokane Co; Thurston Co; Skagit Co; Kitsap Co; and Snohomish County; focus on examining organizational structure and operational characteristics of each program and impact of program on re-arrests; convictions, incarceration rates, earned income of participants, and utilization of public resources including medical, mental health, treatment and vocational services	Drug court participants in each site [findings reported for graduates only]	
29	December 2004	<i>Evaluation of Virginia's Drug Treatment Court Programs.</i> Office of the Executive Secretary, Supreme Court of Virginia	Process and outcome evaluation of drug court participant retention rates and graduate and nongraduate (terminated or withdrawn) recidivism rates; also analysis of severity and tonicity of offenses committed by participants prior to drug court entry to address the issue: are drug courts accepting only "light weight" offenders? Or more serious and chronic offenders?	3,216 adult felony Drug court participants admitted to the drug courts between November 1995 and December 2004, consisting of 2,002 graduates or current enrollees	Adult drug offenders studied by Virginia Criminal Sentencing Commission (VCSC) in 1999 for recidivism rates and severity of offense history

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
30	October 2003	<i>South Central Judicial District Adult Drug Court Program (Bismarck, N.K). Process Evaluation – Final Report. October 2003. Jeffrey A. Bouffard. North Dakota State University. Department of Criminal Justice and Political Science.</i>	Primarily a process evaluation of program operations compared with anticipated program process and services; also provides limited analysis of outcome info re recidivism (program was too young to do compile adequate data on this) and relationship between demographic chars. Of participants and program performance and outcomes	Reviewed 105 applications of potential participants, 47 enrolled participants and 14 graduates (8 terminations). [findings reported for graduates only]	n/a
31	July 2002	<i>Outcome Evaluation of Ohio's Drug Court Efforts. Final Report. By Edward J. Latessa, Ph.D.; Deborah Koetzle Shaffer; Christopher Lowenkamp. Center for Criminal Justice Research. University of Cincinnati.</i>	Study of adult and juvenile drug courts in Ohio to examine their effectiveness; primary focus is on effects of frequent court contacts and community based treatment on recidivism rates	Common Pleas: Sampled 788 drug court participants and 429 comparison group members from Hamilton, Butler, Erie, and Richland Counties Municipal Court: 556 drug court participants and 228 comparison group from Cuyahoga Co., Miami County and City of Akron; Juvenile Court: studied 310 participants and 134 comparison group members from Belmont, Summit and Montgomery Counties	Matched offenders eligible for drug court program re demographic characteristics and presence of substance abuse problem
32	2001	<i>Evaluation of the Bernalillo County Metropolitan DWI/Drug Court (Institute for Social Research conducted comparison study specifically for drug court graduates)</i>	Reviews background, recidivism, and incarceration costs for 450 offenders served by the DWI/Drug Court since its inception in July 1997 through July 31, 2001; recidivism info for 168 graduates who graduated between March 1998 – September 2000	560 offenders served by the drug court program [findings reported for graduates only]	Recidivism and Cost comparisons: Similar group of probation clients
33	February 2005	<i>Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes. U.S Government Accountability Office</i>	Review of 27 drug court evaluation reports of 39 adult drug court programs that met GAO methodological criteria for soundness	n/a – reviewed already completed evaluation reports but focus includes participants as well as graduates	n/a

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34	April 2005	<i>Evaluation of the Outcomes in Three Therapeutic Courts: Anchorage Felony Drug Court; Anchorage felony DUI Court; Bethel Therapeutic Court. Alaska Judicial Council.</i>	Study for legislature which reviewed info about all participants in Anchorage Felony DUI Court; Anchorage Felony Drug Court; and Bethel Therapeutic Court for 1 years prior to entering drug court and 2 years after leaving drug court	Defendants in Anchorage Felony DUI Court, Anchorage Felony Dr Court and Bethel Therapeutic Court for 2 years prior and 2 years following drug court participation [findings reported for graduates and active participants only]	Defendants who matched participants but didn't enter a therapeutic program.
35	April 2003	<i>The Kootenai and Ada County [Idaho] Drug Courts: Outcome Evaluation Findings. Final Report</i>	Focus is on (1) characteristics of offenders served by the drug court; (2) how drug court participants appear on various indicators of drug use; (3) whether drug court participation affects likelihood of individual recidivating; (4) factors that predict likelihood of success/failure; and (5) outcomes for program graduates	Drug court participants in Kootenai and Ada County Drug courts selected between February 1998 and July 2002: <u>Kootenai Co.</u> : (45% in Phase I; under 1% in Phase 2, 27% in phase 3 and 25% in phase 4; 29% (41) had graduated and 52% (76) had been terminated, followed up for 820 days (2 yrs, 3 mos) for drug court group and 677 days (1 year, 10 months for comparison group; <u>Ada Co.</u> : drug court participants between March 1999 – June 2002; 25.7% currently enrolled (56); 41.7% (91) graduates; and 32.6% (71) terminated.	Comparison group identified by each court of defendants similar to participants in demographics and drug use and who were eligible for the drug court but didn't receive drug court services (Kootenai Co.- 133 and Ada Co. – 161)
36	July 2000	<i>The Hamilton County [Ohio] Drug Court: Outcome Evaluation Findings. Shelley Johnson and Edward Latessa. University of Cincinnati.</i>	Comparison of drug court participants with comparison cases to determine whether drug court participation is associated with differences in outcome	Defendants screened for program during January 1, 1997 – October 31, 1998	Comparison group identified by various data sources including demographics, case history, assessment information and judge's daily drug court docket containing disposition and outcome information; each participant must have a reported substance abuse problem and be eligible for the drug court; drug court group = 226; comparison group – 230

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37	March 2005	<i>Analysis of Oklahoma Drug Courts: Fiscal Years 2002-2004.</i> Oklahoma Department of Mental Health and Substance Abuse Services	Analyzed data from 25 adult drug and DUI courts operating in 30 counties in Oklahoma, including participants who were active July 1, 2001 – June 30, 2004, totaling 2,307 participants	2,307 participants active in 25 adult and dui drug courts during period July 1, 2001 – June 30, 2004 [findings reported for graduates only]	Recidivism rate of drug court graduates compared with that of successful standard probation offenders or released prison inmates
38	July 2001	<i>The Akron Municipal Drug Court: Outcome Evaluation Findings.</i> S. Listwam, D.K. Shaffer, and Edward J. Latessa. Center for Criminal Justice Research, University of Cincinnati	Studied participants in drug court and compared with those designated as comparison cases		Matched group of cases screened November 1997 – April 2000 with selected demographic characteristics, reported substance abuse problem, and eligible for the drug court
39	May 2003	<i>Coconino County DUI/Drug Court Evaluation.</i> Frederic I. Solop, Nancy A. Wonders, K.K. Hagen, K McCarrier. Social Research Laboratory, Northern Arizona University.	Two year process and outcome evaluation of Coconino Co. DUI/Drug court program; used random assignment of eligible offenders to an experimental group that entered the DUI drug court and a control group that was processed through the traditional criminal justice system; collected from May 1, 2001 – October 31, 2002	Drug court participants in the DUI drug court from May 1, 2002 – October 31, 2002	DUI offenders randomly assigned to traditional adjudication process; data collected: May 1, 2001 – October 31, 2002
40	2005	<i>Recidivism of Violent Offenders in a Delaware Drug Court Program for Probation Violators.</i> Christine A. Saum, Ph.D. Univ. of Delaware.	Study of 452 samples of seriously crime-involved offenders and their success in drug court program for probation violators.	452 probation violators with serious criminal histories who entered probation-violator track of New Castle Co. (Wilmington), Delaware Superior Court drug court between October 1993 and March 1997	n/a
41	2004	<i>Kalamazoo County 9th Judicial Circuit Court: Drug Treatment Court Programs. Statistical Report.</i> 2004	Review of demographics, progress, and recidivism of 1,967 females and 2,267 males referred to the drug court program (566 females and 581 males enrolled) from inception (1992 and 1997 respectively) through December 2004	Study of 1,967 females and 2,267 males referred to Kalamazoo drug court programs since inception (June 1992 and January 1997, respectively) through December 2004 [findings reported for graduates only]	n/a

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42	April 2005	<i>Puerto Rico Drug Court Program: Outcome</i> Evaluation Center for Addiction Studies, School of Medicine, Universidad Central del Caribe	(1)Study of the status of participants in the Puerto Rico Drug Court Program one year after admission compared to their status immediately prior to admission; (2) comparison of outcomes of Drug Court Participants to participants in traditional diversion groups supervised by probation and TASC	Drug Court: 222 consecutive admissions from six judicial regions which had a drug court (Arecibo, Bayamon, Carolina, Guayama, Ponce, and San Juan) from March through August 2003; comparison group comprised 220 consecutive admissions from 12 regions	comparison group comprised 220 consecutive admissions from 12 regions in probation or TASC supervised programs
43	September 2005 (interim)	<i>California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II Study Results. NPC Research, Shannon M. Carey, Michael W. Finigan, David Crumpton, Mark Waller, Francine Byrne.(See No. 51 for final report)</i>	Two research questions: (1) are drug courts cost-effective (cost-beneficial)? (2) what drug court practices appear most promising and cost-beneficial? Study of costs and benefits (opportunity resources); cost to taxpayers (public funds); and transactional cost analysis	Graduates and all participants in 9 California courts: Monterey, Los Angeles (El Monte); Orange County (Santa Ana) and Laguna Niguel; San Joaquin Co. and Stanislaus County	n/a
44	January 2005	<i>Malheur Co. Adult [gender specific]t Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey and Gwen Marchand.</i>	(1) does drug court participation reduce no. of re-arrests for participants? (2) does drug court reduce levels of substance abuse; (3) how success is program in bringing participants to graduation within expected timeframe? (4) what participant characteristics produce success? Termination?	Drug court participants entering program since implementation in January 20001 and at least 6 months prior to evaluation. (125 participants) – 77 males and 48 females)	n/a

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45	January 2005	<i>Marion Co. (Oregon), Adult Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey, Gwen Marchand.</i>	(1) does drug court participation reduce no. of re-arrests for participants? (2) does drug court reduce levels of substance abuse; (3) how success is program in bringing participants to graduation within expected timeframe? (4) what participant characteristics produce success? Termination? (5) (5) how important is aftercare to successful outcomes?	62 drug court participants who entered program since implementation in April 2000 and at least 6 months prior to evaluation.	Persons arrested on drug court eligible charges during year prior to drug court implementation, matched to drug court participants on gender, ethnicity, age and criminal history in 2 years prior to drug court
46	July 2003	<i>A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research, Inc. Shannon Carey, Michael Finigan</i>	Study of investment costs and benefits of drug court program; compares use of public resources for drug court clients and for sample of drug court eligible “business as usual” serviced clients.		
47	March 2004	State of California Department of Alcohol and Drug Programs. <i>Comprehensive Drug Court Implementation Act of 1999: Interim Report to the Legislature. Kathryn P. Jett, Director</i>	Study mandated by Comprehensive Drug Court Implementation Act (CDCI) of 1999 describing interim programmatic progress achieved	Data collected from January 2001 – June 2003 for “new participants”, participants who completed (“completers”), and those who were terminated (total of more than 9,000, 7,790 of whom were adults; 3,563 completed program; 2,657 terminated	n/a
48	June 14, 2006	<i>Suffolk Co. (Mass) Drug Court Evaluation. Abt Associates. Wm. Rhodes, Ryan Kling and M. Shiveley</i>	Impact of drug court program on drug court probationer participants	844 probation participants in four drug courts in Suffolk County; could get info for 794 participants; 13% active at time of study; 42% graduates,, 11% had FTAs;	Other drug-involved probationers (but had less extensive criminal histories and less severe probation risk scores so inappropriate to use them as comparison group

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49	May 20, 2006	<i>Outcome Evaluation of the Jackson County, Florida Drug Court.</i> Williams Consulting. Silver Spring, Md.		12 Drug court completers and 16 non-completers who entered program November 1, 2002 and left by October 31, 2005 [findings reported for graduates only]	12 Defendants with similar demographics sentenced during the same period as drug court participants (post conviction) entered program but who had different treatment
50	Spring 2006	<i>Long-Term effects of participation in the Baltimore City drug treatment court: Results from an experimental study.</i> Denise C. Gottfredson et al. U. of Maryland.	Using an experimental design, compares 235 offenders assigned either to drug court or traditional process	139 drug court participants (84 District and 55 Circuit) compared with 96 defendants processed through traditional system during 1997 and 1998	96 defendants processed through traditional system during 1997 and 1998
51	April 2005	<i>California Drug Courts: A Methodology for Determining Costs and Benefits: Phase II: Testing the Methodology.</i> NPC Research. Shannon Carey, Dave Crumpton, Michael Finigan and Mark Waller. (See No. 43 for interim report)	U.S. Dept. of Justice funded study to conduct statewide eval to develop methodology that could be used by drug courts throughout California for ongoing cost-benefit evaluation; and answer two policy questions: (1) are adult drug courts cost beneficial? And (2) what adult drug court practices appear most promising and cost-beneficial	All drug court participants who entered the nine drug courts from January 1998 – December 1999 regardless of whether they completed program.	Non-drug court Defendants in each site eligible to enter the 9 drug courts from January 1998 – December 1999
52	August 2001	<i>The Philadelphia Treatment Court, Its Development and Impact: The Second Phase (1998-2000).</i> John S. GoldKamp al. Crime and Justice Research Institute	Follows first phase that described pilot period for the drug court; focuses on providing aggregate and trend data (April 1997 – August 2000); one year follow up for all participants entering program January 1998 – August 1999 and 6-month follow-up for participants and comparison group from January 1998 – November 1999	All participants and comparison group entering court system from January 1998 – August 1999 and six month follow up for all participants and comparison group from January 1998 – November 1999	-defendants ordered to assessment but not assessed (never appeared); -defendants assessed but found not in need of treatment; -defendants assessed in need of treatment but who chose not to enter drug court; -defendants found to be ineligible for drug court after referral; and -defendants assessed who chose to enter the drug court

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53	July 2005	<i>Malheur County, Oregon Adult Drug Court (S.A.F.E. Court) Cost Evaluation: Final Report. NPC Research.</i>	Outcome: Compared study group behaviors two years prior to entering drug court to the time (12 months to 2 years) following program entry to determine whether drug court (1) reduced no. of re-referrals? (2) reduced substance abuse; (3) successfully completes program for participants; and (4) any participant characteristics predict success? Cost: compared costs to crj incurred by participant 2 years prior to drug court entry with costs over 2 years following drug court entry.	Outcome: All offenders who entered the drug court at least one year before the start of the evaluation Cost: 89 drug court participants (57 males and 32 females); whose primary drug of choice was meth (51%), alcohol (41%). Average age at entry: 31.6; (32.5 – men; 30.3-women) Prior arrests: .47 (.17 drug related)	Not used
54	September 2006	<i>Kalamazoo County, Michigan Adult Drug Treatment Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	Whether drug courts reduced substance abuse? Recidivism? Produced cost savings?	Sample of participants who entered drug court between January 2002 and December 2003	Persons referred to drug court but didn't enroll
55	September 2006	<i>Barry County, Michigan Adult Drug Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	Whether drug court reduced substance abuse? Recidivism? Produced cost savings?	Identified sample of participants who entered drug court between implementation in 2001 and July 1, 2004	(1) those eligible for drug court at time of program implementation but couldn't be admitted because of incapacity; and (2) those subsequently eligible but not participating
56	March 2004	<i>The Douglas County (Nebraska) Drug Court: Characteristics of Participants, Case Outcomes and Recidivisms. Cassia Spohn and R.K. Piker. Final Report. March 2004</i>	Describes characteristics of all offenders (255) bound over to Douglas County District Court and subsequently diverted to Douglas Co. Drug Court in 2001	255 offenders diverted to Douglas Co. drug court in 2001	Comparison group of 687 traditionally adjudicated offenders
57	November 2001	<i>Dallas County DIVERT Court Outcome Evaluation. Monica Turley and Ashley Sibley.</i>	To determine whether Dallas county DIVERT drug court successfully reduced recidivism of first time felony drug offenders	Sample of drug court clients in program between January 5, 1998 and April 30, 2000. (77 graduates; 101 noncompleters)	78 control group

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58	January 2003	<i>Initial Process and Outcome Evaluation of Drug Courts in Texas.</i> Criminal Justice Policy Council.	Legislatively mandated study to examine effectiveness of present drug courts when H.B. 1287 enacted requiring drug courts by September 1, 2002 in counties with over 550,000 population	Tracked 501 offenders entering drug courts in Dallas, Jefferson and Travis Counties between 1998 – 1999 for three years	285 offenders eligible for drug court but not participating
59	October 2003	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 1 Evaluation Report.</i> ISED Solutions.	Studied 64 participants in first year of drug court	64 participants in first year of drug court	n/a
60	December 2004	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 2 Evaluation Report.</i> ISED Solutions.	Documents second year of drug court services and outcomes and analysis of client characteristics associated with poorer /better outcomes	116 drug court clients	n/a
61	March 31, 2004	<i>Cost/Benefit Analysis of the Douglas county, Neb Drug Court.</i> R.K. Piper and Cassia Spohn	To provide administrators and policy makers with critical information for future policy and funding decisions re drug courts	Approximately 300 drug court participants in first two years of program	194 traditional adjudication offenders in Phase 2 and 309 traditional adjudication offenders in Phase 3
62	February 2007	<i>Recidivism in Alaska's Felony Therapeutic Courts.</i> Alaska Judicial Council.	Study of recidivism of graduates of Anchorage Felony DUI and Felony Drug Courts and Bethel Therapeutic Court	63 Graduates and 54 nongraduates of Anchorage Felony DUI Court (46%), Anchorage Felony Drug Court (23%); and Bethel Therapeutic Court (31%)	Comparison group of 97 offenders with similar characteristics
63	October 2006	<i>The Staten Island Treatment Court Evaluation: Planning, Implementation, and Impacts.</i> Kelly O'Keefe and Michael Rempel. Center for Court Innovation.	Process (completed December 2003 for first 19 months of program) and impact evaluation of recidivism for SITC participants in first 40 months of program (March 2002- June 2005)	First 146 SITC participants in program	Matched sample of 46 similar defendants arrested in Staten Island in the year before the SITC opened.

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64	2007	<i>2005/2006 Tennessee Drug Court Annual Report. Office of Criminal Justice Programs. Dept. of Finance and Administration.</i>	Compilation of information submitted by 37 of existing 45 drug courts in the state to annual report of drug court activity and performance according to stated performance measures to be evaluated.	n/a	n/a
65	2007	<i>Wyoming Drug Court Performance Measures Project. National Center for State Courts.</i>	Collected demographic and performance measures data for Wyoming drug courts: retention; sobriety; in program recidivism and units of service for period January 1, 2005-June 30, 2005.	Drug court participants during January 1 – June 30, 2005	n/a
66	April 2007	<i>Multnomah County, Oregon: The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs. NPC Research</i>	Examined impact of drug court on total population of drug court-eligible offenders over 10 year period (1991-2001)- focus of study was on impact of drug court on target population over time (five years of follow up on all cohorts, with up to 10 years on some)	Entire population of offenders identified as eligible for drug court from 1991-2001 identified and tracked; 11,000 cases identified; 6,500 participated in drug court; 4600 had cases processed outside of drug court; data included cases during pretrial/ component (1991-1999) and post adjudication component (beginning in 2000)	Tracked all drug court eligible defendants from 1991-2001; cases processed outside of drug court; 6500 processed cases through drug court
67	April 2007	<i>Indiana Drug Courts: A Summary of Evaluation Findings in Five Adult Programs. NPC Research</i>	Process, outcome and cost study of five unnamed adult drug courts in the state that were operating for at least 12 months at the time of the stud	Participants enrolled sometime between January 2002 and June 2005; varied by program	NA
68	Fall 2005	<i>An Evaluation of Treatment in the Maine Adult Drug Courts. Faye S. Taxman, April Pattavina and Jeffrey Bouffard.</i>	Whether the Maine Drug Court curriculum advances the recovery of offenders and ways in which the drug court affects outcomes.	99 participants from 6 drug courts in different phases of treatment	NA
69	Spring 2008	<i>Substance Use, Drug Treatment, and Crime: An Examination of Intra-Individual Variation in a Drug Court population. Denise C. Gottfredson, Brook W. Kearley, Shawn D. Bushway.</i>	Whether (1) substance use increases crime; (2) drug treatment reduces substance use; (3) drug treatment reduces crime; and (4)the effect of drug treatment on crime is mediated by reductions in substance use	Interviews with 157 study participants 3 years following random assignment to Baltimore Drug court (additional 16 had died)	Random assignment control group

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70	January 2008	<i>Strafford County [NH] Drug Treatment Court: Performance Evaluation 2. New Hampshire Center for Public Policy Studies.</i>	Issues for improvement identified earlier: (1) timeliness of substance abuse evaluations by LADC for new referrals; (2) lack of written standards for program termination for noncompliance; and (3) missed gender treatment groups which seemed to create difficulty for many female participants	Persons admitted since January 19, 2006 (start of program) through October 31, 2006	NA
71	August 1, 2006	<i>A Process and Site-Specific Outcome Evaluation of Maine's Adult Drug Treatment Court Programs. Andrew Ferguson et. Al. Dep't. Of Sociology., University of Southern Maine</i>	Study of five adult drug courts (York County, Cumberland County, Androscoggin Co., Penobscot Co, and Washington Co.) re process and outcomes	Offender level date for 1,365 persons referred to drug court over 56-month period: April 1, 2001-November 30, 2005; assessed 195 adult drug court participants over two time frames: 84 admitted between December 1, 2004- November 30, 2005; and 111 admitted between December 1, 2003 and November 30, 2004.	Substance abusing offenders who didn't participate in the drug court
72	August 2007	<i>Benefit-cost calculations for three adult drug courts in Minnesota. August 2007. Paul A. Anton. Wilder Research</i>	Review of cost benefit of three drug courts (in St. Louis, Stearns and Dodge Counties	203 participants in three county drug courts (see methodology), including both completers and noncompleters	Drug offenders in the counties in the years just prior to establishment of the drug court
73	September 2008	<i>California Drug Courts: Costs and Benefits: Superior Court of San Francisco County. Shannon M. Carey et al. NPC Research</i>	Focus on: (1) are drug courts cost-beneficial?; and (2) what drug court practices appear most promising and cost-beneficial?	221 participants who entered program January 1, 2005 – December 31, 2005 (64 graduated and 157 non-completers) 80% men/20% women: 47% African American; 22% Hispanic/Latino; 21% White; 6% Asian and 4% other; primary drug of choice was cocaine (39%), meth: 21%; heroin (17%);	Participants from 9 different counties analyzed in previous Phase I and II of the study
74	January 31, 2004	<i>Evaluation of Maine's Statewide Adult Drug Treatment Court Program. Interim Report. Donald Anspach, Ph.D. U. of Southern Maine</i>	Review of initial operational period of Maine's six adult drug court (in counties serving 2/3 of Maine's population)	800 persons referred to the drug court over 32 month period: April 2001-November 30, 2003; 345 offenders admitted to adult drug courts as of November 30, 2003	N/A- much of report is process oriented but some comparisons with nationally available data

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75	March 2009	<i>Strafford County (New Hampshire): Drug Treatment Court: Final Performance Evaluation. New Hamp Center for Public Policy Studies</i>	Determine if drug court program is operating successfully and value of rug court in improving rehabilitation of drug abusing offenders	Participants in first three years of the program	Offenders with charges in 203-4 who would have likely been admitted to drug court if existed
76	January 2009	<i>Vermont Drug Courts: Rutland County Adult Drug Court Cost Evaluation. Final Report. NPC Research.</i>	Evaluate effectiveness of Rutland Drug Court in terms of effectiveness in reducing recidivism; determining cost benefits of drug court participation, and to evaluate the drug court processes; key policy questions to be answered: was program implemented as intended? Are services that were planned being delivered to target population? Does program reduce recidivism? Is there a cost savings to taxpayers as a result of drug court participation	Participants who entered program between January 1, 2004 – July 31, 2007	Offenders eligible for drug court but received traditional court proceeding; matched on age, gender, ethnicity, prior criminal history and indications of drug use
77	April 2008	<i>To Treat or Not to Treat: Evidence on the Prospects of Expanding Treatment to Drug-Involved Offenders.</i> Urban Institute. [Avinash Singh Bhati, John K. Roman, Aaron Chalfin.] April 2008	Research using micro-level data compiled from three nationally representative sources (National Survey on Drug Use and Health (NSDUH), Arrestee Drug Abuse Monitoring (ADAM) and Drug abuse Treatment Outcome Study (DATOS) used to construct a synthetic dataset defining using population profiles rather than sampled observation. Resulting synthetic dataset comprising of over 40,000 distinct profiles, permitted cost=benefit analysis of a limited number of simulated policy options	Created a synthetic data set from three nationally representative sources (National Survey on Drug Use and Health (NSDUH), Arrestee Drug Abuse Monitoring (ADAM) and Drug abuse Treatment Outcome Study (DATOS) u	n/a

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78	March 2008	<i>Michigan DUI Courts Outcome Evaluation Final Report Carey, S. M., Fuller, B. E., & Kissick, K. NPC Research</i>	Evaluation of three drug courts in Michigan guided by five research questions. Goal to examine recidivism, reduction in alcohol and substance abuse, determine what traits lead to successful outcome of the program.	DUI court participants for a minimum of one year following either program completion or termination from DUI Court	comparison group of offenders who were eligible for DUI court in the year prior to DUI court implementation
79	April 2008	<i>Crumpton, D., Mackin, J. R., Weller, J. M., Linhares, R., Carey, S. M., & Finigan, M. W. (July 2007). Harford County Adult District Drug Court Process Evaluation. A report to the Maryland Judiciary, Office of Problem-Solving Courts. NPC Research: Portland, OR.</i>	NPC Research, under contract with the Administrative Office of the Courts of the State of Maryland, conducted a cost and outcome study of the Harford County District Court Adult Drug Court (HCADC) program. The report includes the cost of the program and the outcomes of participants as compared to a sample of similar individuals who received traditional court processing. Evaluation designed to answer three key policy questions of interest to program practitioners, researchers and Policymakers: 1. Do drug treatment court programs reduce recidivism? 2. Do drug treatment court programs reduce drug-related re-arrests? 3. Do drug treatment court programs produce cost savings?	Identified sample of participants who entered the HCADC between January 2002 and August 2005	comparison group of individuals who were arrested on a drug court-eligible charge between February 2002 and August 2005 and referred to drug court but received traditional court processing for a variety of reasons (for example, a perceived inability to meet program requirements or unwillingness to participate)

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80	March 2008	<i>Garey, S. M., Finigan, M. W., & Pukstas, K. (March 2008). Exploring the Key Components of Drug Courts: A Comparative Study of 18 Adult Drug Courts on Practices, Outcomes and Costs. NPC Research: Portland, OR</i>	Examines how different drug court programs are implementing the 10 Key Components and, in particular, how practices vary across programs; also examines whether and how these practices have impacted participant outcomes and program costs including graduation rate, program investment costs, and outcome costs related to participant criminal justice recidivism	Eighteen of 30 evaluations conducted by NPC Research between 2000 and 2006 chosen to be highlighted in the paper for the following reasons. The evaluations included detailed process evaluations of adult drug court program operations and had at least some accompanying outcome data. All process evaluations used the same basic methodology and were designed to assess whether and to what extent the drug court programs had been implemented in accordance with the 10 Key Components	NA
81	April 2007	<i>Finigan, M. W., Carey, S. M., & Cox, A. A. (2007). The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs: Final Report. NPC Research: Portland, OR.</i>	This study was designed to look at the operations and outcomes of a single drug court in Multnomah County (Portland, Oregon) over a 10-year period of court operations through examining the entire population of drug court-eligible offenders over that period. By examining the entire population, rather than sampling, we hoped to describe for policymakers the effects of drug court on the system as it operated during that decade. By examining operations and outcomes, we hoped to add to our knowledge about external and internal changes and how they affect drug court success or failure	The entire population of offenders, identified as eligible for drug court by the Multnomah County District Attorney's Office over a 10-year period, from 1991 to 2001, was identified and tracked through a variety of administrative data systems. Approximately 11,000 cases were identified; 6,500 participated in the Drug Court program during that period and 4,600 had their case processed outside the drug court mode	n/a

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82	March 2007	<i>Carey, S. M., & Waller, M. (March 2007). Guam Adult Drug Court Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	There are two key policy questions that are of interest to program practitioners, researchers and policymakers that this evaluation was designed to answer. 1. Do drug treatment court programs reduce substance abuse? 2. Do drug treatment court programs reduce recidivism?	NPC Research identified a sample of participants who entered the Guam Adult Drug Court from the implementation of the program through August 2005, allowing for the availability of at least 12 months of outcome data post-program entry for all participants	A comparison group was selected from Probation data on drug offenders in the 2 years prior to the GADC implementation who had cases that would have been eligible for drug court had the program existed at the time
83	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Monroe County Drug Treatment Court Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. Has the MCDTC program been implemented as intended and are they delivering planned services to the target population? 2. Does the MCDTC reduce recidivism? 3. Does the MCDTC reduce substance use? 4. Is there a cost-savings to the taxpayer due to drug court participation? I	The following Information includes data from the 132 participants who entered the program after that date. The vast majority of these participants were white (97%) and male (76%). Forty-eight percent of the participants are single, 22% are married or living as married, 29% are divorced or separated, and 1% widowed. The mean age is 33 years with a range of 19 to 60 years	A sample of individuals who were eligible for drug court but chose not to attend MCDTC and had similar demographic characteristics and prior criminal records

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84	November 2006	Carey, S. M., Finigan, M. W., Crumpton, D., & Waller, M. S. (2006). <i>California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II in a Statewide Study. Journal of Psychoactive Drugs</i> , 38 (4),345-356.	This study focused on creating a research design that can be utilized for statewide and national cost-assessment of drug courts by conducting in-depth case studies of the costs and benefits in nine adult drug courts in California. A Transactional Institutional Costs Analysis (TICA) approach was used, allowing researchers to calculate costs based on every individual's transactions within the drug court or the traditional criminal justice system	All participants who entered the drug court programs during a specified time period and were active in the drug court programs for at least two weeks were included in the study. It was necessary for drug court participant samples to be selected from years that had a reasonable amount of administrative data, while at the same time giving the individuals in the samples enough time for outcomes to occur. The drug court cohorts were selected from participants who entered the drug court programs between January 1998 and December 1999, which provided at least four years of outcome data. The participant cohorts from each site were selected from either the drug court database or from databases (such as electronic court records) that flagged drug court participants.	comparison offenders at each site were matched as closely as possible to the drug court participants using a propensity score matching technique based on demographics (gender, age, ethnicity), previous criminal justice involvement (in the two years prior to the drug court arrest: number of all arrests, number of drug related arrests, number of days in jail), and previous use of treatment services (number of treatment episodes in the two years prior to the drug court arrest)

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85	September 2006	<i>Marchand, G., Waller, M. S., & Carey, S. M. (Oct. 2006). Barry County Adult Drug Court Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	<p>In 2005, the Michigan Supreme Court, State Court Administrative Office contracted with NPC Research to perform outcome and cost evaluations of two Michigan adult drug courts; the Kalamazoo Adult Drug Treatment Court and the Barry County Adult Drug Court. This document describes the evaluation and results for the Barry County Adult Drug Court (BCADC).</p> <p>There are three key policy questions that are of interest to program practitioners, researchers and policymakers that this evaluation was designed to answer.</p> <ol style="list-style-type: none"> 1. Do drug treatment court programs reduce substance abuse? 2. Do drug treatment court programs reduce recidivism? 3. Do drug treatment court programs produce cost savings (in terms of avoided costs)? 	NPC Research identified a sample of participants who entered the BCADC from the implementation of the program through July 1, 2004 (allowing time for outcomes post program entry).	A comparison group was identified from two sources (1) those individuals who were eligible for Drug Court at the time of implementation, but whom could not be admitted into the program due to capacity issues at startup and (2) individuals arrested on a Drug Court eligible charge during the study period but who received traditional court processing for a variety of reasons

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86	February 2006	<i>Pukstas, K., Weller, J. M., Brekhus, J., Crumpton, D., Carey, S. M., Mackin, J. R., & Finigan, M. W. (Feb. 2006). Maryland Drug Treatment Courts: Interim Report of the Effectiveness of Juvenile Drug Courts. NPC Research: Portland, OR</i>	<p>The report includes the following</p> <p>A description of the characteristics of juvenile drug court programs and the problems that they are designed to address.</p> <ul style="list-style-type: none"> • A discussion of the practices incorporated in Maryland's juvenile drug court programs as compared with research-based best practices for juvenile substance abuse and criminal justice interventions. • A comparison of the criminal justice system experience of a statewide sample of youth before and after their participation in Maryland's juvenile drug courts. • A comparison of the estimated program costs for juvenile drug court participants with those of individuals who participate in another intervention for similar juvenile offenders operated by DJS. 	NPC selected a sample of juveniles who were placed in the Maryland juvenile drug court system between 2001 and 2004, and released prior to December 15, 2004,	N/A
87	July 2005	<i>Carey, S. M., & Marchand, G. (Jan. 2005). Malheur County Adult Drug Court (S.A.F.E. Court) Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	The goal of this design is to determine whether participation in S.A.F.E. Court was influential in changing behavior patterns established prior to S.A.F.E. Court entry	NPC Research identified all offenders who had entered the S.A.F.E. Court program at least one year before the start of the evaluation and compared their behaviors in the two years prior to entering S.A.F.E. Court to the time period (twelve months to two years) following their entry into the program	N/A

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88	July 2003	<i>Carey, S. M. & Finigan, M. W. (July 2003). A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research: Portland, OR.</i>	<ul style="list-style-type: none"> · Collect and examine data from a mature drug court using a high-intensity cost assessment protocols developed specifically for this study and report these findings in a manner relevant to local policy makers. · Examine the differences between the proxy measures that we might have used in this study with the actual costs generated by our detailed cost assessment protocols. · Develop preliminary cost and cost offset assessment protocols that can be used by other drug court sites. 	N/A	N/A

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89	February 2004	Carey, S. M. (Feb. 2004). <i>Clackamas County Juvenile Drug Court Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	<p>Following is the list of research questions asked in this evaluation and the outcome results for these questions.¹</p> <p><i>Research question #1: Does participation in drug court, compared to traditional court processing, reduce the number of re-referrals for participants?</i></p> <p><i>Research question #2: Does participation in drug court reduce levels of substance abuse?</i></p> <p><i>Research question #3: How successful is the program in bringing program participants to completion and graduation within the expected time frame?</i></p> <p><i>Research Question #4: How has the program impacted the participants and their families?</i></p> <p><i>Research Question #5: What participant characteristics predict successful outcomes? What are the commonalities of clients terminated from the program? How do those terminated from the programs differ from those who have graduated?</i></p>	<p>This report contains the CCJDC outcome evaluation performed by NPC Research. Because the CCJDC is relatively small and was implemented recently, the entire population of drug court participants (except for those who had started less than 6 months before the time of outcome data collection) was used in these analyses</p>	<p>The drug court participant outcomes were compared to outcomes for a matched group of offenders who were eligible for drug court during a time period before the CCJDC program was implemented.</p>

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90	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., & Linhares, R. (April 2007). Indiana Drug Courts: Vanderburgh County Day Reporting Drug Court Evaluation: Final Report. NPC Research: Portland, OR.	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. <i>Has the VCDRDC program been implemented as intended and are they delivering planned services to the target population?</i> 2. <i>Does the VCDRDC reduce recidivism?</i> 3. <i>Does the VCDRDC reduce substance use?</i> 4. <i>Is there a cost-savings to the taxpayer due to drug court participation?</i> I	current participants	Terminated participants
91	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Vigo County Drug Court Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. <i>Has the VCDC program been implemented as intended and are they delivering planned services to the target population?</i> 2. <i>Does the VCDC reduce recidivism?</i> 3. <i>Does the VCDC reduce substance use?</i> 4. <i>Is there a cost-savings to the taxpayer due to drug court participation?</i>	Current and graduated participants	Terminated participants

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
92	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: St. Joseph County Drug Court Program Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. <i>Has the SJCDC program been implemented as intended and are they delivering planned services to the target population?</i> 2. <i>Does the SJCDC reduce recidivism?</i> 3. <i>Does the SJCDC reduce substance use?</i> 4. <i>Is there a cost-savings to the taxpayer due to drug court participation?</i>	Current and graduated participants	Terminated Participants
93	November 2009	Analysis of the Sisseton-Wahpeton Oyate Tribal Drug Court	Analyzing the Successes and areas in need of improvement in the treatment court.	Current and Graduated Participants	Terminated participants

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PART TWO

#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
1	2004	N/A	<p>Offenders assigned to drug court significantly less likely to be rearrested than offenders who go through traditional adjudication (including felony arrests)</p> <p>Offenders assigned to drug court more likely to be rearrested than offenders in pretrial diversion (including felony arrests) <u>–[NOTE: pretrial diversion is for lower risk offenders]</u></p>	n/a	n/a
2	September 2004	Survival analysis of 139 drug court participants and 96 defendants eligible for drug court but randomly assigned to non drug court program	<p>-A significantly greater proportion of the drug court sample (33%) survived throughout the follow up period compared with less than one fifth of the control sample (18%)</p> <p>-both samples experienced their sharpest decline between months 0 and 4 when each lost about one third of its members to failure (e.g., arrest).</p> <p>- half of the control sample failed by 5.1 months while the drug court sample did not lose half of its members until 11.1 months</p> <p>- drug court sample members who had greater exposure to the drug court components of drug treatment, drug testing, and status hearings were rearrested significantly less often than those with less exposure to these components.</p>	N/a	24 months from time of program entry

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
3	January 29, 2004	Tracked sample of drug court participants (53) in District Court and comparable group of non drug court participants for recidivism and costs and possible cost savings resulting	Over 4 year period, drug court participants had 12.3% fewer arrests than comparison group; PROPERTY OFFENSES: Drug court participants had 18.8% fewer arrests for property crime than comparison group; CRIMES AGAINST PERSONS: Drug court participants had 73.3% fewer arrests for crimes against persons than comparison group, so that victimization costs (e.g., medical costs, lost time from work, etc.) were substantially reduced; nongraduates had 1.17	n/a	Four years following program entry
4	January 29, 2004	Tracked sample of drug court participants (60) in Circuit and District Courts and comparable group of (63) non drug court participants for recidivism and resultant costs and possible cost savings resulting	- Over 3 year period, drug court participants had 31.4% fewer arrests overall than comparison group (Circuit Court participants had 44.2% fewer arrests); - DRUG OFFENSES: Drug court participants had 35.3% fewer arrests than comparison group (62.3% fewer arrests for Circuit Court participants); - PROPERTY OFFENSES: Drug court participants had 68.8% fewer arrests for property crimes than comparison group (71.9% fewer arrests for Circuit Court participants) - CRIMES AGAINST PERSONS: drug court participants had 48% fewer crimes against person than comparison group (Circuit Court participants had 70% fewer), with resultant reductions in victimization costs (medical expenses, lost pay, etc.) as well as criminal justice system costs	n/a	3 years following program entry
5	January 2004	Updated previous annual report to follow 543 female enrollees since program inception		N/a	n/a

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			Re-Arrests	Convictions	Time Followed
6	January 2004	N/A		Of 425 drug court graduates, 8 (1.9% recidivated*; of 3,405 successful standard probation offenders, 113 (3.3% recidivated); of 3,334 released inmates, 262 (7.9%) recidivated. Drug court graduates almost 2 times (73.7%) less likely to recidivate* than successful standard probation offenders; Drug Court graduates over 4 times (315.8%) less likely to recidivate than released <u>prison inmates</u> *recidivate: defined as offender becoming incarcerated in prison	First year following graduation
7	October 2003	Follows drug court participants in six NY programs and compares with similar defendants not entering drug court	(1) Recidivism reductions ranged from 13% to 47%, with average of 29% (2) (post program recidivism reduction from 19% to 52% (average is 32%))		(1)Following arrest (2) following program
8	August 1, 2003	N/A	-Women 14.2% -Men 21.4%	N/A	Within 36 months of graduating from drug court
9	July 2003	Process evaluation of 99 participants admitted to the program as of July 15, 2003	21% of participants admitted to program arrested while enrolled; 8% of 36 graduates arrested after graduation		December 2000 – July 2003
10	June 1, 2003	N/A	-30.5% had violated sentences within 2 years of being placed on probation.	N/A	N/A

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
11	May 2003	Process and outcome evaluation of 57 DUI drug court participants and 42 control group randomly assigned defendants with similar characteristics whose cases were processed in the traditional process	.01 offenses for DUI Drug Court participants compared with .03 for control group also: number of positive drug tests: - DUI drug court participants: 4% (6.1 average taken per month) - Control group: 18% (1 average taken per month)	n/a	18 months
12	April 18, 2003	Obtained re-arrest data for each of 2,357 participants in 4 drug courts studied for 12 months following discharge from program	Overall: - 9% rearrests for graduates; rearrests took average of 6.6 mos; - 41% rearrest for unsuccessful terminations; rearrests took average of 5.6 mos. Specific Programs: (p.9-4) -Bakersfield, Cal: 13%-grads; 53% terminated; St. Mary Parish, La.: 6%-graduates; 22%-terminated; Jackson Co., Mo.: 7%: grads; Creek Co., Okl: 20%	N/A	N/A
13	April 15, 2003	Review of rearrests for participants and graduates: 1994 – 2002	Participants: total rearrests were 140 (10.14%) of 1,380 participants	28 (7.11% of 394 graduates were convicted of offenses following graduation	N/A
14	March 2003	N/A	Felony -avg. 5.9% (0-12%) Misdemeanor -avg 10.1% (0-14.3 %) Recidivism defined as re-arrest.	N/A	N/A

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
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15	March 2003	Using six different comparison groups, measured recidivism rates (criminal convictions for new offenses) of drug court; pooled smaller counties (Kitsap, Skagit, Spokane and Thurston) and analyzed King and Pierce separately because they were larger		In all counties except King Co., drug court reduced felony recidivism rates by 13%; 8 year felony reconviction rate is 45.8% for nondrug court participants and 39.9% for drug court participants. King Co. didn't reduce recidivism, with high rate of terminations for 1998-1999. Also found that this 13% reduction in recidivism was consistent with recidivism reductions reported in 30 drug court evaluations reviewed for other jurisdictions.	Maximum of eight years
16	February 7, 2003	Studied arrest rates, compiled from 17 counties for 1,945 participants who completed one of 3 drug courts in state	Declined by 85% in first two years after admission compared to two years prior to entry	Declined by 77% in two years following admission compared to two years prior to entry	Two years following entry
17	January 6, 2003	Statistical data on convictions of graduates after leaving program		Conviction rate for graduates was 11%	N/A

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
18	January 2003	Ph. I: case studies to document program dev, policies and procedures, lessons learned; and impact evaluation using survival analysis to measure recidivism Ph. II: program retention model using logistic regression to predict program status, and survival analysis to predict length of stay; and descriptive analyses (Escambia County) using court records and interviews re participant perceptions	(definition of recidivism as rearrests implied from discussion) <u>Escambia Co.</u> : drug court participation reduced recidivism for new felonies from roughly 40% to nearly 12% within two year follow-up period. (less impact if <u>any</u> rearrest is considered)- drug court reduced recidivism for felonies but not new misdemeanor arrests; males had higher probability of recidivism than females; blacks had higher probability of recidivism than whites; recidivism rates decreased with age; offenders more likely to recidivate if they had more serious criminal records; timing of recidivism not affected by drug court participation <u>Jackson County</u> : probability for recidivism fell and time to rearrest increased with drug court participation; drug court participation reduced recidivism from approximately 50% to 35% for both felonies and misdemeanors; probability of eventually recidivating fell with drug court participation and time to rearrest increased. Participation reduced recidivism for new felonies or misdemeanors from 65% to 45%.; recidivism rates same for men and women but higher for blacks than for whites; recidivism rates dropped as age increased and rose for offenders with more serious criminal r records		24 months (implied from date of arrest)

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
19	May 5, 2002	Obtained rearrest data for group of drug court participants at each site from date of program inception through 1998 and rearrest data for comparison group of defendants	<p>Portland: 1991-97 Dr. Ct. partics: 37.4% rearrest at 1 year, compared with non drug court defendants group A (never appeared at first hearing) 53.3% and B (appeared at first hearing but not at treatment) 50.8%; 46.4% of drug ct partics rearrested after 2 yrs compared with 57.8% and 59% of comparison groups; 49.9% of drug ct partics rearrested after 3 years compared with 60.1% and 60.3% of nondrug court defs.</p> <p>Las Vegas: 1993-97: -52% drug court partics compared with 65% of compare group rearrested after one year; 62% of drug court partics vs. 74% of nondrug court arrested after 2 years; 65% of drug court partics vs. 79% of nondrug court defs rearrested after 3 years.</p>		3 years
20	March 2002		<p>A substantial number of drug court participants (approximately 3,0090) completed drug court during the study period; participants who completed drug court as compared to aggregate of all entering participants during study period, had very low rearrest, conviction and incarceration rates for the two years after admission to drug court.</p> <p>Arrest rate for participants who completed drug court is 85% less during the two years after admission than arrest rate for those entering program during the two year prior to entry</p>	Conviction rate for participants who competed drug court is 77% less during two years after admission than conviction rate of those entering program during the two years prior to entry;	2 years following drug court admission

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21	October 2001	Studied client files, local jail and prison data; NCIC data, child support collections, traffic accidents, mental health service utilization, employment data and random interviews of drug court graduates and terminators		12 months following graduation, graduates less likely to have had felony or misdemeanor conviction, or been in prison or jail; graduates had significantly more days to first misdemeanor charge but significantly fewer days to first felony charge than other groups (terminators and nonentry defendants)	12 months after graduation or termination
22	October 2000	Individuals were tracked with rap sheets in order to produce results.	6 months -6% DC -7% Comp. 12 months -9% DC -21% Comp. 18 months -10% DC -26% Comp. 24 months -11% DC -27% Comp. = 11% recidivism rate Recidivism was defined as any contact with the law.	N/A	At 6,12,18, and 24 months after release

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
23	May 1999	Tracked drug court cases filed between August 1, 1997 0- December 31, 1997 and predrug court comparison group for 9 month period; compiled data on offender characteristics, prior conviction history; length of case; reoffenses; and nature of drug addiction (for drug court participants only)	Drug court and predrug court defendants had similar recidivism rates	Drug court and predrug court defendants had similar recidivism rates	9 months following case filing
24	October 2000	Research compared DTC and non-DTC drug offenders	12 months -18% graduates -41% non-graduates -44% comp.	N/A	12 months after graduation
25	October 2000	N/A	6 months: -6% DC; -6% comp. 12 months: -10% DC; -14% comp. 18 months: -11% DC; -22% comp. 24 months: -14% DC; -22% comp. Recidivism was defined as re-arrest	N/A	N/A
25	October 2000	N/A	Those Refusing Drug Court: - 19.91% Those Who Withdrew From Drug Court: - 25.2% Successful Probationers: - 15.9% 1998 average for DC graduates: - 10.6%	N/A	N/A

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27	January 2001	Tracked information re drug court participants and comparison group members re recidivism; completion rates; justice system and treatment costs	(recidivism not defined): drug court graduates had lower total post program recidivism than comparison groups	Post program recidivism rate for graduates after 416 days follow up was 28%, with only one of the 15 convictions a felony; 85% of the new convictions were for misdemeanors; 40% drug court clients were convicted of crimes post program; 62% of the men entering the drug court were convicted of new crimes while only 33% of the women were convicted;)	n/a
28	July 2001	Conducted interviews of program officials and tracked data on participants at each site; divided subjects into five outcome groups: ineligible; opt outs; did not finish; graduates; and active cases	Graduates have fewer re-arrests than any of the other outcome groups	Offenders who graduate from drug court less likely than offenders in any other group to be reconvicted in the three years following referral to drug court	Three years following referral to drug court
29	December 2004		<p>Of 647 graduates of adult drug courts, 103 have been rearrested for felony offenses after graduation (15.9% recidivism rate); 59 graduates had misdemeanor arrests (9.1% recidivism rate;</p> <p>Of 2,056 nongraduates, 303 were arrested for felony offenses after leaving drug court (33% recidivism rate) and 72 were arrested for misdemeanors (7.8%).</p> <p>Felony recidivism rate of drug offenders studied by Va. Criminal Sentencing Commission (VCSC) in 1999, was 50% -- significantly higher than felony recidivism rate for graduates or nongraduates</p>	n/a	n/a

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
30	October 2003	Used combination of interviews, surveys of program officials, and review of data maintained by the drug court coordinator	One of the 14 graduates has had arrest/conviction for new offense (7%)	One of the 14 graduates has had arrest/conviction for new offense (7%)	Not indicated
31	July 2002	Quasi-experimental matched comparison group design to estimate impact of drug courts on future criminal involvement; evaluated 3 distinct groups of participants: those in Common Pleas Court; Municipal Court; and Juvenile Drug Courts	32% of <u>Common Pleas</u> participants rearrested vs. 44% of comparison group (Offenders with prior record, less than High school education, unemployed and nondrug court participation more likely to be rearrested; <u>Municipal</u> drug court participants significantly less likely to be rearrested than comparison group members for new offense and for multiple times; 41% of Municipal drug court participants rearrested vs. 49% of comparison group; factors predicting rearrest were race, education, employment, time at risk; and drug court participation; offenders who were nonwhite , had less than high school education, unemployed, a risk the longest were significantly more likely to be rearrested;; - completion of drug court was a significant predictor of new arrests; probability of rearrests for those offenders who completed a drug court program was 32% vs 55.5% for comparison group		

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32	2001	Reviewed automated data collected by Bernalillo Co. Metropolitan Court; comparison data drawn from automated records maintained by court	<p>Within six mos graduation: 3.6% (6) vs. 14 (9%) for successful probation and 15 (9.7%) of unsuccessful probation</p> <p>Within 7-12 mos graduation: 9 (5.4%) vs. 14 (9%) successful probation vs 9 (5.8%) of unsuccessful probation</p> <p>After one year: 11 (6.5%) vs. 14 (9%) of successful probation vs. 20 (13%) unsuccessful probation</p> <p>For DWI offenses: 21 (12.5%) vs. 26 (16.7%) for successful probation vs. 32 (20.8%) for unsuccessful probation</p> <p>for Violent Offense: 4 (2.4%) vs. 12 (7.7%) for successful probation vs 9 (5.8%) for unsuccessful probation</p> <p>Total Recidivism: 26 (15.5%) vs. 42 (27%) for successful probation vs. 44 (28.5%) for unsuccessful probation</p>		

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33	February 2005	Reviewed 27 evaluation reports of 39 adult drug court programs that met criteria for methodological soundness and other attributes	<ul style="list-style-type: none"> - Lower percentage of drug court participants than comparison group members rearrested or reconvicted; - Program participants had fewer recidivism events than comparison group members - Recidivism reductions occurred for participants who had committed different types of offenses - Inconclusive evidence that specific drug court components, such as. Behavior of judge or amount of treatment received, affected participants' recidivism while in program -recidivism reductions also occurred for some period of time after participants completed drug court program in most of programs reporting these data 		n/a

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			Re-Arrests	Convictions	Time Followed
34	April 2005	Studied every person who opted into one of the courts even if only stayed brief time; data base included 154 defendants who participated in programs (32 graduated; 63 active and 59 terminated without graduation; comparison group derived from case coordinators and observation in court; data derived from court case files and therapeutic courts data base		<p><u>Drug Court:</u> Both graduates and active participants had significantly fewer convictions during 2 years after opting into the program; those not in program had slightly more convictions during the two years after while those who opted out (were terminated) had fewer convictions during the two years after.</p> <p><u>DUI Court:</u> graduates and those active had fewer convictions during period after opting into the program than they had in the preceding two years; for those active in the program, the difference was significant; those who opted out of the program and those who were not in the program also had fewer convictions</p> <p><u>Bethel Therapeutic Court:</u> all groups saw reduction in convictions during the 2 years after the plea/opt in date. Reduction was statistically significant for those active in the program and for those who dropped out/opted out of the program.</p>	Two years following drug court participation (compared with two years prior to drug court entry)

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35	April 2003	Used quasi-experimental matched control group design to estimate impact of drug court involvement on future criminal behavior- reviewed info on drug court participants and comparison group selected by each drug court using court maintained and self reported data	<ul style="list-style-type: none"> - PARTICIPANTS: <u>Kootenai Co.</u>: drug court participants less likely (41%) than comparison group (53%) to be rearrested - majority of arrests for drug related offense (46% for drug court group and 55% for comparison group; 55% of drug court arrests vs. 46% of comparison arrests were for felonies - -10% of drug court participants arrested multiple times during follow up period vs. 24% of comparison group members arrested multiple times; 15% of drug court participants arrested at least twice in follow up period vs. 29% of comparison members - <u>Ada Co.</u>: - - Fewer (38%) of drug court participants arrested vs. comparison group (63%). And fewer arrested for drug charge; - 22% of drug court vs 51% of comparison group arrested multiple times - GRADUATES: <u>Kootenai Co.</u>: 41 graduates: 7 (20%) arrested for new offense during follow up period of 1006 days (115 days post graduation) vs. 60% arrest rate for non graduates and 53% arrest rate for comparison group - <u>Ada Co.</u>: 17 of 91 graduates (19%) arrested following graduation vs. 77% for nongraduates and 63% for comparison group; 29% of graduates arrested for felony vs. 85% of nongraduates and 81% of comparison group; 		<p>Kootenai Co: 1006 days (115 days post program)</p> <p>Ada Co.: participants: 851 days (2 yrs 4 mos) for drug court group and 660 days (1 year 8 months) for comparison group; graduates: 1084 days 1003 (terminated); 660 days for comparison group – graduates followed 5502 days (1 yr and 4 months) post graduation</p>

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36	July 2000	Quasi-experimental matched control group study to assess program outcomes among drug court participants compared to similar group of drug addicted adults who did not participate in the drug court; data obtained through the following pretrial data and court docket info: (1) Pretrial Services: demographic, current offense, disposition and criminal history info; (2) treatment needs and participation from ADAPT program; (3) court reported violations, fees, community service and recidivism data from Probation Department; (4) recidivism data compiled by court.	<ul style="list-style-type: none"> - 13% of participants arrested for new charge; - offenders in treatment group less likely (29% [sic]) to be rearrested than comparison group (39%) – new charge frequently drug charge for both groups <p>Graduates: Overall: 31% of graduates rearrested during 18 month follow up period : 23% of July 1996 graduates vs. 31% of participants rearrested; 35% of the October 1996 graduates; 63% of the March 1997 graduates; 29% of the June 1997 graduates and 31% of the November 1997 graduates have been rearrested since graduating;</p> <p><u>Other:</u></p> <p>majority of participants in all classes not arrested more than once during follow up period rear rest by gender generally similar</p>	significantly more drug court participants were convicted of the offense for which they were arrested than the comparison group	
37	March 2005	n/a		<ul style="list-style-type: none"> -Drug court graduates 74% less likely to return to prison than successful standard probation offenders; - Drug court graduates more than four times (316%) less likely to recidivate than released prison inmates [<u>Note:</u> recidivism not defined but assume refers to convictions because of reference to “return to prison”] 	n/a

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38	July 2001	Quasi-experimental matched comparison group design to estimate impact of drug court on future criminal involvement; comparison group of participants that had reported substance abuse problem and were eligible for the drug court; comparison group screened between November 1997 and April 2000	40% of drug court treatment group rearrested during follow up period vs. 52% of comparison group;; significantly more individuals in control group arrested on felony charge;		n/a
39	May 2003	Random assignment of eligible offenders to an experimental group that entered the Co. DUI/Drug Court and a control group processes through traditional cjs processing.	Control group committed 3 times as many offenses as DUI drug court participants each month		n/a

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40	2005	Tracked 452 participants in probation track of drug court for any contact with cjs system following discharge (successful or unsuccessful) from program.	<p>Drug court participants had total of 1,726 contacts with cjs after discharge, resulting in over 4,000 charges. (1/4 of participants had a violent criminal charge)</p> <p><u>One year after discharge:</u> (1) failed clients significantly more likely to have made some contact with cjs and have been arrested for felony crime than graduates; (2) four times as many of the failed clients had been incarcerated within the 12-month period than had program graduates</p> <p><u>Three years after discharge:</u> similar findings; 80% of participants who failed program had some period of incarceration vs. 1/3 of the clients who graduated.</p> <p>Rates of overall arrests and types of charges didn't differ by graduation status at either 12 month or 36 month period.</p> <p>Participants with violent criminal history: significantly more likely to recidivate with serious offenses during program participation than persons with nonviolent criminal history; at 12 month e=period, offenders with history of violent criminal offending significantly more likely to have any contact with cjs (67%) than participants with no previous violent criminal history (42%).</p> <p>Violent offenders, compared with nonviolent offenders, recidivate more and with more serious types of offenses during active program participation and after program discharge. However, violent offenders who graduated were significantly less likely to recidivate than their violent counterparts who didn't complete the program.</p>		Generally 12 months and 36 months but ranged from 5 months to over 6 years, depending upon how much time had elapsed since participant was discharged from program and time study was conducted.

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				Convictions	Time Followed
41	2004	Tracked sources of referrals and demographics, progress and recidivism of enrollees in female and male drug court programs from inception through December 31, 2004	n/a	<p><u>Females:</u> 85% (172) of women who completed program had no subsequent convictions within 3 years of program completion; 15% (30) were convicted of new misdemeanor or felony offenses</p> <p><u>Males:</u> 156 (85%) of graduates had no subsequent convictions within 3 years of program completion; 27 (15%) were convicted of new misdemeanor or felony offense within 3 years of program completion</p>	Females and Males: 3 years following program completion.
42	April 2004	Contacted participants 12 months after recruitment in the study; given two assessment tools; a face-to-face structured interview to collect demographic and other nonsensitive info and a self administered questionnaire, including questions relating to drug use and other sensitive info.	Current information system precluded tracking drug treatment court as well as comparison group participants for recidivism; Self reports from participants in study group of drug court participants indicated: (1) antisocial/illicit behavior reduced from 76.5% prior to admission to 17.5% 12 months after admission; (2) proportion of participants reporting possession, selling or distributing drugs reduced from 55.9% prior to admission to 7.5% after admission; (3) drug court participants showed significantly more improvement than comparison groups in reported illicit/antisocial behavior although there was a marked reduction in antisocial/illicit behaviors among both groups.	Current information system precluded tracking drug treatment court as well as comparison group participants for recidivism	One year after program entry

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
43	September 2005 (interim report)	Transactional and Institutional Cost Analysis- (1) determine flow/process; (2) identify transactions; (3) identify agencies involved; (4) determine resources used; (5) identify costs associates; (6) calculate cost results	17% for graduates 29% for all participants 41% for comparison group [- note: -not clear whether recidivism refers to arrests or convictions]		
44	January 2005	Examined participant info through existing administrative data bases (Oregon Drug Court Case Management System; Oregon Judicial Information System and data from treatment provider)	-Average no. or re-arrests for males and female participants in the 24 months following program entry less than corresponding period prior to entry (16% rearrested: 19% of men and 10% of women, compared with 100% arrests during prior 2 year period; - significant reduction in drug related re-arrests during 24 months following program entry; males rearrested for more drug related crimes than females but both genders had fewer drug related arrests	n/a	24 months following program entry
45	January 2005	Examined participant info through existing administrative data bases (Oregon Drug Court Case Management System; Oregon Judicial Information System and data from treatment provider)	13% of all 62 drug court participants were rearrested sometime within the 2 years after drug court entry compared with 27% (more than double) of the comparison group.	n/a	24 months following program entry

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			Re-Arrests	Convictions	Time Followed
46	July 2003	-Tracked use of court, district attorney, public defender, law enforcement, correctional and probation services by drug court and comparison group; assesses costs overall and by agency; - detailed data collected by tracking drug and drug court-eligible offenders in terms of resources consumed in court sessions, attorney visits, and treatment sessions (using stop watches to time events)	n/a	n/a	n/a
47	March 2004				
48	June 14, 2006	Compared receipt of alcohol and other drug treatment services; probation revocations; recidivism (new arrests and new convictions) and incarceration of drug court participants and comparison group	Drug court participants (graduates and nongraduates) were 13% less likely to be arrested; Drug court participants remained arrest free for 15% longer (410 days vs 356 for comparison group) GRADUATES: were 33% less likely to be arrested; remained arrest free for 25% longer time	Drug court participants had 34% fewer convictions GRADUATES had 47% fewer convictions	One year after entry into drug court

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49	April 2006	Used data from Florida Department of Law Enforcement to obtain recidivism info; Dev. Cost analysis based on treatment costs vs costs of crime	16% (2) of the 12 grads arrested within 12 months for tech viol of prob; 8.3% (1) grad arrested 12 mos after grad. 12% (2) of 12 grads charged within 12 mos for tech violation of probation (83 % had no arrests for 12 mos).		One year following program termination (successful or unsuccessful)
50	Spring 2006	Experimental design using random assignment of 235 drug court-eligible defendants assigned to drug court and traditional adjudication during 1997 and 1998	78.4% of drug court participants rearrested during 3 year period compared with 87.3% for comparison group; <u>average no. Of new arrests</u> : 2.3 for drug court participants; 3.4 for comparison group <u>new violent or sex charge</u> : 14.4% for drug court participants; 24.7% for comparison group <u>new drug charge</u> : 55.5% for drug court participant; 68.4% for comparison group	58.3% drug court participants vs. 64.4% nondrug court participants average no. of convictions: 1.2 for drug court participants; 1.3 for comparison group	Three years following program entry

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51	April 2005	Selected nine adult drug courts, based on “drug court maturity” and data collection capabilities and diversity of demographic and geographic representation.; used longitudinal data collection approach to track study participants over 4-year period; conducted “transactional and Institutional Cost Analysis (TICA) entailing: 1. Document drug court and nondrug court processes; 2. Identify transactions occurring within each process; 3. Identify agencies involved in each transaction; 4. Determine resources used in each transaction; 5. Isolate cost of the resources; and 6. Calculate overall costs.	<u>El Monte</u> : 90 vs. 1.96 (-3%) <u>Monterey</u> : 3.65 vs. 3.05 (20% increase) <u>Orange Co.-Laguna Niguel</u> : 1.65 vs. 3.25: 30% decrease <u>Orange Co-Santa Ana</u> : 2.74 per drug court vs. 2.65 comparison group (3% greater) <u>San Joaquin Co.</u> : 3.27 vs. 4.54 (28% reduction) <u>Stanislaus Co.</u> : 1.89 vs. 2.53 (25% reduction)	n/a	Four years from time of program entry
52	August 2001	Initially used experimental design; then selected “post hoc comparison group of presumptively eligible defendants” after public defender objected to original design	Participants showed lowest rear rest rate: (21%) in a 6- month period Participants showed lowest rate of felony arrests Participants rearrested for drug offenses less often (17%) than defendants who declined treatment and 27% over a year period	n/a	Six and 12 months following arraignment

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53	July 2005	<u>Outcome:</u> Used existing databases on criminal activity, treatment utilization to determine participants' arrest histories prior to and following program entry <u>Cost:</u> used Or. Dr Ct Case Mgt Sys, and data from treatment provider	Drug court participation reduced recidivism; average number of rearrests for males and females during 24 month period following program entry less than rate prior to program entry; Reduction in rearrests greater for females who had more arrests prior to program entry than males	n/a	Up to 24 months following program entry (minimum of 12 months)
54	September 2006	Identified sample of participants entering drug court between January 2002 – December 2003 and developed comparison group of persons eligible but failed to participate; used data from multiple sources, including observations, team meetings, interviews, agency budgets, and other financial data bases and agency files.	Drug court participants significantly less likely to be rearrested than offenders eligible for drug court but not participating; -females rearrested more than males during first few months of program but significantly less likely to be rearrested in 2 years following program entry	n/a	24 months following program entry

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55	September 2006	Identified sample of participants entering drug court from time of implementation in 2001 through July 1, 2004 and developed comparison group of persons eligible but (1) couldn't enter in 2001 because of program's incapacity; and (2) eligible subsequently but did not participate	All Drug court participants (graduates and terminated) significantly less likely to be rearrested than comparison group; Drug court participants rearrested less than half as often as comparison group members ; -graduates rearrested approximately one third as often as comparison groups and overall were rearrested very rarely - for first 21 months after program entry drug court graduates did not commit any new offenses - 4% of graduates and 26% of all participants were rearrested in 24 months following program entry compared with 50% of comparison group	n/a	24 months after program entry
56	March 2004	Compiled statistical data on drug court participants' demographics, criminal history and progress in drug court and comparable data for comparison group	-Drug court participants/graduates generally had lower recidivism rates than drug court failures and traditionally adjudicated offenders; - participants/graduates had a lower likelihood of arrest or conviction for failure to appear, a lower likelihood of arrest or conviction for a new felony offense and a lower likelihood of being incarcerated for a new crime. -Participants/graduates more likely than traditionally adjudicated offenders to be arrested for or convicted of a misdemeanor but less likely to be convicted of a felony	(see "re-arrests")	12 months following program entry

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57	November 2001	Sample of drug court participants from January 5, 1998 – April 30, 2000 in two groups: 77 successful completers between February 23, 1999 and 285 dropouts and 78 matched control group	<p><u>Overall:</u> Graduates had lowest rearrest rate (15.6%); dropouts' rearrest was 30.7%; control group had highest rearrests (48.7%)</p> <p><u>Drug Charges:</u> Graduates had lowest rearrest rates for drug charges (9.1%) vs dropouts *(15.8%) and control group had highest (24.4%)</p> <p><u>Length of Stay:</u> Participants who remained in program had .96 rearrests; participants who remained in 91-270 days had .42 arrests and participants who remained in treatment 270 or more days had .38 rearrests</p>		27 months; overall recidivism 12 months following discharge for drug arrests
58	January 2003	Tracked 501 participants in drug courts in Dallas, Jefferson and Travis Counties between 1998-1999 and 285 offenders eligible but not participating in drug courts	Drug court graduates had 28.5% recidivism rates vs 65.1% for noncompleters and 56.8% for comparison group; rearrest for all drug court participants was 40.5%		Three years
59	October 2003	Tracks progress of 64 participants in Douglas County, Neb. Drug Court	Drug court participants who complete residential treatment component have lower rearrest rates		12 months following program entry
60	December 2004	Tracks progress of 116 participants in Douglas County, Neb. Drug Court	Completion of residential treatment is associated with significant reductions in general arrests as well as post-treatment drug use		24 months of program operation
61	March 31, 2004	Tracks cost benefits resulting from approximately 300 participants in Douglas County drug court	Drug court participants had 132 fewer misdemeanor and 60 fewer felony arrests than comparison group	--	24 months

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62	February 2007	Compiled new arrests and convictions from the Alaska Department of Public Safety for each of the offenders who participated in the Anchorage DUI Court, the Anchorage Felony Drug Court and the Bethel Therapeutic Court for at least a one year period following program termination and, for comparison group, following service of sentence and any custody	<p>13% of graduates rearrested within one year after completion vs. 32% rearrest rate for comparison offenders and 38% rearrest rate of offenders charged with felonies in 1999</p> <p>Participants in the Anchorage Felony DUI Court less likely to be rearrested than those in the Anchorage Felony Drug Court and Bethel Therapeutic Court</p>	<p>No participants who were reconvicted within the first year were convicted of an offense at a more serious level than the one on which they entered the therapeutic courts vs. 3% of the comparison offenders and 15% for 1999 offenders</p> <p>No participant was convicted of a drug or sexual offense</p>	One year following program termination
63	October 2006	Compiled “recidivism” data for first 146 SITC participants arrested from March 2002 – June 2005; obtained “recidivism” data through December 2005, resulting in all participants being tracked for at least months; 123 participants tracked for 1-year and 102 participants tracked for 18 months.; tracked comparison group for felony drug charges only; used NY State Div. of Criminal Justice Services (DCJS) arrest and conviction data but results are presented in terms of re-arrests.	<p>SITC produced substantial reduction in recidivism at both 1-year and 18-month periods.</p> <ul style="list-style-type: none"> - After 1 year, 26% of drug court participants vs. 48% of comparison group were rearrested; - after 18 months, 41% of SITC participants vs. 55% of comparison group were rearrested <p>drug court participants averaged .63 rearrests over 18month period vs. 1.19 for comparison group.</p> <p>Drug court also appeared to delay onset of recidivism for those that weren’t arrested during the first year.</p>	-18 month reconviction rate was 23% for drug court participants and 451% for comparison group – drug court therefore reduced reconviction rate by 44%	6 months, 12 months and 18 months after arrest for drug court charge

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64	2007	Tenn. Office of Crim Just Programs, Dept. of Finance and Admin., compiled data from 45 operating drug courts regarding performance standards identified for measurement	-Of 1,614 participants, 9% (146) arrested during FY 2005/2006; of the 5,958 participants served since inception, -413 arrested while in the program (7%) in all 37 programs responding. - 56 of the 188 (30%) graduates in 2004/2005 in 22 programs reporting were rearrested within one year of graduation. 2004-4: 61 (35%) graduates of the 174 total graduates (17 programs) rearrested within 2 years of graduation. [four juvenile drug courts reported overall 30% one year post graduation recidivism and 13% 2-year post graduation recidivism.		
65	2007	Compiled data from existing adult (and juvenile—reported separately) programs	Rearrested: 27.9% vs. graduates: 13.7%		January 1 – June 30, 2005
66	April 2007	Tracked data from 11,000 cases through various administrative data systems; focus of analysis was on overall impact of drug court on target population over time; cost analysis based on transactional method and overall investment of taxpayer money compared to benefits derived	Recidivism reduced for drug court participants up to 14 years after drug court entry compared with those who didn't participate; rearrests reduced by almost 30%; Recidivism reductions continued to be evidenced for up to 14 years after the petition hearing.		At least 5 years and, for some, up to 15 years following drug court entry

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67	April 2007	Na	All graduates had substantially lower re-arrest rates and, at 4 of the 5 programs, all participants ha significantly lower re-arrest rates. - # 1: 10% grads, 30% all partics, 39% compare. - # 2: 18%, 43%, 41% - # 3: 7%; 20%; 39% - # 4: 12%; 18%; 34% - # 5: 11%; 17%; 33%		Two years after program entry
68	Fall 2005	Conducted interviews with 99 participants selected to participate who were in different stages of treatment: 34 in motivation; 39 in intensive phase; 18 in maintenance phase; and 89 in post treatment phase	NA	NA	Nine months
69	Spring 2008	Review of data compiled in 2005 study and interviews with participants randomly assigned to drug court and alternative program 3 years following program participation	NA	NA	3 years following program participation
70	January 2008	Review of information compiled in data collection system; interviews with staff	Na	Na	na

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71	August 1, 2006	Review of program operations of five adult drug court, including referrals, acceptances, time to program entry, sanctions, drug testing, etc.	Adult drug court participants less likely than comparison group to be rearrested on felony charges and less likely to commit violent crimes 17.5% recidivism among drug court participants vs. 33.1% in comparison group	n/a	12 months post program
72	August 2007	203 individual records of drug court participants who both successfully completed (79) as well as failed (50) the drug court program compared with control group (74)	St. Louis Co.: completers arrested less than half as often as control group; Dodge County: no arrests of any completers; Streams Co.: drug court completers arrested less than one fourth as frequently as control group; estimate drug court saved 133.7 arrests and 47.2 convictions during period	Convictions: Similar findings as for arrests	2 years post program
73	September 2008	Utilized web-based tool for self evaluation re costs and benefits developed for earlier phases of study; focus on measuring costs of events in drug court process, including court appearances and drug tests; number of group and individual sessions; number of days in residential treatment; number of jail days as sanction; outcome benefits measured in terms of rearrests, number of days on probation or in prison due to recidivism; number of new court cases, etc.	43% rearrest rate for graduates; 57% rearrest rate for all drug court participants; vs. 67% rearrest rate for comparison group	n/a	Two years following termination

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74	January 1, 2004	Part of Maine's ongoing review of drug court operations; analysis of offender characteristics and data associated with drug court performance; also interviews with judges, probation staff and others	N/a – see nos. 68 and 71 for follow up studies	N/a – see nos. 68 and 71 for follow up studies	N/a – see nos. 68 and 71 for follow up studies
75	March 2009	Analyzed drug court data collected by drug court case managers, including demographic data, treatment data, data on court proceedings and also gathered feedback from drug court staff	One graduate charged with new crime	N/A	First three years of program operation: focus primarily on program operations and period of participation

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76	January 2009	Examined drug court processes to determine how well 10 key components were implemented; compared program practices to national data; collected info from staff interviews, drug court participant focus groups; observations and program documents, including handbook; Outcome analysis based on cohort of drug court participants who entered program been January 1, 2004 – July 31, 2007 and comparison group; tracked participants and comparison groups through criminal justice and treatment databases for up to 36 months post drug court entry.; Cost evaluation: used NPC's Transactional and Institutional Cost Analysis approach (TICA), looking at transactions in which individual utilizes resources contributed from multiple agencies; also used a "cost to-taxpayer" approach	<p>23% of graduates and 61% of all participants were rearrested following entry into drug court vs. 84% of comparison group members.</p> <p>Drug court participants (including graduates) had: (1) 3 times fewer drug charges in the 3 years following program entry; (2) 3 times fewer violent charges; (3) nearly half as many re-arrests; and (4) significantly reduced drug use over time</p>		36 months following program entry

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77	April 2008	Extracted data from three nationally representative sources (National Survey on Drug Use and Health (NSDUH), Arrestee Drug Abuse Monitoring (ADAM) and Drug Abuse Treatment Outcome Study (DATOS) to develop a “synthetic dataset” from which cost benefit predictions could be made re various policy options to offer/expand drug court services	n/a	n/a	n/a
78	March 2008	Data were abstracted from several sources including site visits, the Criminal History Records (CHR) database maintained by the Michigan State Police and the Michigan Judicial Warehouse (JDW). All of these data were entered into a database created in Microsoft Access.	DUI court participants were re-arrested significantly less often than comparison group offenders who were sentenced to traditional probation. In the example from one DUI court site shown in Figure A, the comparison offenders on traditional probation were re-arrested nearly six times more often in the first year after starting probation for the DUI charge than the DUI court participants and were re-arrested four times more often in the second year.	N/A	Minimum 1 year

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79	April 2008	Both the participant and comparison groups were examined through existing administrative databases for a period up to 24 months from the date of drug court entry. The two groups were matched on age, sex, race, prior drug use history and criminal history (including total prior arrests and total prior drug arrests). The methods used to gather this information from each source are described in detail in the main report	HCADC program participants were significantly less likely to be re-arrested than offenders Who were eligible for the program but did not participate. Figure A shows the average number of re-arrests for 24 months after entering the drug court program for HCADC graduates, all HCADC participants, and the comparison group. Drug court participants, regardless of graduation status, were re-arrested significantly less often than were the comparison group members.	n/a	24 months maximum, 6 months minimum

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80	March 2008	For each drug court, NPC Research identified program samples of participants who enrolled in the adult drug court programs over a specified time period (at least 2 years). These were generally elected using the drug court program database. NPC also identified a sample of individuals eligible for drug court but who did not participate ² and received traditional court processing. Both groups were examined through existing administrative databases for a period of at least 24 months post drug court entry.	n/a	n/a	24 months post drug court entry

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81	April 2007	Data on intermediate and long-term outcomes were gathered on each offender, with a particular emphasis on criminal recidivism (re-arrest) as a primary outcomes measure. The outcome data were drawn in late 2005 and early 2006, allowing a minimum of 5 years of follow-up on all cohorts and over 10 years on many cohorts. (For some individuals, over 14 years of follow-up data were available). Data on internal measures of Drug Court participation, internal changes in the Drug Court over the years and external changes in the criminal justice, court and substance abuse treatment systems were also gathered for the same period. Data on costs were gathered using a modified Transactional Cost Analysis Approach to allow us to conduct a cost-benefit analysis. Costs were calculated from a previous study on this program that involved intensive tracking of 155 individuals that entered the Multnomah County Court	Overall, for the entire population of eligible offenders, the Drug Court significantly reduced the incidence and frequency of criminal recidivism for participants compared to offenders who did not participate. Including all offenders who were eligible for the Drug Court during the total 10-year period, over 5 years from the Drug Court petition hearing, the incidence of re-arrest was reduced by nearly 30%. The Drug Court reduces the incidence of drug crimes substantially for up to 14 years after the petition hearing. The effect is statistically significant after controlling for age, gender, race, and 2 years of prior criminal history for all but year 14, where the number of cases available for the analysis drops to only 317	NA	Ten years

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82	March 2007	Information was acquired for this evaluation from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, and data collection from administrative databases used by the GADC program, Probation, and the Court.	GADC program participants were significantly less likely to come through the court system again than offenders who were eligible for the program but did not participate. Figure 2 provides the average number of new criminal court cases per year for GADC graduates, all participants, and the comparison group over a 3-year period. The differences between the groups are significant at all three time periods. Guam Adult Drug Court participants (regardless of whether they graduated from the program) came back through the court system 4 times less often than comparison group members who were eligible for drug court but did not attend. Graduates recidivated 15 times less often than the comparison group.	N/A	12 months
83	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records. The methods used to gather this information are described in detail in the main report	The MCDTC reduced recidivism. MCDTC participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate	N/A	24 months

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84	November 2006	A Transactional Institutional Costs Analysis (TICA) approach was used, allowing researchers to calculate costs based on every individual's transactions within the drug court or the traditional criminal justice system. This methodology also allows the calculation of costs and benefits by agency (e.g., Public Defender's office, court, District Attorney).	On average, drug court participants had a recidivism rate 12% lower than similar offenders who did not participate in the drug court program. The comparison groups of those who did not participate in drug court programs were more than twice as likely as drug court graduates to be re-arrested. This provides evidence that drug courts are successfully reaching their goal of reducing recidivism in drug-addicted offenders.	N/A	The drug court cohorts were selected from participants who entered the drug court programs between January 1998 and December 1999, which provided at least four years of outcome data.
85	September 2006	Information was acquired for this evaluation from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, agency budgets and other financial documents. Data was also gathered from BCADC and other agency files and databases.	BCADC program participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate. Barry County Adult Drug Court participants (regardless of whether they graduate from the program) were re-arrested less than half as often as comparison group members who were eligible for drug court but did not attend. Graduates were re-arrested approximately a third as often as the comparison group, and overall were re-arrested very rarely.	N/A	24 months

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86	February 2006	To make this determination, NPC obtained a dataset of juvenile drug court participants through the cooperation of the Department of Juvenile Services (DJS). This dataset provided records of all formal adjudicated charges that juvenile drug court participants accrued both before and after their experience in drug court.	In the year following their release from drug court, only 29% of these juveniles had any adjudicated charges added to their records. This result means that 70% of the juveniles had no adjudicated charges added to their records in the year after their release.	n/a	1year

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87	July 2005	The cost study followed the pre-post program design started in the outcome evaluation due to difficulties in finding the data necessary to select an appropriate comparison group. Costs were determined using NPC Research's Transactional and Institutional Cost Analysis (TICA) methodology, which views offenders' interactions with the criminal justice system (e.g., court hearings, treatment sessions) as transactions during which system resources are consumed	Overall, it appeared that participation in S.A.F.E. Court was beneficial to participants and to the criminal justice system. The average number of re-arrests for males and females combined in the 24-month period following entry into the program is less than the corresponding period prior to their entry into the program. That is, S.A.F.E. Court participants are re-arrested less often after entering the program. (This difference is statistically significant at 6, 12, and 18 months.) This was particularly true for females who have, on average, more arrests prior to S.A.F.E. Court than the males but were re-arrested far fewer times after entry into the program than males.	n/a	24 months pre and post Safe court

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			Re-Arrests	Convictions	Time Followed
88	July 2003	The overall research design was to collect highly detailed data on a small, randomly selected sample of individuals who were eligible for drug court. These individuals (some of whom participated in drug court and some who received traditional court processing) would be tracked intensively through both the criminal justice and drug court treatment system for the purpose of collecting more detailed data than is generally available in administrative datasets. These highly detailed data would then be used to augment administrative data collected at an individual level on a much larger sample of drug court and non-drug court participants. The detailed data were collected by tracking drug court eligible offenders into court sessions, attorney visits and treatment sessions	N/A-	N/A	30 months after program

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
89	February 2004	The research strategy used by NPC Research for this outcome evaluation was to identify a sample of participants who entered Drug Court and a matched historical comparison sample of individuals who were eligible for Drug Court but who received traditional court processing before the CCJDC program was implemented. Because this drug court is both small and relatively new (beginning late in 2001), the Drug Court sample consisted of the entire Drug Court participant population except for those who had entered the Drug Court less than 6 months from the time of the outcome data collection. Both groups were examined through existing administrative databases from the date of the initial contact with the Drug Court program (or the equivalent) through November 2003	Drug Court participants are re-referred much less often than individuals who did not participate in the Program. In the first three months, Drug Court participants are re-referred more than twice as often as the comparison group members.	N/A	18 months

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
90	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records	The VCDRDC reduced recidivism as participants were significantly less likely to be rearrested than offenders who were eligible for the program but did not participate. As Figure A illustrates, VCDRDC participants were re-arrested less often than comparison group members who were eligible for drug court but did not attend. The 24-month recidivism rate for drug court was 29.5% while the comparison group rate was 39.2%. Thus, drug court participants (regardless of graduation status) were 33% less likely to have had any arrests in the 24-month follow-up period relative to the comparison group (regardless of graduation status).	N/A	24 months
91	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records	The VCDC reduced recidivism as participants were significantly less likely to be rearrested than the comparison group. As Figure A illustrates, VCDC participants were re-arrested less often than comparison group members. The 24-month recidivism rate for drug court was 19.7% while the comparison group rate was 39.2%. Thus, drug court participants (regardless of graduation status) were 99% less likely to have had any arrests in the 24-month follow-up period relative to the comparison group. Even after excluding individuals with alcohol as their drug of choice from the VCDC (leaving mainly methamphetamine users), the number of re-arrests over 24 months was lower than for the comparison group.	N/A	24 months

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
92	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, Court Substance Abuse Program (CSAP) records which includes drug court data, plus arrest records.	The SJCDC significantly reduced recidivism. Participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate. As Figure A illustrates, St. Joseph County Drug Court Program participants were re-arrested less often than comparison group members who were eligible for drug court but did not attend. The 24-month recidivism rate for drug court was 18.2% while the comparison group rate was 33.6%. Thus, drug court participants (regardless of graduation status) were 54% less likely to have had any arrests in the 24 months following drug court entry than the comparison group.	N/A	24 months
93	November 2009	Residents were tracked and interviewed using court databases and personal interviews.	As of now only ten people in the program have recidivated/	N/A	One year Post graduate

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PART THREE

#	Publication Date	Bibliographic Information	System Impact/Cost Savings	Other Findings
1	2004	<i>Phase II Douglas County [Nebraska] Drug Court Evaluation Report.</i> Thomas J. Martin, Cassia C. Spohn, R.K. Piper, and Jill Robinson	Drug court results in average savings of over \$ 4,000 per felony drug-related case compared with traditional adjudication and sentencing; savings mainly attributable to reduced jail confinement, prison incarceration costs, and county and district court processing costs (e.g., police overtime costs for court testimony);	
2	September 2004	<i>Participation in Drug Treatment Court and Time to Rearrest.</i> Duren Banks and Denise C. Gottfredson. <i>Justice Quarterly</i> . Vol. 21, no. 3, September 2004. Academy of Criminal Justice Sciences	None noted	None noted
3	January 29, 2004	<i>Cost Analysis of Anne Arundel County, Maryland Drug Court.</i> <i>Prepared by: NPC Research, Inc., Portland, Oregon</i>	\$ 2,571,894 less in Drug Treatment Court criminal justice system costs than comparison group for all participants studied, or 32.4% return on investment; Average cost per participant was \$ 2,109; average savings resulting from criminal justice system savings, victimization costs and income tax payment experience of participants was \$ 3,651; savings represent a \$ 1.74 return for every dollar spent for the program.	
4	January 29, 2004	<i>Cost Analysis of Baltimore City, Maryland Drug Treatment Court: Includes Outcome Findings, Cost Analysis, and Summary and Conclusions, Only;</i> <i>Prepared by NPC Research, Inc., Portland, Oregon</i>	Average of \$ 3,393 (24.2%) per person less in criminal justice system costs per participant than comparison group (30.9% less costs for Circuit Court participants); projected for all 758 drug court participants during the study period resulted in a savings of \$ 2,721, 894 total costs for criminal justice system expenses over 3 year study period; \$ 9,817 average savings in victimization costs than for comparison group; projected for all 758 drug court participants results in \$ 7,442,044 savings in victimization costs for 3 year period; \$ 3,000 less per person in criminal justice system costs by	

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			end of first year than for comparison group; \$ 3,791 saved for each participant (\$ 14,271 cost for traditional process - \$ 10,480 cost for drug court), or 136.2% "return" on investment	
5	January 2004	<i>Kalamazoo County 9th Judicial Circuit Court Office of Drug Treatment Court Programs: Statistical Report: 2003. Prepared January 2004</i>	<p>During CY 2003:</p> <p>FEMALES:</p> <ul style="list-style-type: none"> - restitution paid to victims totaled \$ 7,215.25 - urine screen fees totaled \$ 8,020 - drug treatment court fees totaled \$ 5,150 <p>MALES:</p> <ul style="list-style-type: none"> - paid restitution to victims of \$ 4,891.15 - paid urine screen fees totaling \$ 10,080 - paid drug treatment court fees totaling \$ 13,410. 	<p>Women:</p> <p>187 of 543 women successfully completed program 24 women still active in Phase I; 23 completed Phase I and in Phases 2 and 3 12 women on bench warrants; 36 women opted out of program 261 terminated for failure to perform of the 1887 who completed program, all were employed or attending school full time upon completion</p> <p>16% (29) of 187 women who completed program were rearrested on new misdemeanor or felony charge within 3 years of program completion;; 84% (158) have had no subsequent convictions within 3 years of program completion</p> <p>Male:</p> <p>160 of 506 men have successfully completed program 48 active in Phase I; 42 active in Phases 2-3 8 men on bench warrant status 33 men opted out of program 215 men terminated for failure to perform</p> <p>15% (24) of 160 men graduates convicted of new misdemeanor or felony within 3 years of program completion; 85% (136) had no subsequent convictions within 3 years of program completion.</p>
6	January 2004	<i>Oklahoma Drug Courts: Fiscal Years 2002 and 200. Prepared by The Oklahoma Criminal Justice Resource Center.</i>	<p>(1) If all 1,666 drug court participants studied would have served prison sentence, overall 4-year cost savings vs drug court vs prison was: \$ 45,552,798;</p> <p>(2) if all 1,666 drug court participants would have served standard probation sentences, 4-year costs of drug court were \$ 4,334,599 more than costs for standard probation</p>	<p>For Graduates: (1) 75.1% decrease in unemployment (reduced from 30.4% to 7.5%) (2) 50.4% increase in monthly income (from \$ 949.14 to \$ 1,426.55) (3) 13.6% decrease in percent of graduates without high school diploma (from 30.8% to 26.6%) (4) 19.1% increase in no. of graduates who had children living with them (from 120 (41.4%) to 143 (49.3%)) (5) improvement in each of 7 components of ASI: - Medical: 56.3% decrease</p>

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				<ul style="list-style-type: none"> - Employment/Support: 71.4% decrease - Alcohol: 65.5% decrease - Drug: 65.5% decrease - Legal: 73.2% decrease - Family/Social: 68.6% decrease - psychiatric; 85% decrease
7	October 2003	<i>The New York State Adult Drug Court Evaluation: Policies, Participants and Impacts.</i> Center for Court Innovation. New York, New York.	<ul style="list-style-type: none"> -Graduates significantly more likely to be employed at time of program completion -graduates in 5 of 9 programs significantly more likely to be attending school at time of program completion -some graduates of each court regained custody or visitation rights with their children; -some graduates of each court were volunteering in community at time of graduation, although no court mandated 	<p><u>General:</u></p> <ul style="list-style-type: none"> -Positive long-term impact persisted beyond period of active judicial supervision; -Drug court graduates were FAR less likely than comparison defendants to recidivate in all six courts; however drug court failures were as likely, if not more so, as comparison defendants to recidivate in four of the six courts; therefore, benefits of drug court participation largely accrue to those who successfully graduate; <p><u>Predictors of recidivism:</u></p> <ul style="list-style-type: none"> -those with prior misdemeanor convictions and of younger age generally more likely than others to recidivate; - graduation less likely if primary drug was heroin (2 of 3 courts studied); - participants with property charges somewhat more likely to recidivate than those with drug charges - immediate engagement in treatment strongly predicted graduation - drug court graduation is key predictor of success (rather than length of time in treatment, etc.) - retention rates exceed national standard of 60% for 8 of 11 drug courts <p>more than half of participants in 8 of 11 NY courts retained for at least 2 years (e.g., still participating or graduated)</p>
8	August 1, 2003	<i>Drug Court More Beneficial for Women:</i> [author not provided]	N/A	<p>Monthly income of female drug-court graduates increased 130%. Monthly income of male drug-court graduates increased 31% despite prior higher income and rate of employment. Oklahoma sends more women to prison than any other state in the nation.</p>
9	July 2003	<i>16th Judicial District of Tennessee (Rutherford Co.) Drug Court Program 2003 Process Evaluation.</i>		<ul style="list-style-type: none"> • 20% of participants who did not have GED obtained GED while in drug court • four babies born drug free • 8% of 36 graduates employed at graduation

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		<i>Dana K. Fuller, Ph.D. July 2003</i>		
10	June 1, 2003	<i>Recidivism Among Federal Probationers</i> Minor, Kevin; Wells, James; Sims, Crissy.	N/A	Individuals who were not ordered to community service or individuals who underwent mental health treatment were more likely to violate their sentences. Over 56% had 1 violation. Over 80% had no more than 2 violations.
11	May 2003	<i>Coconino County DUI/DRUG Court Evaluation.</i> Prepared by: Frederic I. Solop, Nancy A. Wonders, et. Al. Social Research Laboratory, Northern Arizona University	Average DUI drug court participant costs county approximately \$ 534/mo; average cost for traditional cjs processing is \$ 758/mo. (difference in cost primarily due to increased likelihood of control group members spending time in jail (\$80/day) or prison (\$ 53/day); total program costs were \$ 6,408 for DUI drug court (completed in 12 months) vs. \$ 22,740 for traditional process(requiring 2-3 years)	DUI Drug court participants averaged 6.7 treatment days/mo (compared with 1.2 for control group); worked more hours (32.1 hrs vs 29.8 hrs)/mo; and attended school more frequently (1.3 hrs/week vs. 0 hrs. for control group); and paid more money to the court each month (\$ 28.86vs. 7.34)
12	April 18, 2003	<i>Assessing the Efficacy of Treatment Modalities in the Context of Adult Drug Courts.</i> Donald F. Anspach, Ph.D. and Andrew S. Ferguson.	NA	<ul style="list-style-type: none"> - program completion is most consistent variable associated with post program recidivism; (both in terms of frequency of and time to rearrest); - other factors associated with post program recidivism included: treatment attendance (partics with low attendance at treatment had greater likelihood of being arrested); race/ethnicity, with race and ethnic minorities more likely than white non-Hispanics to be arrested; and age at first arrest (participants with prior arrests at younger ages more likely to be rearrested); gender (males more likely to be rearrested); [numerous other findings re non-recidivism issues]
13	April 15, 2003	<i>Bibb County Special Drug Court Program: Eight-Year Annual Report.</i> April 15, 2003. Prepared by Chief Judge Tommy Day Wilcox, Superior Courts, Macon Judicial Circuit and Jacqueline Duncan, Program Administrator	Estimated cost savings from jail time saved, both pre and post entry; other savings for law enforcement and defense (see “Cost Savings Memo”).	Other information relating to employment, and other program impacts
14	March 2003	<i>Summary Report of</i>	Program saved \$5,487,330 in avoided incarceration for	Recidivism rates for the individual drug courts are shown.

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		<i>Virginia's Drug Court Programs.</i> Office of the Supreme Court of Virginia and Virginia Department of Criminal Justice Services.	303 graduates. Program saved \$33,000,000 in the birth of 44 drug-free babies. Cost benefits of individual courts are shown.	The specifics of the recidivism rates are also shown.
15	March 2003	<i>Washington State's Drug Courts for Adult Defendants: Outcome Evaluation and Cost-Benefit Analysis.</i> Washington State Institute for Public Policy	Drug courts are more expensive to operate than regular criminal courts (e.g., \$ 3,891 more per participant); overall, drug courts produce more benefits than costs..."We found that the five adult drug courts generate \$ 1.74 in benefits for each dollar of costs.	Not studied
16	February 7, 2003	<i>Judicial Council of California. Administrative Office of the Courts. Report. Collaborative Justice Courts Advisory Committee. Progress Report</i>	Avoided criminal justice costs averaged approximately \$ 200,000 annually per court for each 100 participants; with 90 adult drug courts operating statewide as of 2002, and drug court caseloads conservatively estimated at 100 participants per year, annual statewide cost savings for adult drug courts suggested by data to be \$ 18 million per year; cost offset and cost avoidance estimated at \$ 43 million predominately due to avoided jail and prison costs; with \$ 1 million in cost offset due to collection of fees/fines.	Social outcome data, compiled from 28 counties for 2,892 participants, indicated that 70% of participants were employed upon completion of drug court compared with 62% unemployed at entry; 96% of drug tests were negative; 96% of babies born to program participants (132 babies) were born drug free;
17	January 6, 2003	<i>Evaluating the Effectiveness of Drug Courts in Idaho: Report to Governor Dirk Kempthorne and the First Regular Session of the 57th Idaho Legislature.</i> Idaho Supreme Court	N/A	86% of participants gained or maintained employment 23% of graduates returned to school for GED or college average hourly wage rate increase of graduates was: \$ 4.89 average annual wage increase for graduates was: \$ 10,748.84
18	January	<i>Evaluating Treatment</i>	NA	As of September 2001, 28% of Jackson Co participants and 49% of Escambia Co.

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	2003	<i>Drug Courts in Kansas City, Missouri and Pensacola, Florida: Final Reports for Phase I and Phase II.</i> Abt Associates. Linda Truitt; Wm. Rhodes; N.G. Hoffman; Amy Maizell Seeherman; Sarah Kuck Jalbert; Michael Kane; Cassie P. Bacani; Kyla M. Carrigan; Peter Finn Carrigan; Peter Finn.		participants entering drug court between October 1999 and October 2000 had successfully completed and graduated the drug court; participants required up to 22 months to complete program but median length of stay for graduates was 13 months (Jackson Co. (and 12 months (Escambia Co); median length of stay for terminations was 7.5 months (Jackson Co.) and 8 months (Escambia Co.); 17% of participants (Jackson Co.) and 11% (Escambia Co.) absconded; median length of stay for absconders was 6 months (Jackson Co.) and 4 months (Escambia Co.); <u>Predictors of program success:</u> Jackson Co.: Probability of program success increased with age, education and employment. Males, blacks and participants who owned or rented homes more likely to be unsuccessful. Participants who injected drugs was only AOD use variable correlated with unsuccessful program completion. Participants with emotional problems or prior treatment experience had higher probability of success; participants who scored low on problem recognition factor of treatment motivation had higher probability of success; Escambia Co.: similar findings except males and participants who owned or rented homes had higher probability of success; males nearly 3 x more likely to graduate or remain active than females; participants who had previously been in detox or rehab and participants with high levels of drug dependency more likely to be unsuccessful. Three of the four treatment motivation factors (problem recognition, treatment readiness, and external pressures) associated with higher probability of successful program participation.
19	May 5, 2002	<i>From Whether to How Drug Courts Work: Retrospective Evaluation of Drug Courts in Clark County (Las Vegas) and Multnomah County (Portland), [Oregon].</i> John S. Goldkamp; Michael D. White; Jennifer B. Robinson.	NA	Extensive discussion of various possible factors, both internal and external to the drug court program that might impact recidivism rates.
20	March 2002	<i>Drug Court Partnership Act of 1998, Chapter 1007, Statutes of 1998. Final Report.</i> Prepared by	Total of 425,014 jail days avoided with an averted cost of approximately \$ 26 million; total of 227,894 prison days avoided, with an averted cost of approximately \$ 16 million; participants who completed paid almost \$ 1	Participants had long histories of drug use and multiple incarceration as well as serious social difficulties including homelessness, unemployment and limited education; more than 70% used drugs for 5 or more years with more than 40% using drugs for more than 10 years prior to entering drug court; 52% had a high

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		The California Department of Alcohol and Drug Programs and the Judicial Council of California, Administrative Office of the Courts.	<p>million in fees and fines imposed by the court</p> <p>Fourteen million dollars in DCP program funds, combined with other funds supporting the programs, allowed cost offset and avoidance of approximately \$ 43 million.</p>	<p>school diploma or its equivalent and 13% had any college education; 62% were unemployed; on average each participant had been arrested twice and had one incident of conviction and incarceration in the two years prior to entering drug court; 70% of graduates employed at graduation; 11% obtained GED/high school diploma; 8% obtained vocational certificate and 1% of graduates completed college</p> <p>12% of graduates transitioned from homelessness to housing</p> <p>20% of graduates obtained drivers licenses and car insurance; 28% of graduates retained/regained custody of their children; 7% gained child visitation rights and 8% became current in child support payments; 31% were reunited with families; 95% of all babies born while mothers participated in drug court were drug-free;</p> <p>Incarceration rates for participants who completed drug court is 83% less during two years after admission than incarceration rate of those entering program during two years prior to entry</p> <p>While in drug court, participants engaged in low levels of drug use as indicated by high rates of negative urinalysis in comparison to prior drug use histories;</p> <p>Participants who successfully completed program improved substantially in all areas, showed decreased drug use and rearrests as well as improvement in employment and education; other areas of social functioning also improved including acquisition of stable housing and increased family involvement;</p>
21	October 2001	<i>Kentucky Drug Court Outcome Evaluation: Behaviors, Costs, and Avoided Costs to Society. Prepared by TK Logan, William Hoyt and Carl Leukefeld. Center on Drug and Alcohol Research. University of Kentucky</i>	<ul style="list-style-type: none"> • Annual cost of a drug court graduate (\$ 2,642 accounting cost and \$ 4,140 accounting and opportunity (e.g., judge, police, jail, etc.) costs is much less than the annual cost of housing an individual in jail (\$ 9,600) or prison (\$ 14,691) and not much higher than the annual cost of supervising an individual on probation (\$ 1,237) in Kentucky; total avoided costs of “benefits” for graduates is estimated to be \$ 4,364,114 when earnings are considered, and \$ 2,584,562 without the earnings for a one year period... • For every dollar spent on a drug court graduate, 	Results for terminators were less pronounced than for the graduates. However, for most outcome measures, there does seem to be a gain...reductions in undesirable behavior and increases in desirable behavior, except for time in prison and child support deficits.

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			<p>there was an avoided cost savings of \$ 3.30 to \$ 5.58 per graduate in a one yea period when only accounting costs were considered, and a cost savings of \$ 2.11 to \$ 3.546 per graduate in a one yea period when opportunity costs were included.;</p> <ul style="list-style-type: none"> • When both graduates and terminators were included there is an estimated savings of \$ 6,199 per client when earnings were included, and a savings of \$3,059 in a one year period without the earnings per client using accounting costs. When the opportunity costs for Drug Court program graduates and terminators combined were used, there was an estimated savings of \$ 4,826 per participant when earnings were included, and a savings of \$ 1,686 per participant without the earnings in a one year period. • For every dollar spent on a drug court • participant (graduates and terminators) there was an avoided cost savings of \$ 2.26 to \$ 3.56 per participant in a one year period when only accounting costs were considered, and a cost savings of \$ 1.44 to \$ 2.27 per participant in a one yea period when opportunity costs were included. 	
22	October 2000	<i>Tulsa County Adult Drug Court: Phase II Analysis.</i> Wright, David. O'Connell, Paul. Clymer, Bob. Simpson, Debbie.	N/A	Re-arrest rates overestimate the actual level of criminality, while re-conviction rates underestimate the level of criminal activity.
23	May 1999	<i>Evaluation of the Hennepin County [Minneapolis] Drug Court. Minnesota Citizens Council on Crime and Justice (R. Ericson; S. Welter and Thomas L.</i>	Drug court handled 31% of all felony cases filed in 1997 in Hennepin Co, with primarily one judicial officer and various clerical staff; previously, this workload had been spread across all judges of the Court; Given the increase in case processing speed achieved by the Drug court, the increase in judicial efficiency is readily apparent	Efficiencies in case processing achieved: average number of appearances was 3 (roughly half of the previous average); treatment completion rates were higher than other clients (54.5% vs. ;47.3%);as

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		<i>Johnson</i>		
24	October 2000	<i>North Carolina Drug Treatment Court Evaluation Final Report.</i> Craddock, Amy.	N/A	Most important predictor of recidivism is DTC graduation. Most common drug used is cocaine. 98.6% of participants are chemically dependent.
25	October 2000	<i>Evaluation of Oklahoma Drug Courts, 1997-2000.</i> O'Connell, Paul. Wright, David. Clymer, Bob.	NA	Drug court participants are more likely to be successful if they are older, Caucasian, better educated, employed, and less criminally active. Drug court participants are less likely to be successful if they are relatively young, African American, less educated, unemployed, and more criminally active.
26	October 2000	<i>1998 Drug Court Recidivism Report Update.</i> Administrative Office of the Courts, Dade County (Miami), Florida	NA	Other data that supports finding that drug court reduces recidivism
27	January 2001	<i>Final Report on the Polk County Adult Drug Court: Executive Summary and Summary of Findings.</i> Iowa Dept. of Human Rights. Division of Criminal and Juvenile Justice Planning. Statistical Analysis Center.	Total correction system costs for drug court clients (\$26,021.59) was less than for comparison group(\$29,427.80) or referred group (\$ 39,776.75).; treatment costs were \$ 5,149 per client compared to \$ 3,949 for referred group;	Of the 134 drug court client sin the study, 44% graduated; graduation rate has risen during program's first 2 years to 50%; most of terminations due to noncompliance rather than new arrests; Graduation rates for white and nonwhite clients are disparate; nonwhite clients have achieved very low rates of completion of the drug court; graduation rate for methamphetamine addicts was markedly higher than for participants using marijuana or cocaine
28	July 2001	<i>NW HIDTA/DASA Washington State Drug Court Evaluation Project.</i>	n/a	Graduates show systematic and substantial increases in income, with some tail-off in the third year; graduates were only group to show this improvement; rates for using vocation services b drug courts are very low (2% in King and Pierce Cos; 4%

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		<i>G. Cox, L. Brown, C. Morgan, M. Hansten. Alcohol and Drug Abuse Institute. University of Washington, Seattle, Wash.</i>		in Spokane Co.) Graduates had highest rate of use of Medicaid;
29	December 2004	<i>Evaluation of Virginia's Drug Treatment Court Programs. Office of the Executive Secretary, Supreme Court of Virginia</i>	n/a	Virginia adult drug courts have treatment retention rate (active participants plus graduates) of 62.25%; Virginia's adult drug court participants are chronic offenders prior to drug court entry; averaging 6.8 felony arrests and 5.6 misdemeanor arrests.
30	October 2003	<i>South Central Judicial District Adult Drug Court Program (Bismarck, N.K). Process Evaluation – Final Report. October 2003. Jeffrey A. Bouffard. North Dakota State University. Department of Criminal Justice and Political Science.</i>	✓ Program decreased incarceration time for nonviolent offenders by at least 75% and may be up to 88%	✓ No difference in program completion rates for: - men vs. women - felony vs. misdemeanor participants - DUI vs. drug-related offenders - participants of different racial/ethnic groups - those who received jail as a sanction and those who did not receive any jail time as a program sanction ✓ There was no difference in rearrest rates for participants with different primary drugs of choice ✓ The program did not lower LSI (Level of Supervision Inventory risk scores of participants by 40% between time of program entry and program completion but did result in 32% declines in LSI scores for 14 program graduates by time of graduation ✓ The program maintained offenders in treatment and other maintenance programs for at least 12 months ✓ There was a large difference between average time to sentence for drug court participants (60.9 days average) vs. nonparticipants (168.8 days) ✓ Average time from arrest to program entry was not less than 42 days rather than 30 days as planned ✓ Program decreased incarceration time for nonviolent offenders by at least 75% and may be up to 88% ✓ Revocation of time for 8 terminated participants is 17% lower for drug court participants vs. average revocation rate of 32% for nondrug court participants in ND

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31	July 2002	<i>Outcome Evaluation of Ohio's Drug Court Efforts. Final Report. By Edward J. Latessa, Ph.D.; Deborah Koetzle Shaffer; Christopher Lowenkamp. Center for Criminal Justice Research. University of Cincinnati.</i>	n/a	<p>Ø Graduation:</p> <ul style="list-style-type: none"> - Common Pleas graduated 31% of participants - Municipal drug courts graduated 44% of participants overall, 40% of participants graduated
32	2001	<i>Evaluation of the Bernalillo County Metropolitan DWI/Drug Court</i>	<p>Total Cost Savings:</p> <p>Jail Days: Graduates: Jail days 914 days vs. 3,366 days = 2,451 days saved for 2,757 days saved (\$ 184,719) CCP days: 1,483 days vs. 3,103 days – 1,902 days saved (\$ 62,291; total cost savings - \$ 247,010 over 4 year period.</p> <p>Graduates spent 915 days in jail, costing \$ 61,305 in jail time (\$ 67/day); average is 5.45 days per graduate (\$ 365.15 per participant); graduates spent 1,483 days in Community Custody (\$ 32.75 per day) cost \$ 48,568 or 8.83 days average per participant or \$ 289.18 per participant.</p>	<p>Ø <u>Demographic characteristics:</u></p> <ul style="list-style-type: none"> - mean age at intake: 36.5 yrs - Ethnicity: 58.4% Hispanic; 22.7% White non-Hispanic; 16.9% Native American (Native Americans and Hispanics overrepresented in Drug Court compared with population for Bernalillo Co.) - gender: 84% males 16% females - education: 12 yrs for all clients (women have slightly less educ than men) - dependents: ½ have children - marital status: less than ¼ married at time of intake - employment status: 74.2% employed full time or part time - Primary drug: alcohol (93.8%) - prior misd convictions: 4.7 average for 304 participants; - prior DWI convictions: 2.7 mean (3.7% had no prior DWI convictions) - age at first use: 17.2 years - years of substance use: 12.7 yrs average (30% using over 15 years) - average stay: 282 days - reason for discharge: graduated: 56%; absconded: 17%; terminated: 17%; voluntarily terminated: 3.6% Other:6% - treatment and related services: graduates had average of 58.7% group sessions per client; 38 nongraduates attended an average of 33 group sessions per client; ½ graduates participated in indiv counseling (3.7 sessions each); 91.4% of clients had at least one acupuncture treatment; 63.7 urine screens average per client - sanctions: 1/3 of graduates spent time in jail during program (average 1.7 times; 1/3 of nongrads jailed average of 2.1 times

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33	February 2005	<i>Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes. U.S Government Accountability Office. February 2005</i>	Four of seven adult drug court program evaluations provided sufficient cost and benefit data to estimate net benefits. Although cost of six of the programs was greater than costs to provide criminal justice services to comparison group., all seven programs yielded positive net benefits, primarily from reductions in recidivism affecting judicial system costs and avoided costs to potential victims. Financial cost savings for the criminal justice system (taking into account recidivism reductions) were found in two of the seven programs.	<ul style="list-style-type: none"> Ø evidence about the effectiveness of adult drug courts in reducing participants' Substance use relapse limited to data from 8 drug courts; evaluations of these 8 drug courts reported mixed results on substance use relapse; drug test results generally showed significant reductions in use during participation in the program while self reported results generally showed no significant reductions in use. Ø Completion rates ranged from 27 – 66%. Other than compliance with drug \ court program procedures, no other program factor consistently predicted participants' completion
34	April 2005	<i>Evaluation of the Outcomes in Three Therapeutic Courts: Anchorage Felony Drug Court; Anchorage felony DUI Court; Bethel Therapeutic Court. Alaska Judicial Council.</i>	<p>Overall: significant cost benefits including reductions in days of incarceration to graduates compared with comparison groups; also greater family stability, better education and employment;</p> <p>Specific impact(s) reported:-16% of graduates and 6% of active participants appeared to have improved child support situations – either able to pay more support to their children or were receiving more child support;</p> <p>-one graduate and one active participant reported birth of drug/alcohol-free babies</p> <p>-6% of graduates and 3% of active participants regained custody of their children</p> <p>-81% of graduates and 32% of active in the program had more stable family situations during or after program</p> <p>-9% of graduates and 13%\$ of active participants reported reduced domestic violence after program participation</p> <p>-63% of graduates and 46% of active participants holding steady job after program participation</p> <p>-41% of graduates and 21% of active participants had</p>	<ul style="list-style-type: none"> Ø Overall, defendants who graduates from program and who were active had fewer days of incarceration, fewer remands to custody and fewer convictions after beginning program than in 2 years preceding Ø Defendants in comparison groups had significantly more mean days of incarceration after convictions for the evaluated offense than they did in the two years before Ø Graduates from each of the courts spent an average of 452 days (15 months) in court before graduating (43 hearings for graduates; and average of 29 hearings for defendants who opted out)

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			improved educational status after program participation -41% of graduates and 15% of active participants reported less debt after program participation	
35	April 2004	<i>The Kootenai and Ada County [Idaho] Drug Courts: Outcome Evaluation Findings. Final Report</i>	NA	Factors associated with recidivism: <u>Kootenai County</u> : gender ,prior record and time at risk (males with prior record and at risk longer more likely to be rearrested; graduates less likely to be arrested for felony charge; none of graduates arrested more than once during follow up period vs. 30% of nongraduates and 24% of comparison group was; <u>Ada Co</u> : gender; employment and time
36	July 2000	<i>The Hamilton County [Ohio] Drug Court: Outcome Evaluation Findings. Shelley Johnson and Edward Latessa. University of Cincinnati.</i>	NA	<ul style="list-style-type: none"> Ø Majority of drug court participants began treatment in the residential phase of the program and progressed to the outpatient phase Ø 75% of participants completed the first phase and 84% [sic] completed the second phase Ø typical offender had 3 status review hearings while in program but 30% had more than 5 Ø factors associated with recidivism were race (African Americans) prior record, age (younger) and time at risk
37	March 2005	<i>Analysis of Oklahoma Drug Courts: Fiscal Years 2002-2004. Oklahoma Department of Mental Health and Substance Abuse Services</i>	If all 2,307 offenders would have serviced their sentence in prison, overall 4-year cost savings of drug court vs. prison is \$ 64,805,293; ODMHSAS requested funding to increase drug court capacity in state from 1,575 by 3,229 to total 4,804 drug court slots and projects cumulative cost savings of \$ 314,250,347 over 4 years; [annual cost per drug court participant = \$ 2,325; annual cost for prison = \$ 16,842;	<ul style="list-style-type: none"> Ø retention rate for period was 83.1% <u>for graduates</u>, Ø reduction in unemployment of 82.4%; Ø 53.3% increase in income; Ø 23.9% decrease in number without high school diploma; Ø 20.8% increase in number of participants who had children living with them
38	July 2001	<i>The Akron Municipal Drug Court: Outcome Evaluation Findings. S. Listwam, D.K. Shaffer, and Edward J. Latessa. Center for Criminal Justice Research, University of Cincinnati</i>	n/a	<u>Completion Status:</u> <ul style="list-style-type: none"> Ø graduated: 129 (42.7%) Ø terminated: 100 (33.1%) Ø absconded: 62 (20.5%) Ø other: 10 (3.3%) Ø “expiration of term”: 1 (.3%)

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39	May 2003	<i>Coconino County DUI/Drug Court Evaluation. Frederic I. Solop, Nancy A. Wonders, K.K. Hagen, K McCarrier. Social Research Laboratory, Northern Arizona University.</i>	Average DUI drug court participant costs Coconino Co \$ 6,408 vs. \$ 22,740 for traditional cjs processing; DUI participant paid average of \$ 28.86 monthly to court vs. \$ 7.34 by control group; therefore traditional cjs process is 3.5 times more costly than Co. Dui Drug Court.	DUI drug court participants make more positive contributions to society during an average month, working more hours each week (32.1 vs. 29.8) and spending more time in school (1.3 vs. 0) than offenders processed through the traditional process
40	2005	<i>Recidivism of Violent Offenders in a Delaware Drug Court Program for Probation Violators. Christine A. Saum, Ph.D. Univ. of Delaware.</i>	n/a	n/a
41	2004	<i>Kalamazoo County 9th Judicial Circuit Court Drug Treatment Court Programs. Statistical Report. 2004</i>	Females: restitution paid to victims totaled \$ 9,023.72; urine screen fees paid totaled \$ 10,935.50; drug treatment court fees paid totaled: \$ 7,620 <u>Males:</u> restitution paid totaled \$ 10,254.15 Urine screen fees totaled \$ 24,005.75 Drug treatment court fees totaled \$ 13,74.800	<u>Females:</u> 202 (36%) of female enrollees successfully completed the program; 38 opted out of the program; 276 (49%) were discharged due to repeated noncompliance; 47 (17%) were discharged due to new charges; average length of drug use was 10.5 years; youngest initial drug use was 7 yrs; oldest initial use was 46 years; 100% of women who completed the program and physically able were employed or attending school full time at time of program completion; 52.7% (298) had never received formal treatment services prior to enrolling in the drug court <u>Males:</u> 183 (31%) successfully completed the program; 34 men opted out of the program; 259 (45%) were discharged due to repeated non-compliance with program rules; 35 (13.5%) were discharged due to new charges; 100% of men who were physically able were employed or attending school full time upon program completion; 55% (325) had never received formal substance abuse treatment prior to engaging in the drug court
42	April 2005	<i>Puerto Rico Drug Court Program: Outcome Evaluation Center for Addiction Studies, School of Medicine, Universidad Central del Caribe</i>	n/a	(1) drug court participants showed marked and statistically significant improvements found in reduction in drug use (from 86.5% to 33.5%) and participation in treatment (97.5% received treatment) and in reduction of antisocial and illegal behaviors among drug court participants; (2) percent of drug court participants considered <i>drug dependent</i> decreased from 41.4% prior to admission to 8% 12 months after admission, and, for alcohol dependence, from 9.5% to 2.5% (3) no statistically significant improvements found in other domains (employment and education, residential stability and family roles; physical and mental health

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				<u>Recommendations:</u> (1)only 40% of drug court participants studied appeared to be drug <u>dependent</u> at time of program entry –therefore need to review eligibility criteria and recruitment strategies to focus on those who are drug <u>dependent</u> (not simply drug using); (2) need to intensify efforts to assist participant in improving other domains, particularly: education; employment; familial roles; and mental health problems; 3) Need to register participants in drug court (and other diversion programs) in Department of Justice’s management information system to permit tracking of recidivism.																																																																								
43	September 2005 (interim)	<i>California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II Study Results. NPC Research, Shannon M. Carey, Michael W. Finigan, David Crumpton, Mark Waller, Francine Byrne</i>	<div>(1) Investment costs per participant not always much more than traditional court processing</div> <table><tr><th>CJ</th><th>Invstmt/DC partic</th><th>Invstmnt/nonDC</th><th>Cost Ben</th></tr><tr><td>Arrest</td><td>192.91</td><td>192.91</td><td>0</td></tr><tr><td>Booking</td><td>284.34</td><td>284.34</td><td>0</td></tr><tr><td>Court</td><td>681.54</td><td>678.50</td><td>+ \$3</td></tr><tr><td>Treatment</td><td>2,713.32</td><td>2,009.18</td><td>+704</td></tr><tr><td>Jail</td><td>1,610.89</td><td>2,782.55</td><td>-1,171</td></tr><tr><td>Probation:</td><td>513.64</td><td>1,421.84</td><td>- 908</td></tr><tr><td>Total cost</td><td>5,927.80</td><td>7,369.32</td><td>-1,442</td></tr></table> <div>(2) average net investment cost per participant: \$ 1392</div> <table><tr><th>agency</th><th>invst/per partic</th><th>range</th></tr><tr><td>sup ct</td><td>464</td><td>(79) –(898)</td></tr><tr><td>DA</td><td>235</td><td>103-(523)</td></tr><tr><td>Pub D</td><td>279</td><td>(76) –(448)</td></tr><tr><td>Prob</td><td>697</td><td>2,143-(632)</td></tr></table>	CJ	Invstmt/DC partic	Invstmnt/nonDC	Cost Ben	Arrest	192.91	192.91	0	Booking	284.34	284.34	0	Court	681.54	678.50	+ \$3	Treatment	2,713.32	2,009.18	+704	Jail	1,610.89	2,782.55	-1,171	Probation:	513.64	1,421.84	- 908	Total cost	5,927.80	7,369.32	-1,442	agency	invst/per partic	range	sup ct	464	(79) –(898)	DA	235	103-(523)	Pub D	279	(76) –(448)	Prob	697	2,143-(632)	<u>Promising Practices:</u> O single or overseeing treatment provider High drug court team attendance at 227staffing Court sessions start 1 every 2-3 weeks Treatment 2-3 times per eek (start) Drug tests 3 times per week (start) Judges voluntary with no fixed term (or at least 2 years) Minimum 6 months clean before graduation <u>FTE’s</u> <table><tr><th></th><th>Monterey</th><th>Or Co./Laguna Nig</th><th>Or Co/Santa Ana</th><th>Stanisl. Co.</th></tr><tr><td>DA; .</td><td>28</td><td>0</td><td>1.00</td><td>.20</td></tr><tr><td>Pub Def</td><td>.08</td><td>.4</td><td>1.00</td><td>.25</td></tr><tr><td>Law Enf.: .00</td><td></td><td>.50</td><td>.00</td><td>.00</td></tr><tr><td>Prob.: 1.00</td><td></td><td>1.5</td><td>4.00</td><td>3.00</td></tr></table>		Monterey	Or Co./Laguna Nig	Or Co/Santa Ana	Stanisl. Co.	DA; .	28	0	1.00	.20	Pub Def	.08	.4	1.00	.25	Law Enf.: .00		.50	.00	.00	Prob.: 1.00		1.5	4.00	3.00
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			Treat 1918 706-3808 La Enf 44 1060-(1033) Corrs. 0 0 (2) Net outcome benefits: \$ 11,000 per participant (\$ 3200 – 15,200 range) <u>agency avg net outc benef/partic range</u> Sup. Ct (46) 342-(277) DA (12) 148-(106) Pub Def (19) 171 – (103) Prob (53) 474 – (650) Trmt 637 336- (59) Law Enf (1,525) 620 – (3,619) Corrects (3,292) (541) – (5377) - overall benefits combined for all 9 sites: 9,032,626	
44	January 2005	<i>Malheur Co. Adult [gender specific Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey and Gwen Marchand.</i>	n/a	Factors associated with success: no correlation between success and age, marital status, race or years of education; small correlation between sex and success (females slightly more likely than males to be terminated); graduates more likely to report alcohol as primary drug of choice than other drug; over 60% of terminated participants were meth users vs. 41% of graduates; higher number of drug treatment (group and individual) sessions associated with lower number of re-arrests; lower rearrest rates for males associated with treatment readiness; females rarely rearrested regardless of whether they graduated or were terminated
45	January 2005	<i>Marion Co. (Oregon), Adult Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey, Gwen Marchand.</i>	NA	-Program retention rate is 71% (44 graduated or currently participating vs. 18 terminated or withdrew -Predictors of Success: Factors with no correlation: age, marital status, race, insurance source, employment status, number of arrests prior to entry; years of education; significant correlation between gender and success : females much less likely to graduate than males - nearly 78% of terminated clients were meth users vs 47% of graduates - terminated clients more likely to have at least one dependent child - readiness for treatment correlated with greater likelihood of graduating and less likelihood to recidivate - small negative correlation between days spent in aftercare and rearrests, particularly drug related rearrests – longer time spent in aftercare, reduced likelihood of being rearrested

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46	July 2003	<i>A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research, Inc. Shannon Carey, Michael Finigan</i>	<ul style="list-style-type: none"> - Total investment cost per client in drug court was less (\$ 1,441.52) than investment cost per client in business as usual process. - money saved in outcome costs (\$ 2,328.89 per participant) although savings not spread equally among agencies; - total savings over 30 –month period, including victimization costs, averaged 4 4,788.88 per drug court participant 	<p>(1) does it cost more for drug court than business as usual? No: total investment in drug court averaged \$ 5,927.80 per participant compared with 7,369.32 for business as usual. Business as usual offender cost \$ 1,441.52 more than drug court</p> <p>(2) do agencies save money upfront from drug court vs businesses usual/ Yes. Law enf /corrections and public defender receive immediate savings. All agencies saved money in outcomes.</p> <p>(3) Are there cost savings in outcomes due to drug court processing? Yes. When outcomes costs for drug court participants compared with outcome costs for business as usual offenders, drug court saved an average of \$ 2,328.89 per year per participant. With victimization costs added, average savings were \$ 3,596.92 per participant</p> <p>(4) What are total cost savings (investment and outcomes) attributed to drug court process? Combining outcome cost savings with investment savings over 30-month period, drug court saved average of 4 4,788.88 per participant including victimization costs. Multiplied by 300 participants who enter each year, this is \$ 1,434,000 in cost savings for local tax payers –which is the “bottom line” difference in cost to the system of drug court participants vs cost for nondrug court participants</p>
47	March 2004	<i>State of California Department of Alcohol and Drug Programs. Comprehensive Drug Court Implementation Act of 1999: Interim Report to the Legislature. Kathryn P. Jett, Director</i>	<ul style="list-style-type: none"> - 3,563 participants completed adult drug courts avoiding a total of 948,299 prison days, resulted in an averted cost of approximately \$ 34,233,593 to the state; - ratio of prison costs averted by participants to amount invested for the counties reporting was 1.53 to 1 	<ul style="list-style-type: none"> - 618 adult criminals reported making child support payments regularly - 39% (7,790) of adult criminal participants obtained employment while in the program, thus contributing to California’s economy - 12% (966) new adult participants admitted to the program were homeless; 785 of them (81%) obtained housing during the study period - 990 adult criminal participants either enrolled or completed parenting classes - 1,358 adult criminal participants were reunified with family members - almost all participants (96%) had negative urinalysis while participating the

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				<ul style="list-style-type: none"> program - adult and juvenile drug court participants completed 42, 788 hours of community service - 93% of females who gave birth during the period of program participation gave birth to drug free babies
48	June 14, 2006	<i>Suffolk Co. (Mass) Drug Court Evaluation.</i> Abt Associates. Wm. Rhodes, Ryan Kling and M. Shiveley		<ul style="list-style-type: none"> - “the best evidence at our disposal indicates that the four drug courts in Suffolk Co. have increased the receipt of substance abuse treatment and reduced criminal recidivism for a population of otherwise recalcitrant, drug-involved offenders. ... Graduates of these drug courts are 33% less likely to be arrested than matched persons on traditional probation, have 47% fewer convictions, and are 70% less likely to be incarcerated.” - Drug court participants 24% less likely to be incarcerated; had 35% fewer incidents of incarceration; and 36% fewer suspensions and revocations - Drug court GRADUATES: were 70% less likely to be incarcerated; had 66% fewer incidents of incarceration and had 54% fewer suspensions and revocations TREATMENT: <ul style="list-style-type: none"> - participants had 35% higher probability of receiving S.A. treatment - graduates were neither more or less likely to enter treatment than nondrug court probationers
49	May 20, 2006	<i>Outcome Evaluation of the Jackson County, Florida Drug Court.</i> Williams Consulting. Silver Spring, Md.	Program Costs: (1) treatment: \$ 28,200 for 12 graduates; urinalysis was \$ 16,200; total treatment costs were \$ 44,400 for 12 graduates; comparison group: cost of 18 months incarceration was \$ 38/day x 18 months = \$ 20,710 = 248,520 == Total cost savings if comparison group was enrolled in drug court would be \$ 204,120.00 (248,520-44,400) = 204,120.	<ul style="list-style-type: none"> - Demographics of population studied: Gender: male: 73%; female: 37% Employed fulltime at entry: 38% Education: 45% HS Grads; 19% GED; 29% hs drop outs Prior treatment: 47% Children under 18: 62% (98 children of 51 parents) Medical problems: 95% none; 15% had ADHD diabetes, depression, back and neck pain, hepatitis, high blood pressure, migraines -GRADUATES: average age of 12 graduates studied was 33, all were male and employed; one was Afr. Am; the other 11 were white; 59% single; 25% divorced;; average prior arrests as 5 - NON GRADS: (16): average age was 28; 57% male;38% employed; 53% unemployed;12% AM; 88% White;; most nongrads received sentences of 10-15 years
50	Spring 2006	<i>Long-Term effects of participation in the Baltimore City drug</i>		<ul style="list-style-type: none"> - Quantity of drug treatment services received was related to lower recidivism rates - Treatment had sustained effect on recidivism reduction, even after serves were

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		<i>treatment court: Results from an experimental study.</i> Denise C. Gottfredson et al. U. of Maryland.		<p>delivered</p> <ul style="list-style-type: none"> - Recidivism lowest among participants who participate at higher levels of certified drug treatment, status hearings, and drug testing
51	April 2006	<i>California Drug Courts: A Methodology for Determining Costs and Benefits: Phase II: Testing the Methodology.</i> NPC Research. Shannon Carey, Dave Crumpton, Michael Finigan and Mark Waller. (See No. 43 for interim report)	<p>Eight of the nine sites show outcome cost benefits ranging from \$ 3,200 to over \$ 20,000 saved per participant; Monterey: showed no cost benefit over time; “actually loses money on drug court participants”.</p> <p>Stanislaus and El Monte produce very high returns on investment (1: 16 and 1:36) in part because of low investment costs. San Joaquin saves money immediately by having lower investment costs than standard court processing. Only Monterey has no positive return on investment because drug court did not produce positive outcome results, likely due to operational problems.</p> <p>Specific Findings: Average cost per participant <u>El Monte:</u> \$ 5,542.37 (\$ 2,275.50 for treatment, jail sanction next) vs \$ 5,283.51 traditional case process <u>Monterey:</u> \$ 8,173.93 (largest cost is treatment, then jail day sanctions) vs. \$ 5,340.27 <u>Orange Co.-Laguna Niguel:</u> \$ 19,799.59 (jail days pre or post DC, then case management highest costs) vs. \$ 13,195.62- every dollar invested yields \$ 1.50 return <u>Orange Co. – Santa Ana:</u> \$ 15,613.12 vs. 15,173.10; each \$ invested produced \$ 7.30 savings (in correctional costs) <u>San Joaquin Co.:</u> \$ 12,214.76 vs. 12,701.34. (72% of cost is jail days)- drug court approach produces 25% reduction in standard case processing);\$4,801,427 saved each year at rate of 307 new participants annually) Stanislaus Co.: \$ 5,455.20 (treatment is largest cost) vs. \$ 4,518.24 (court costs and jail costs); greatest savings were in probation costs (-77%), victimization costs (-63%), bookings (-44%) and jail days (-42%); every \$ spent produced savings of \$ 16.00</p>	<ol style="list-style-type: none"> 1. No two drug courts function in the same manner; each operates in a different context, serves a different population and involves multiple agencies contributing varying levels of resources; each drug court has unique practices, policies and requirements. 2. Wide range in investment between jurisdictions and counties, and within counties, both in drug court process (\$ 5,000 – 19,000) per participant and traditional court process (just under \$ 5,000 to over \$ 15,000 per participant (differences largely attributable to jail costs) 3. Promising practices identified: <ol style="list-style-type: none"> a. Those drug courts where more agency staff attended drug court meetings and court session tended to have more positive outcomes b. The courts that start participants at one court session every 2 or 3 weeks, 1 to 3 group treatment sessions per week and individual treatment sessions “as needed” appear to have the best outcomes c. Sites with either a single provider or with multiple referral options but a single overseeing provider had the most positive outcomes. d. Judges on voluntary assignment to drug court, with either no fixed term or a term of at least two years, help produce the most beneficial outcomes. e. The sites that required participants to be “clean” for at least six months had lower costs and higher net benefits. f. Drug test frequency greater than 3 x per week didn’t appear to have added benefit; however lower frequencies were associated with less positive benefits. <p>Graduation Rates: <u>Butte Co:</u> 68% (n=156) <u>Los Angeles Co. – Central:</u> 36% (n=115) <u>Los Angeles Co. El Monte:</u> 82% (n=127)- 60% overall (n=700) <u>Monterey Co.:</u> 26% (n= 213) graduation rate (resulting from required \$ 14 fee for drug tests and many terminated for failure to test (39% overall – n=721) <u>San Diego-East:</u> 65% (n=178) <u>Orange Co.-Laguna Niguel:</u> 68% (n=124) (64% overall – n=343) <u>Orange Co.: Santa Ana:</u> 45% (n=289) (overall 41% - n = 932) <u>San Joaquin Co.:</u> 29% (n=202) (31% overall – n = 2,010)</p>

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				<u>Stanislaus Co.:</u> 49% (n=399) (32% overall – n=1,320+)
52	August 2001	<i>The Philadelphia Treatment Court, Its Development and Impact: The Second Phase (1998-2000). John S. Goldkamp et al. Crime and Justice Research Institute</i>		<p>40% of defendants referred for assessment were “no shows”; 47% found to be in need of treatment</p> <p>the 383 candidates actually entering Treatment Court represented 20% of the defendants referred ;</p> <p>Race/Ethnicity: 58% were Afr.Amer; 28% Hispanic and 13% while;</p> <p>Median age we 23</p> <p>83% male</p> <p>53% unemployed</p> <p>96% charged with drug felony</p> <p>46% had prior arrests; 16 had prior court convictions</p> <p>205 had at least one arrest as a juvenile</p> <p>42% didn’t complete Phase I of treatment</p> <p>9% of enrolled terminated for noncompliance</p> <p>participants averaged 9.28 days incarcerated</p>
53	July 2005	<i>Malheur County, Oregon Adult Drug Court (S.A.F.E. Court) Cost Evaluation: Final Report</i>	<p>Relatively low cost per participant compared with other programs (\$ 6,275) – 6,102 for males; 6,585 for females) compared with recidivism costs 9165.61-arrest; 10.00-booking; and 49.20-jail bed day.</p> <p>- females show decrease in costs after starting program while males (except for grads) show increase in costs due to more time spent in jail for new offenses</p> <p>-Average costs for females 2 years prior to drug court were \$ 2,312.34 compared with \$ 1,679.30 two years following drug court entry;</p> <p>-average costs for ALL male participants two years prior to entry were lower (1,205.36 vs 2,612.84) than following program entry but mainly due to terminated participants and jail costs entailed. Costs for male graduates were reduced from \$ 643.08 2 years prior to program entry to \$ 261.80 2 years following program entry.</p>	<p>-Level of substance abuse was reduced, based on both UR results and rearrests</p> <p>-Retention rate for both men and women is better than most standard (non-criminal justice related) treatment programs</p> <p>Factors associated with fewer rearrests were (1) greater number of treatment sessions;</p> <p>-graduates tended to have fewer arrest prior to program entry; were slightly more likely to be male, were less likely to use methamphetamine, were more likely to have had treatment prior to drug court, and more likely to score high on the “readiness-for-treatment scale”.</p> <p>-terminated participants were more likely to use methamphetamine, less likely to use alcohol or marijuana, attend fewer treatment sessions and scored lower on the readiness for treatment testing.</p>
54	September 2006	<i>Kalamazoo County, Michigan Adult Drug</i>	Substantial cost savings/avoided costs resulting from fewer re-arrests, less probation time and fewer new court	- drug use decreased over a 12 month period for both females and males

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		<i>Treatment Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	cases. - combined programs saved total of \$ 593,154 over a two year period for persons entering the program during two year study period (2002-3); savings can be anticipated to accrue over additional years.	
55	September 2006	<i>Barry County, Michigan Adult Drug Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	Cost savings for drug court participants of over \$ 3,000 per participant over 2 year period as a result of fewer re-arrests, less probation time and fewer new court cases. - multiplying cost savings by 108 participants since program implementation, total savings have been \$ 353,160. For foist two years sine program entry. - Can expect cost savings to continue following 2 year study period.	All participants (graduates and terminated) consistently showed less drug use than comparison group; for some time period, no positive drug tests for participants during same time period when positive drug tests for comparison group were might higher.
56	March 2004	<i>The Douglas County (Nebraska) Drug Court: Characteristics of Participants, Case Outcomes and Recidivisms. Cassia Spohn and R.K. Piker. Final Report. March 2004</i>		Males significant less likely than females to graduate; Drug court success also affected by age at which offender first used drug and by number of positive drug tests during first six months of prog4ram
57	November 2001	<i>Dallas County DIVERT Court Outcome Evaluation. Monica Turley and Ashley Sibley.</i>	--	Program retention predicted by age; average age of graduates was greater than dropouts; older participants (average of 35 years) more likely to successfully complete treatment than younger participants.
58	January 2003	<i>Initial Process and Outcome Evaluation of Drug Courts in Texas. Criminal Justice Policy Council.</i>	--	Drug court graduates had 3.4% incarceration rate 3 years following program entry vs. 21.4% for noncompleters and 26.6% for comparison group; incarceration rate for all drug court participants was 12%; Frequency of positive drug tests was 9% - 11% for drug court participants compared with 50% for ADAM tested offenders. The effectiveness of drug courts in reducing recidivism merits considering strategies to expand drug courts in Texas.

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59	October 2003	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 1 Evaluation Report. ISED Solutions.</i>	--	<p>Older participants experience lower rates of post-treatment drug use generally and fare better with respect to new arrests</p> <p>Participants with at least a high school education fare better than clients without in terms of being arrested after treatment</p> <p>Gender is not associated with differences in treatment outcomes</p> <p>Race/ethnicity is associated with few differences in outcomes and, where it does, differences exist for Hispanic clients who are more likely to have problems with FTA's and rearrests so may need additional services, particularly for those with limited language skills</p>
60	December 2004	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 2 Evaluation Report. ISED Solutions.</i>	-	<p>Men and women have same treatment completion rate (60%)</p> <p>Caucasians fare better in treatment than African Americans (75% vs. 53% retention)</p> <p>Completion of residential treatment associated with significant reductions in post-treatment drug use, general arrests and failure to appear</p> <p>Participants who successfully complete treatment more likely to graduate than those who don't (44% vs. 8%)</p> <p>Older participants and those with high school education have lower risk of failing to complete program</p>
61	March 31, 2004	<i>Cost Benefit Analysis of the Douglas County, Nebraska Drug Court. R.K.Piper and Cassia Spohn</i>	<p>Average investment cost for drug court participants is \$ 4,803 vs \$ 9,224 for traditionally adjudicated offenders, resulting in cost benefit of \$ 4421 less for each drug court participants;</p> <p>Annual investment cost savings for drug court participants vs traditionally adjudicated offenders is \$ 1,326,414; greatest cost savings were for jail confinement \$ 622,098 and prison (\$1,125,642)</p> <p>Lesser 'up front' investment cost savings of \$ 125,703 for district Court and other agencies involved with prosecuting and processing drug offenders; additional savings of \$ 51,234 realized for County (Lower) courts and agencies at county court level;</p>	

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			<p>Reduced misdemeanor arrests resulted in outcome savings of \$ 346,129 and fewer felony arrests resulted in savings of \$ 533,468, with total annual outcome cost savings of \$ 899,597.</p> <p>Average annual outcome cost savings per drug court participant was \$ 2,999; total annual investment and outcome savings was \$ 2,226,011.</p> <p>Victimization costs (lost wages, medical and mental health care, etc.) savings resulting from reduced recidivism was \$ 1,120,886 for violent crimes reduction and \$ 64,823 for property crimes reduction, or total victimization cost savings of \$ 1,174,809</p>	
62	February 2007	<i>Recidivism in Alaska's Felony Therapeutic Courts.</i> Alaska Judicial Council		<p>-The longer participants stayed in the program, the less likely they were to recidivate even if they did not graduate</p> <p>-54% of participants in the programs graduated</p> <p>- participants who were discharged or left voluntarily had same rate of recidivism as offenders charged with felonies in 1999 who didn't enter these programs</p> <p>- older participants less likely to be rearrested than younger participants (43% of graduates were 40+ ; 33% of terminated participants were 40+</p> <p>- participants in Anchorage Felony DUI Court less likely to be rearrested than those in Anchorage Felony Drug Court and Bethel Therapeutic Court</p> <p>- native participants responded as well to therapeutic court programs as Caucasian participants; Blacks and other ethnicities did not do as well as Caucasian participants</p>
63	October 2006	<i>The Staten Island Treatment Court Evaluation: Planning, Implementation, and Impacts.</i> Kelly O'Keefe and Michael Rempel. Center for Court Innovation.	SITC successful in reducing the between arrest and initial plea date. (2,1 mos. Vs 4,2 av.; 1.5 med mos. Vs. 2.7 moss for comparison group).	Drug court failures significantly more likely to be sentenced to jail or prison than comparison group (96% vs. 27%) and averaged significantly more time sentenced to jail or prison (208 days vs. 39 days). "Therefore, there is some legal risk involved in entering the drug court." Graduating means the complete avoidance of a criminal record since cases are dismissed; but failing involves a longer average sentence than what would have, on average, been imposed had the case been processed using conventional methods.
64	2007	<i>2005/2006 Tennessee Drug Court Annual</i>	n/a	<p>-Drug testing: 82,950 drug screens in FY 2006-2006; 2, 917 positive (3.5%)</p> <p>-overall retention rate of 56% for fiscal year (range between 31% and 82%)</p>

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		<i>Report. Office of Criminal Justice Programs. Dept. of Finance and Administration.</i>		-1,713 graduates and 1,289 participants terminated since inception of reporting programs; graduation rate is 57%.
65	2007	<i>Wyoming Drug Court Performance Measures Project. National Center for State Courts.</i>	n/a	<ul style="list-style-type: none"> -Drug Use Reported: Alcohol: (87.5%); marijuana (65.3%); meth (51.5%); cocaine (8.8%); hallucinogen (3.7%); prescript drug (2.7%); heroin (1%); crack (.3%) -Offenses: drug pos (43.4%); DUI (37%); prob rev (12.5%); property (9.1%); person (7.4%); drug sales (5.7%); Other (11%) -status of admissions: graduated: 48.1%; terminated 16.7%; active: 15.7%; absconded: 10.2%; withdrawn 9.3%) -retention rates: mean days in program: graduates : 402; terminated: 249 -sobriety: Percent positive drug test: 86 (2.1%) -gender: male 76%; average age: 29 years at time of admission -average days in program: 439 Caucasian; 90%) GED/HS degree: 58% Employed: 65%; Single: 4% Prior record: no more than 2 prior arrests in past year: 63%
66	April 2007	<i>Multnomah County, Oregon: The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs. NPC Research</i>	<ul style="list-style-type: none"> Investment costs in drug court were \$ 1,392 less than for ‘business as usual’ processing; savings due to reduced recidivism for drug court participants totaled more than \$ 79 million over 10 year period; - investment cost per participant was \$ 5,16 vs. \$ 6,560 for nondrug court participant -greatest cost benefit due to less use of jail days. 	<ul style="list-style-type: none"> -drug court judges who worked longer with the drug court had better participant outcomes - judges who rotated into drug court twice had better participant outcomes the second time - drug court was effective continuously except for two “rough periods” –(1) first 2 years of the program, during initial implementation period; and (2) in 1996 when drug court moved outside of the courthouse; -during “target Cities” period, comparison group (nondrug court participants) did better than in other periods -some judges showed greater reductions in recidivism than others (range was 4% to 42%) - no difference in recidivism when single court judge or multiple judges were presiding; - early drug court judges did not have as positive outcomes as judges who came later-perhaps attributed to formalization of procedures and training
67	April 2007	<i>Indiana Drug Courts: A Summary of Evaluation Findings in Five Adult</i>	All 5 programs showed cost savings due to reduced recidivism; average cost savings for 2-year follow up period to local agencies and the state ranged between \$	<ul style="list-style-type: none"> -Program participant characteristics varied from program to program except for age (31-33 years) -Wide range of drugs used

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		<i>Programs. NPC Research</i>	314 and \$ 7,040 per participant, based on fewer rearrests; fewer court cases; less probation time; less jail time and less prison time; doesn't count number of drug-free babies born; decrease in health care expenses and drug court participants' taxes resulting from employment. Overall: five courts resulted in savings of over \$ 7 million for the two years. Over time, return to tax payer for investment can be up to \$ 5.35 for every \$ 1.00 invested	-similar graduation rates (50-56%) despite differences in populations
68	Fall 2005	<i>An Evaluation of Treatment in the Maine Adult Drug Courts. Faye S. Taxman, April Pattavina and Jeffrey Bouffard.</i>		58% of participants had some negative behavior resulting in a sanction; sanctions most frequently were incarceration, increased reporting or termination; few sanctions relied on treatment or intensification of treatment, written assignments, etc.; offenders given these sanctions more likely to be expelled than those who received treatment sanctions. Participants involved with DSAT program had reductions in depression, hostility and risk-taking behavior, could identify personal progress and had good relations with staff DSAT curriculum engages many of the participants and reflects a sound treatment approach Control sanctions (e.g. increased reporting, etc., can undermine the treatment program; treatment based sanctions may reinforce the drug court Judiciary should receive education in use of treatment based sanctions and value to the treatment court; Should also use different assessment tools to determine offenders that are less engaged in treatment and less committed to conformity.
69	Spring 2008	<i>Substance Use, Drug Treatment, and Crime: An Examination of Intra-Individual Variation in a Drug Court population. Denise C. Gottfredson, Brook W. Kearley, Shawn D. Bushway.</i>	NA	<ol style="list-style-type: none"> (1) persons who had any treatment last month had 11% probability of using alcohol this month compared with 17.3% for those who didn't receive treatment. (2) substance use is related to increased levels of crime but no correlation between use of alcohol and whether subsequent crime was violent or income generating
70	January 2008	<i>Strafford County [NH] Drug Treatment Court: Performance Evaluation 2. New Hampshire Center</i>	Client load of 37 individuals costs \$ 43 per client per day for treatment, case management, court and administrative services: includes: \$ 15/day for case managers/coordinators; \$ 17/day for treatment and \$ 3/day	<ol style="list-style-type: none"> (1) median days for completion of LADC assessment decreased from 37 to 28 days [goal is 14 days]; overall time from referral to lea decreased from 57 to 53 days. So further work needed in this area (2) continued work to develop standards for termination to improve

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		<i>for Public Policy Studies.</i>	for probation supervision; clients pay \$ 2 per day	<p>consistency and fairness</p> <p>(3) continued opportunity for female-only treatment groups now held on a weekly basis</p> <p>(4) other needed improvements now identified including: (a) clarifying procedures for clients who are not actively participating in group sessions, not fully prepared for treatment, or are under the influence of alcohol or drugs while in attendance; (b) enhanced use of Motivational Enhancement Therapy</p> <p>(5) 137 offenders referred to program of which 67 admitted; reasons for nonadmission most frequently were “can’t meet requirements or comply with rules (30%) or “pursing other program” (25%).</p> <p>(6) Program is 46% [sic female and 51% male; 16% had prior mental health diagnosis and treatment</p> <p>(7) 14 (21%) of all participants admitted have graduated; 13 have moved to final phase; 16 (24% have been terminated.</p> <p>(8) Now using database (enhancement of probation database) developed for program to monitor future operations; info entered by drug court coordinators and case managers and includes demographic data, treatment data and data on court proceedings</p>
71	August 1, 2006	<i>A Process and Site-Specific Outcome Evaluation of Maine’s Adult Drug Treatment Court Programs. Andrew Ferguson et. Al. Dep’t. Of Sociology., University of Southern Maine</i>	<p>(1) Adult drug court has generated net correctional savings of \$ 11,243,726 in cost savings based on incarceration costs that would have been incurred (for 169 participants)</p> <p>(2) For every dollar spent in drug court, overall net correctional savings of \$ 3.30</p>	<p>(1) number of referrals and new admissions to the five adult drug court has declined by 27 % (referrals) and 24% (new admissions)</p> <p>(2) overall graduation rates are 60^ compared with national rate of 48%</p> <p>(3) average length of time from initial referral to admission is 85 days (same as previous year)</p> <p>(4) greater consistency in sanctioning of participants with similar infractions across sites using jail sanctions; 87% of sanctions for first positive test was 7 days or less</p> <p>(5) most drug court participants (57%(able to access an array of ancillary services</p> <p>(6) observations indicated no consistency among the five drug courts in how they interact with participants in the courtroom</p>

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				<p>(7) results of analysis on DSAT clinical pre/post treatment measures indicates many significant improvements in attitudes, coping behaviors and confidence in participants in ability to refrain from drug and alcohol use</p> <p>(8) Androscoggin Co.: older participants (over 27) three times ore likely to graduate than younger ones; first time offenders more likely to graduate and participants who receive “rewards” are nearly 10 times more likely to graduate</p> <p>(9) Penobscot Col: females with no high school education 10 times less likely to graduate</p>
72	August 2007	<i>Benefit-cost calculations for three adult drug courts in Minnesota. August 2007. Paul A. Anton. Wilder Research</i>	Estimate that the rug courts in Stearns, Dodge and St. Louis Counties generated \$ 5.08 of benefit for every dollar of cost.; total benefits were 4.8 million vs costs of 1.3 million for study period; savings based on costs of initial offense; cots of subsequent arrests; and costs of subsequent convictions (used \$ 1,522 cost per case produced by Washington State Institute of Public Policy in 2006; used \$85/day average for prison costs; incarceration costs saved for each program completer are over \$ 46,000; used Washington State Institute for Public Policy study figures of \$ 5,370 arrest costs for drug offenses and other nonviolent crimes and \$ 6,438 for violent crimes	n/a
73	September 2008	<i>California Drug Courts: Costs and Benefits: Superior Court of San Francisco County. Shannon M. Carey et al. NPC Research</i>	Average cost for drug court participant: \$ 9,757; average cost per Drug court graduate: \$ 18,295; vs average cost for traditional case process per person: \$ 16,378 (also provides breakdown in average costs per agency) and differential; net savings is \$ 6,622 per participant; also provides costs per person associated with recidivism, broken down by transaction:\$ 15,647 for graduates and 24,394 for participants vs 31,967 for comparison group; provides similar information broken down by agency	(1) average time in program was 7.2 months
74	January 31, 2004	<i>Evaluation of Maine’s Statewide Adult Drug Treatment Court Program. Interim Report. Donald Anspach, Ph.D. U. of Southern Maine</i>	N/A (but see Nos. 68 and 71 for follow up studies)	<p>1.Statewide graduation rate (50%)</p> <p>2. 20% increase in new admissions over past year</p> <p>3. participants who are tested more frequently more likely to graduate</p> <p>Participants who receive jail sanction 7 times LESS likely to graduate</p> <p>Length of time between referral and final admission increased form 71 days in 2002 to 78 days in 2003</p>

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75	March 2009	<i>Strafford County (New Hampshire): Drug Treatment Court: Final Performance Evaluation. New Hamp Center for Public Policy Studies</i>	N/A	<p>-32 (54%) of participants admitted in first two years graduated from the program;</p> <p>-27 (46%) of participants admitted in first two years terminated and sentenced to incarceration (9 committed new offense while in program- shows most participants don't recidivate while in program</p> <p>-program enhancements of age-specific treatment groups; allowing clients tardy for treatment to participate, and access to transitional housing were important</p> <p>- continuing challenges: (1) length of time offenders wait to enter program (goal is 14 days for initial assessment: referral to plea is actually 2 months – further delays resulting from reduced availability of judge; (2) mental health needs of participants; data problems resulting from small number of participants; (3) smaller number of participants than planned (anticipated 60 clients; as of October 31, 2008 have 33 active participants plus 11 on second year of probation supervision; since January 2006: 221 offenders referred and 102 (46%) admitted. (34% for not being able to comply with rules or requirements)</p>
76	January 2009	<i>Vermont Drug Courts: Rutland County Adult Drug Court Cost Evaluation. Final Report. NPC Research</i>	<p>Program investment cost was \$ 19,405 per drug court participant; cost due to recidivism (rearrests, new court cases, probation, incarceration and victimizations) over 3 years was \$ 48,277 per drug court participant vs. \$ 64,251 per comparison group member, with savings of \$ 15,977 per participant.</p> <p>Total criminal justice system cost per participant during the program is \$ 5,809 less than traditional court processing (\$ 9,749 if victimizations are included)</p> <p>If the program continues to enroll a cohort of 26 new participants annually, savings per participants over 3 years will be \$ 138,441 per cohort; after 5 years, the accumulated savings will be over \$ 2,000,000.</p> <p>Summary: \$ criminal justice system cost savings of \$ 15,977'</p> <p>Criminal justice system costs 59% less during program</p>	<p>As of May 2008, 111 people entered program; 21-25 active participants at any one time; 32 graduated; 59 withdrew or were terminated, and 20 still active</p> <p>Average age of participants was 27 Years, 55% female</p> <p>95% white;</p> <p>Most common drug of choice was heroin (50%), followed by prescription drugs (23%) which reportedly increased significantly in prior year, and cocaine (11%), as well as alcohol.</p>

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			<p>participation compared with costs for nondrug court participants</p> <p>Projected 150% return on investment after 5 years;</p> <p>Projected 300% return on investment after 10 years.</p>	
77	April 2008	<p><i>To Treat or Not to Treat: Evidence on the Prospects of Expanding Treatment to Drug-Involved Offenders.</i></p> <p>Urban Institute. [Avinash Singh Bhati, John K. Roman,</p>	<p>(1) Under current policy regime (which for the most part limits access to treatment for the population we are studying to drug courts) there are about 55,000 individuals treated annually, about 32,000 are at risk of dependence, and 23,500 are at risk of drug abuse. (2) estimate that about \$ 515 million dollars is spent annually to treat those drug court clients and that this yields a reduction in offending which creates more than \$ 1 billion dollars in annual savings.</p> <p>(3) estimate that the current adult drug court treatment regime produces about \$ 2.21 in benefit for every \$ 1 in costs, for a net benefit to society of about \$ 624 million.</p> <p>(4) benefit-cost ratio is higher for those at risk of abuse (2.71) as compared to those at risk of dependence (1.84), even though the abuse group is less prevalent in the drug court population.</p> <p>(5) estimate that there are about twice as many arrestees eligible for drug court (109,922) than there are available drug court treatment slots (55,365). We simulate the effects of treating all of these currently eligible in the four treatment modalities studied by DATOS [Drug Abuse Treatment Outcome Study] and find that the costs of treating these additional clients about doubles, to slightly more than \$ 1 billion. We find that the expansion of drug treatment to this larger population remains cost-effective, although the benefit-cost ratio is fractionally reduced to 2.14 from 2.21. In total, this expansion of treatment yields a benefit to society of more than \$ 1.17 billion dollars....</p> <p>[Re potential value of expanding drug treatment courts]</p> <p>(7) estimate that expanding treatment access to those</p>	<p>(1) for those at risk of drug dependence, longterm residential reduces recidivism by 34%, short term inpatient by 19%, outpatient methadone by 20%, and outpatient drug free by 30%.</p> <p>(2) For those at risk of drug abuse, recidivism reductions are large (27%); outpatient drug free is the most effective modality, reducing recidivism by 33%; long term inpatient reduces recidivism by 27%, short term inpatient by 20% and outpatient methadone by 16.%</p> <p>(3) Small or no reductions in crime observed for the most serious crimes. .</p>

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			<p>with a pending case is cost beneficial, with about \$ 1.65 billion in total benefits. In particular, allowing those with a pending case who are at risk of drug dependence is especially beneficial, with a benefit to cost ratio of 4.13:1.</p> <p>(8) allowing participants with past violence into court supervised treatment is as cost-0beneficial as current practice, with a benefit to cost ratio of 2.15.</p> <p>(9) While the addition of those at risk of abuse with prior violence is cost beneficial (3.14:1), adding those at risk of drug dependence with prior violence is much less cost beneficial (1.38:1).</p> <p>(10) Expanding the program to include those with a history of failed treatment is also cost-beneficial (2.09:1), especially for those at risk of drug abuse (2.29:1)</p> <p>(11) Allowing those with co-occurring alcohol problems into court supervised treatment is cost –beneficial for the entire group treated (1.783:1). For those at risk of dependence, the results are better, with the newly added group estimated to have a benefit to cost ratio of 1.43:1. However, adding those with co-occurring alcohol problems who are at risk of drug dependence is not cost-effective (.70:1).</p> <p>(12) Treating all at risk arrestees would cost more than \$ 13.7 billion and return benefits of about \$ 46 billion. We find that this approach would be cost-effective, with a benefit of \$ 3.36 for every dollar in cost.....”</p>	
78	March 2008	Carey, S. M., Fuller, B. E., & Kissick, K. (Oct. 2007). <i>Michigan DUI Courts Outcome Evaluation: Final Report. NPC Research:</i>	Time enrolled in the program was higher for DUI court participants compared to time spent on probation in the comparison group also in two out of the three programs. Longer time spent in the program predicts success both in completing the program and in reducing recidivism. Overall, these results demonstrate that the DUI court is effective in reducing recidivism and reducing drug and	DUI court participants were re-arrested significantly less often than comparison group offenders who were sentenced to traditional probation. In the example from one DUI court site shown in Figure A, the comparison offenders on traditional probation were re-arrested nearly six times more often in the first year after starting probation for the DUI charge than the DUI court

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		<i>Portland, OR.</i>	alcohol use while using less criminal justice system resources to accomplish these goals.	<p>participants and were re-arrested four times more often in the second year (2) Percent of positive drug tests were measured in three month intervals for DUI court participants. The example in Figure C shows that participants in the DUI Court significantly decreased the percent of positive drug tests over time ($F = 5.340$; $p = .001$). This provides support that the DUI Court was instrumental in reducing the amount of illegal drug use during the first year participants spend in the program</p> <p>In all three DUI courts showed that the rates for DUI court graduation and retention ranged from 54% to 84%. The program retention and completion rates are comparable or higher than the rates for programs following the drug court model in the nation. For example, a study of nine drug courts in California showed an average retention rate of 56% (Carey et al., 2005).¹</p> <p>Data for all of the participants in the DUI Court program were examined to determine what characteristics predicted recidivism. Results showed that those with fewer dependents, lower numbers of previous misdemeanors and felonies, fewer days in treatment, higher number of jail days prior to program start, a higher number of sanctions and being male were more likely to be re-arrested</p>
79	April 2008	<i>Harford County, Maryland Adult District Drug Court Process Evaluation. A report to the Maryland Judiciary, Office of Problem-Solving Courts Crumpton, D., Mackin, J. R., Weller, J. M., Linhares, R., Carey, S. M., & Finigan, M. W. (July 2007).</i>	The total criminal justice system cost savings per participant after 2 years was \$2,767 per drug court participant, regardless of whether or not they graduated. When this figure is multiplied by the 4001 participants who have entered the drug court since its inception, it results in a total savings of \$1,106,800 . If savings continue for each participant at the same rate (which has been shown to occur in other studies, e.g., Finigan, Carey, & Cox, 2007), after 10 years, the savings for these 400 participants will total over \$5.5 million (\$5,534,000)	HCADC participants had consistently fewer drug-related re-arrests following entrance into drug court. HCADC program participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate

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80	March 2008	<p>Carey, S. M., Finigan, M. W., & Pukstas, K. (March 2008). <i>Exploring the Key Components of Drug Courts: A Comparative Study of 18 Adult Drug Courts on Practices, Outcomes and Costs.</i> NPC Research: Portland, OR</p>	<p>The drug court has a single treatment provider (that can make referrals to other treatment as needed). The treatment representative is expected to attend all drug court sessions. Factors that reduce costs The prosecution is expected to attend all drug court team meetings (participant progress meetings). The prosecution is expected to attend all drug court sessions. The defense attorney is expected to attend drug court team meetings (participant progress meetings). The drug court allows non-drug charges. The drug court expects 20 days or less to pass from a participant's arrest to drug court entry. The drug court maintains a caseload of less than 150 clients. The drug court program is expected to take one year or more for participants to complete. Drug court has guidelines on the frequency of group treatment sessions that a participant must receive. Drug court has guidelines on the frequency of individual treatment sessions that a participant must receive. In the first phase of drug court, tests are collected at least 2 times per week. Drug court staff generally has drug test results within 48 hours. The drug court requires participants to have greater than 90 days "clean" before graduation. The drug court decreases the frequency of future treatment sessions as a reward. Only the judge can provide clients with tangible rewards. The judge is assigned to drug court for a term greater than 2 years (or indefinitely). In the first phase of drug court, participants appear before the judge in court once every 2 weeks or less. In the final phase of drug court, the clients appear before the judge in court at least once per month.</p>	<p>Our analysis revealed that despite the availability of benchmarks through the National Association of Drug Court Professionals, drug courts still have a lot of discretion in how they implement the 10 Key Components. Under each of the 10 components, there were both similarities and differences in how drug courts were operated. Differences across drug courts are expected and should not be misinterpreted as negative findings</p>

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			<p>The drug court maintains data critical to monitoring and evaluation in an electronic database (rather than paper files).</p> <p>The drug court collects program statistics and uses them to modify drug court operations.</p> <p>The drug court uses the results of program evaluations to modify drug court operations.</p> <p>The drug court has participated in more than one evaluation conducted by an independent evaluator.</p> <p>Team members received training in preparation for the implementation of the drug court.</p> <p>All new hires to the drug court complete a formal training or orientation.</p> <p>All members of the drug court team are provided with training.</p> <p>The drug court team includes a representative from law enforcement (not including probation)</p>	
81	April 2007	<p><i>Finigan, M. W., Carey, S. M., & Cox, A. A. (2007). The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs: Final Report. NPC Research: Portland, OR.</i></p>	<p>The data from over 10 years of operation show that the Multnomah County Drug Court actually costs less to operate than the cost of “business as usual.” The investment cost per participant for the STOP Program was \$5,168 while the cost per offender for “business as usual” was \$6,560, a difference of \$1,392. These data suggest that the finding in 2003 was not simply relevant to the specific time period. Overall, this means that, independent of avoided system costs accruing from positive outcomes, the Drug Court’s operation itself saved the taxpayer more than \$9 million over the 10-year period. Sources of this investment cost savings include treatment and probation services.</p>	<p>(1)While all judges showed reductions in re-arrests, some judges showed greater reductions than Others. The reductions in re-arrests ranged from 4% to a substantial 42%, demonstrating clear Differences. This suggests that drug court results may vary depending on the judge involved</p> <p>Figure 1 Overall, for the entire population of eligible offenders, the Drug Court significantly reduced the incidence and frequency of criminal recidivism for participants compared to offenders who did not participate. Including all offenders who were eligible for the Drug Court during the total 10-year period, over 5 years from the Drug Court petition hearing, the incidence of re-arrest was reduced by nearly 30%.</p> <p>Figure 1 number of external changes from 1991 to 2001 that might have had an influence on court operations and outcomes were identified. These external changes were categorized</p>

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				as follows: criminal justice system changes, changes in the Multnomah County substance abuse treatment system, and changes in the Oregon managed care system. With one exception, these changes appeared to have no statistically significant impact on subsequent recidivism for this population (drug court and comparison group).
82	March 2007	Carey, S. M., & Waller, M. (March 2007). Guam Adult Drug Court Outcome Evaluation: Final Report. NPC Research: Portland, OR.	N/A	n/a
83	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Monroe County Drug Treatment Court Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for MCDTC drug court participants. The average cost for the MCDTC Program was \$20,067 per participant. This amount is on the highest end of the costs found nationally in other drug courts (\$4,000 to \$20,000) studied by NPC Research (Carey & Finigan, 2004; Carey et al., 2005) and is mainly due to a large amount of resources invested in drug court case management. However, the outcome cost savings indicate that participation in drug court offers a cost-benefit to the Indiana taxpayer due to a low number of subsequent re-arrests and associated incarceration and victimizations.	MCDTC participants consistently showed less drug use as measured by percent positive urine drug screens over 12 months. Figure B illustrates the percent of positive drug tests over time for the drug court group, which includes graduates, terminated participants, and active participants. This figure shows a smaller percentage of positive drug tests for MCDTC participants following program entry. Further, the percent of positive drug tests is extremely small (3% or less) during the course of the program. The areas in which the MCDTC may wish to implement changes to enhance their services are as follows: <ul style="list-style-type: none"> • MCDTC may wish to consider offering more flexibility in the program by adding an additional testing schedule to better accommodate work schedules and school start times. • The drug court team should consider the optimal program dosage and intensity required to maximize accountability and oversight, while promoting successful participation. • Although the MCDTC has developed partnerships with community agencies, they may wish to increase or strengthen these partnerships in order to better meet the needs of participants.

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				<ul style="list-style-type: none"> • The drug court should consider consistently having an independent judge sentence terminated MCDTC participants. • The MCDTC team may want to discuss possible ways to decrease the time interval between participant identification and entry into the drug treatment court. • The hiring of a part-time Spanish interpreter may help the MCDTC reach more of its target population.
84	November 2006	<i>Carey, S. M., Finigan, M. W., Crumpton, D., & Waller, M. S. (2006). California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II in a Statewide Study. Journal of Psychoactive Drugs, 38 (4), 345-356.</i>	Results in the nine sites showed that the majority of agencies save money in processing an offender through drug court. Overall, for these nine study sites, participation in drug court saved the state over \$9 million in criminal justice and treatment costs due to lower recidivism in drug court participants.	Overall, the results of this study demonstrate that drug courts are an effective approach to treating nonviolent drug addicted offenders. The offenders who participated in drug court programs, regardless of whether they completed the programs, had lower recidivism and produced more outcome savings over four years than similar offenders who did not participate. The net benefit, including investment and outcome costs, for the nine drug court programs in this study was over nine million dollars.
85	September 2006	<i>Marchand, G., Waller, M. S., & Carey, S. M. (Oct. 2006). Barry County Adult Drug Court Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Barry County Drug Court participants showed a cost savings of over \$3,000 per participant over a 2-year period. When this per participant savings is multiplied by the 1081 offenders who have participated in the Drug Court Program since implementation (in May 2001), the total Program cost savings (for outcomes over a 24-month period) is \$353,160 .	BCADC participants consistently showed less drug use than the comparison group. Figure 1 illustrates the percent of positive drug tests over time for the Drug Court and comparison Groups. The participant group includes graduates, terminated participants, and active participants. This figure shows a consistently smaller percentage of positive drug tests for BCADC participants following program entry. In fact, for some time periods there are no positive drug tests for BCADC participants at all while positive drug tests for comparison group members remain much higher.
86	February 2006	<i>Pukstas, K., Weller, J. M., Brekhus, J., Crumpton, D., Carey, S. M., Mackin, J. R., & Finigan, M. W. (Feb. 2006). Maryland Drug</i>	Cost analysis of juvenile drug courts and youth centers clearly illustrates the cost savings of working with this population in the community whenever possible. Juvenile drug courts offer specialized intensive services that can result in huge payoffs in terms of future quality of life for participants, their families, and their communities	Preliminary pre-post analysis of juvenile drug court participants in Maryland illustrate substantial reductions in new adjudicated charges, as well as significant reductions in the proportion of youth categorized as chronic offenders (i.e., those youth creating the most serious system and community impacts in terms of cost and public safety).

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		<i>Treatment Courts: Interim Report of the Effectiveness of Juvenile Drug Courts. NPC Research: Portland, OR.</i>		
87	July 2005	Carey, S. M., & Marchand, G. (Jan. 2005). <i>Malheur County Adult Drug Court (S.A.F.E. Court) Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	In general, the S.A.F.E. Court is successfully keeping program costs down while decreasing overall recidivism for its participants. Re-arrests and their associated costs are lower for the majority of participants. Although jail costs increase for many men after S.A.F.E. Court entry, male graduates and all females show a decrease in this taxpayer cost as well. Subsequent evaluation on a larger sample when the S.A.F.E. Court becomes a more mature program is needed to determine the validity of these results	Figure 3 shows that there was a significant reduction in drug-related re-arrests from the pre- S.A.F.E. Court period to 24 months following program entry. Generally, although males were rearrested for drug-related crimes more often than females, both genders had fewer drug-related rearrests after entering the S.A.F.E. Court Program. Females demonstrated the most drastic and significant reduction in drug-related re-arrests. Taken together, these results indicate that participation in the S.A.F.E Court Program achieves the goal of reducing substance use as can be inferred by a reduction in drug-related recidivism
88	July 2003	Carey, S. M. & Finigan, M. W. (July 2003). <i>A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research: Portland, OR.</i>	Does it cost more for drug court than for “business as usual”? A: No. The total investment cost by the agencies involved in drug court2 averaged \$5,927.80 per participant compared to \$7,369.32 for “business as usual.” The “business-as-usual” offenders cost \$1,441.52 more than the drug court participants. Thus, the drug court approach actually saved the taxpayer money in investment costs. This was in a large part due to the use of jail and probation time for “business as-usual” processing, and is also due to significant use of treatment and court resources.	Law enforcement/corrections and the public defender’s office received an immediate savings from the drug court approach. All agencies saved money in outcomes. Data on the utility of a number of less intensive means of gathering costs data showed that in many cases a medium intensity method, generally involving the use of client level administrative data, brought reasonable results
89	February 2004	Carey, S. M. (Feb. 2004). <i>Clackamas County Juvenile Drug Court Outcome Evaluation: Final Report. NPC Research:</i>	N/A	This information, combined with the fact that the number of positive Uas was not correlated with program status (graduation vs. termination), implies that the program response to drug use is successful in guiding participants to reduce use so that they are able to graduate. That is, it is not necessary for participants to have already reduced use at the start of the program in order to graduate.

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		<i>Portland, OR.</i>		The overall trend in outcomes for the CCJDC is consistently positive. The CCJDC program appears to be impacting its youth and families in the intended manner. Further outcome evaluation as the program continues to grow (e.g., through the enhancement grant received from BJA) will allow for a larger sample size and the ability to verify the positive preliminary results achieved in the current evaluation
90	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., & Linhares, R. (April 2007). Indiana Drug Courts: Vanderburgh County Day Reporting Drug Court Evaluation: Final Report. NPC Research: Portland, OR.</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Over a 2-year period, the VCDRDC cost outcomes were \$6,656 per participant compared to \$8,044 per offender that did not participate in Drug Court. When this per participant savings is multiplied by the 203 offenders who have participated in the Drug Court Program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) is \$281,764.	Using the 10 Key Components of Drug Courts (NADCP, 1997) as a framework, NPC examined the practices of the VCDRDC program. The VCDRDC fully satisfies many of the 10 Key Components through its current policies and structure. We found that VCDRDC: <ul style="list-style-type: none"> • Integrates alcohol and other drug treatment services effectively with justice system case processing, • Does an excellent job of using a non-adversarial approach between prosecution and defense counsel, • Provides a very good continuum of treatment services, • Uses frequent alcohol/drug testing to monitor abstinence, • Has a consistent reward and sanction structure for responding to participant compliance, • Graduates participants within VCDRDC's recommended timeframe, • Has had a continuously sitting judge since program implementation, and • Excels at developing partnerships with public and private community agencies and organizations.
91	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Vigo County Drug Court Process,</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Over a 2-year period, the VCDC cost outcomes were \$3,684 per participant compared to \$7,935 per offender that did not participate in drug court.	Using the <i>10 Key Components of Drug Courts</i> (NADCP, 1997) as a framework, NPC examined the practices of the VCDC program. The VCDC satisfies some of the 10 Key Components through its current policies and structures. We found that VCDC: <ul style="list-style-type: none"> • Uses frequent alcohol/drug testing to monitor abstinence, • Has a consistent reward and sanction structure for responding to participant compliance,

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#	Publication Date	Bibliographic Information	System Impact/Cost Savings	Other Findings
		<i>Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	When this per participant savings of \$4,251 is multiplied by the 697 offenders who have participated in the drug court program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) is nearly \$3 million.	<ul style="list-style-type: none"> • Graduates participants within VCDC's recommended time-frame, • Has had a continuously sitting judge since program implementation, and • Excels at developing partnerships with public and private community agencies and organizations.
92	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: St. Joseph County Drug Court Program Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Over a 2-year period, the SJCDP cost outcomes were \$3,838 per participant compared to \$7,971 per offender that did not participate in drug court, resulting in a savings of \$4,133 per drug court participant. When the 2-year per participant savings is multiplied by the 465 offenders who have participated in the drug court program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) comes to nearly \$2 million	<p>Using the <i>10 Key Components of Drug Courts</i> (NADCP, 1997) as a framework, NPC examined the practices of the SJCDC program. The SJCDC satisfies many of the 10 Key Components through its current policies and structure. We found that SJCDC:</p> <ul style="list-style-type: none"> • Integrates alcohol and other drug treatment services effectively with justice system case processing, • Does an excellent job of using a non-adversarial approach between prosecution and defense counsel, • Provides a very good continuum of treatment services, • Uses frequent alcohol/drug testing to monitor abstinence, • Has had a continuously sitting Judge since program implementation, • Graduates participants within a recommended time frame, and • The SJCDC program completion and retention rates are high compared to other drug court programs in the U.S. <p>SJCDC participants consistently showed less drug use than the comparison group as measured by percent positive urine drug screens over 12 months. Figure B illustrates the percent of positive drug tests over time for the drug court and comparison group. The participant group includes graduates, terminated participants, and active participants. This figure shows a consistently smaller percentage of positive drug tests for SJCDC participants relative to the comparison group. An important trend over time is the decreasing positive urine screens for the drug court participants. Although the comparison group</p>

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				participants showed a trend of decreasing positive drug tests as well, their overall percentage of positive tests was significantly higher.
93	November 2009	Analysis of the Sisseton-Wahpeton Oyate Tribal Drug Court	Average Sentence for treatment court participants is 5.2 years. Savings are described as obvious no actual hard number	Added benefits of keeping families together Allows participants to keep working and add to the tribal economy.

CICAD Survey Instrument



This publication is being drafted by the Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security of the Organization of American States (OAS); the Justice Programs Office, School of Public Affairs, American University; the Institute for International Research on Criminal Policy (IRCP), Universiteit Gent; the Ministerio Público of Chile (General Prosecutor's Office); and the International Association of Drug Treatment Courts (IADTC). It is being developed in the framework of *the EU-LAC Drug Treatment City Partnerships*, an initiative coordinated by CICAD/OAS and funded by the European Commission. The content of this publication does not necessarily reflect the position of the EU or the OAS.

Establishing Drug Treatment Courts: Strategies, Experiences and Preliminary Outcomes

DTC Program Survey

PART ONE: DTC BACKGROUND INFORMATION

A. Name and contact information for Individual(s) completing this survey form:

Name:

Title

Agency

Address:

Telephone:

Fax:

email:

B. Location(s) of Drug Treatment Court Program:

City:

Country:

C. Drug Court Judge(s):

Name

Court

Address:

Telephone:

Fax:

email:

D. Date DTC Program Began

E. Total Number of Participants:

1. Please provide the most current statistics on your DTC:

- a. total number who have ever enrolled in the DTC program
- b. total number who have successfully completed the program
- c. total number who were terminated unsuccessfully
- d. total number who are currently enrolled

2. Are the number of participants reported above consistent with your expectations regarding program participation when the program was planned? If not, please explain

G. Background Leading Up to Development of the DTC; Goals/Mission of the

Program:

- 1. What was the situation leading to the development of the DTC?
- 2. Were specific goals developed for the program to achieve? If so, what were they?
- 3. To what degree to you feel these goals have been achieved?

PART TWO: DTC PROGRAM DESCRIPTION

A. Summary Program Description:

1. Please briefly describe your DTC and how it differs from the traditional method of dealing with drug involved offenders.
2. Please indicate on the chart below the staff assigned to the DTC:

Position	Number	Full-time	Part-Time
Judge			
Prosecutor			
Defense Attorney			
Substance Abuse Counselor			
Mental Health Counselor			
Social Worker			
Probation Officer			
Nurse			
Psychiatrist			
Other (please describe)			

B. Target Populations; Eligibility Determination

1. What offenders (e.g, "target population") was the DTC established to serve?
2. Have there been any changes in the target population served by the DTC since the DTC began?
If so, please describe the changes and why they were made.
3. DTC Eligibility
 - a. Please summarize the eligibility requirements to participate in your DTC
 - (1) Criminal justice characteristics (i.e. nature of offense, prior criminal history, etc.)
 - (2) Substance Use/Treatment needs (i.e. nature/extent, etc.)
 - (3) Other

b. Have there been any changes in the eligibility requirements since the DTC began? If so, please describe the changes and why they were made.

4. Referral process and stage in the criminal justice process at which DTC eligibility is determined

(1) At what stage of the criminal justice process is DTC eligibility determined?

(2) How are potential DTC participants identified?

(3) On average, how many days after arrest is DTC eligibility determined?

C. Operational Components

1. What incentives, if any, are offered to offenders to become DTC participants?

2. What role does the DTC judge play in your DTC?

(e.g., Does the drug court judge hold periodic hearings to review the progress of TC participants?

If so, how frequently? What role, if any, does the drug court judge play in coordinating the services provided to DTC participants?

3. Monitoring and Responding to Compliance/Noncompliance with DTC requirements

a. What method(s) are used to monitor DTC participants' compliance with DTC program requirements?

b. What information do you feel is most useful in assessing compliance with DTC requirements?

c. What responses/sanctions are given to noncompliance with DTC requirements?

d. Are incentives or other positive reinforcement provided for participants who comply with DTC requirements? If so, please describe.

4. Length of the DTC program

a. How long is the required period of participation for your DTC?

b. Do you feel this period is too short? Too long?

D. Treatment Services

1. Please indicate whether the following services are available to the majority of DTC participants:

Detox

Outpatient

Residential

Acupuncture

Pharmacological interventions (e.g., methadone, suboxone, etc.)

Other (please explain)

2. Please describe generally the nature and extent of drug addiction among participants in your DTC (i.e., types of drugs used, length of drug use, associated physical and/or mental health conditions, etc.)
3. What types of agencies/organizations provide the treatment services for your DTC program participants? (e.g, NGO's, public health department, local hospital, etc.)
4. Since the inception of the DTC, have any changes been made in the nature and/or frequency of treatment services provided to DTC participants? If so, please describe the changes and the reason(s) they were made.

E. Other Program Services

1. Does your DTC provide other services to DTC participants (e.g., housing, dental/medical, employment, etc.)? If so, please summarize the services provided and the types of agenc(ies) that provide them.
2. Are there any additional services you would like to see provided to improve operations? If so, please describe them
3. Are any services provided to participants once they leave the DTC program? If so, please describe them. Are these services voluntary?

F. Legal Process

1. What changes, if any, have been made to the traditional criminal justice process in order to implement the DTC?
2. What is the legal outcome for cases of DTC participants if they:
 - (a) successfully complete the program?
 - (b) do not successfully complete the program?
3. Was special legislation needed to implement the DTC? If yes, what issues did the legislation address? Please provide a copy of the legislation.

G. Building and Maintaining Inter- and Intra-Agency Consensus and Support

1. What strategies were used to develop buy-in and support for the DTC program
 - From the judiciary?
 - From other criminal justice officials?
 - From attorneys?
 - From public health officials?
 - From community leaders?

- From others whose support was needed?
- 2. What obstacles, if any, were encountered in building support for the DTC? How were these addressed?
- 3. What strategies are used to maintain interagency support for the DTC now that it has been implemented?

H. Planning and Testing Feasibility of the DTC

- 1. Was a pilot project used to test the viability of the DTC? If yes, how was its success determined?
- 2. How much time was devoted to planning the DTC, including any pilot testing conducted?

I. Training

- 1. Has any interdisciplinary training been provided for staff involved in the DTC to enhance understanding of the program? If so, please describe the nature of training provided.
- 2. What training/continuing education do you feel is needed to sustain the DTC, particularly as personnel change?

J. Program Costs

- 1. What additional resources/costs, if any, have been required to plan, implement and operate the DTC program and provide DTC services?
- 2. What source(s) have been used to provide these resources/funds?

K. Criteria for Effectiveness

- 1. What criteria are used to measure the effectiveness of the DTC program?
- 2. Are recidivism rates among participants in the DTC noticeably different than those among offenders processed by traditional criminal justice procedures? If so, please describe.
- 3. Are the costs for sending an offender through the DTC noticeably different than those entailed with the traditional criminal justice process? If so, please describe.
- 4. Have any evaluation reports on the DTC been published? If so, please attach a copy. If they are not available, please briefly summarize the results reported.

L. Broader Impact of the DTC

1. What benefit(s), if any, do you feel the DTC provides to the community?
2. Has your city or municipality been involved with the planning and/ or implementation of the DTC? If so, please describe the involvement.

M. Unanticipated Issues That Have Developed

1. Have any unanticipated issues developed since implementing the DTC? If so, please briefly describe them and indicate how they were addressed.

Other Comments:

Please return completed survey by February 15, 2010 to:

Justice Programs Office, School of Public Affairs
American University
Email: justice@american.edu

Attention: Caroline Cooper

With an electronic copy to: Antonio Lomba at: Alomba@oas.org

Thank you for completing this survey. We will recognize each contributor's response in the publication as well as send you a draft compilation of all of the responses shortly.

THE ORGANIZATION OF AMERICAN STATES

The Organization of American States (OAS) is the world's oldest regional organization, dating back to the First International Conference of American States, held in Washington, D.C., from October 1889 to April 1890. At that meeting the establishment of the International Union of American Republics was approved. The Charter of the OAS was signed in Bogotá in 1948 and entered into force in December 1951. The Charter was subsequently amended by the Protocol of Buenos Aires, signed in 1967, which entered into force in February 1970; by the Protocol of Cartagena de Indias, signed in 1985, which entered into force in November 1988; by the Protocol of Managua, signed in 1993, which entered into force on January 29, 1996; and by the Protocol of Washington, signed in 1992, which entered into force on September 25, 1997. The OAS currently has 35 member states. In addition, the Organization has granted permanent observer status to 63 states, as well as to the European Union.

The essential purposes of the OAS are: to strengthen peace and security in the Hemisphere; to promote and consolidate representative democracy, with due respect for the principle of nonintervention; to prevent possible causes of difficulties and to ensure peaceful settlement of disputes that may arise among the member states; to provide for common action on the part of those states in the event of aggression; to seek the solution of political, juridical, and economic problems that may arise among them; to promote, by cooperative action, their economic, social, and cultural development; and to achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the member states.

The Organization of American States accomplishes its purposes by means of: the General Assembly; the Meeting of Consultation of Ministers of Foreign Affairs; the Councils (the Permanent Council and the Inter-American Council for Integral Development); the Inter-American Juridical Committee; the Inter-American Commission on Human Rights; the General Secretariat; the specialized conferences; the specialized organizations; and other entities established by the General Assembly.

The General Assembly holds a regular session once a year. Under special circumstances it meets in special session. The Meeting of Consultation is convened to consider urgent matters of common interest and to serve as Organ of Consultation under the Inter American Treaty of Reciprocal Assistance (Rio Treaty), the main instrument for joint action in the event of aggression. The Permanent Council takes cognizance of such matters as are entrusted to it by the General Assembly or the Meeting of Consultation and implements the decisions of both organs when their implementation has not been assigned to any other body; it monitors the maintenance of friendly relations among the member states and the observance of the standards governing General Secretariat operations; and it also acts provisionally as Organ of Consultation under the Rio Treaty. The General Secretariat is the central and permanent organ of the OAS. The headquarters of both the Permanent Council and the General Secretariat are in Washington, D.C.

MEMBER STATES: Antigua and Barbuda, Argentina, The Bahamas (Commonwealth of), Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica (Commonwealth of), Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, United States, Uruguay, and Venezuela.



Organization of
American States

Inter-American Drug Abuse Control Commission (CICAD)
Secretariat for Multidimensional Security (SMS)



To complete the new website, there have been 224 new pages created.

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EU-LAC DRUG TREATMENT CITY PARTNERSHIPS
EU-LAC ALIANZA DE CIUDADES EN TRATAMIENTO DE DROGAS

Group 1	Events	Exchanges
<ul style="list-style-type: none"> • Lima, Spain 09 (1st) • Sevilla, España 09 (W) • Tucumán, Argentina 09 (W) • Ghent, Belgium 09 (W) • Göteborg, Sweden 09 (W) • S. José, Costa Rica 09 (W) • Santiago, Chile 09 (W) • Montego Bay, Jamaica 09 (W) • Montevideo, Uruguay 09 (W) • Washington, D.C. 09 (W) 	<ul style="list-style-type: none"> • Cites • Background • Discourse • Benefits • Actions • Calendar • Report 	<ul style="list-style-type: none"> • Santiago, Chile 09 (1st) (ESP) • Montego Bay, Jamaica 09 (1st) (ESP) • Lima, Peru 09 (1st) (ESP) • Lima, Peru 09 (2nd) (ESP) • Lima, Peru 09 (3rd) (ESP) • Lima, Peru 09 (4th) (ESP) • Lima, Peru 09 (5th) (ESP) • Lima, Peru 09 (6th) (ESP) • Lima, Peru 09 (7th) (ESP) • Lima, Peru 09 (8th) (ESP) • Lima, Peru 09 (9th) (ESP) • Lima, Peru 09 (10th) (ESP) • Lima, Peru 09 (11th) (ESP) • Lima, Peru 09 (12th) (ESP) • Lima, Peru 09 (13th) (ESP) • Lima, Peru 09 (14th) (ESP) • Lima, Peru 09 (15th) (ESP) • Lima, Peru 09 (16th) (ESP) • Lima, Peru 09 (17th) (ESP) • Lima, Peru 09 (18th) (ESP) • Lima, Peru 09 (19th) (ESP) • Lima, Peru 09 (20th) (ESP) • Lima, Peru 09 (21st) (ESP) • Lima, Peru 09 (22nd) (ESP) • Lima, Peru 09 (23rd) (ESP) • Lima, Peru 09 (24th) (ESP) • Lima, Peru 09 (25th) (ESP) • Lima, Peru 09 (26th) (ESP) • Lima, Peru 09 (27th) (ESP) • Lima, Peru 09 (28th) (ESP) • Lima, Peru 09 (29th) (ESP) • Lima, Peru 09 (30th) (ESP) • Lima, Peru 09 (31st) (ESP) • Lima, Peru 09 (32nd) (ESP) • Lima, Peru 09 (33rd) (ESP) • Lima, Peru 09 (34th) (ESP) • Lima, Peru 09 (35th) (ESP) • Lima, Peru 09 (36th) (ESP) • Lima, Peru 09 (37th) (ESP) • Lima, Peru 09 (38th) (ESP) • Lima, Peru 09 (39th) (ESP) • Lima, Peru 09 (40th) (ESP) • Lima, Peru 09 (41st) (ESP) • Lima, Peru 09 (42nd) (ESP) • Lima, Peru 09 (43rd) (ESP) • Lima, Peru 09 (44th) (ESP) • Lima, Peru 09 (45th) (ESP) • Lima, Peru 09 (46th) (ESP) • Lima, Peru 09 (47th) (ESP) • Lima, Peru 09 (48th) (ESP) • Lima, Peru 09 (49th) (ESP) • Lima, Peru 09 (50th) (ESP) • Lima, Peru 09 (51st) (ESP) • Lima, Peru 09 (52nd) (ESP) • Lima, Peru 09 (53rd) (ESP) • Lima, Peru 09 (54th) (ESP) • Lima, Peru 09 (55th) (ESP) • Lima, Peru 09 (56th) (ESP) • Lima, Peru 09 (57th) (ESP) • Lima, Peru 09 (58th) (ESP) • Lima, Peru 09 (59th) (ESP) • Lima, Peru 09 (60th) (ESP) • Lima, Peru 09 (61st) (ESP) • Lima, Peru 09 (62nd) (ESP) • Lima, Peru 09 (63rd) (ESP) • Lima, Peru 09 (64th) (ESP) • Lima, Peru 09 (65th) (ESP) • Lima, Peru 09 (66th) (ESP) • Lima, Peru 09 (67th) (ESP) • Lima, Peru 09 (68th) (ESP) • Lima, Peru 09 (69th) (ESP) • Lima, Peru 09 (70th) (ESP) • Lima, Peru 09 (71st) (ESP) • Lima, Peru 09 (72nd) (ESP) • Lima, Peru 09 (73rd) (ESP) • Lima, Peru 09 (74th) (ESP) • Lima, Peru 09 (75th) (ESP) • Lima, Peru 09 (76th) (ESP) • Lima, Peru 09 (77th) (ESP) • Lima, Peru 09 (78th) (ESP) • Lima, Peru 09 (79th) (ESP) • Lima, Peru 09 (80th) (ESP) • Lima, Peru 09 (81st) (ESP) • Lima, Peru 09 (82nd) (ESP) • Lima, Peru 09 (83rd) (ESP) • Lima, Peru 09 (84th) (ESP) • Lima, Peru 09 (85th) (ESP) • Lima, Peru 09 (86th) (ESP) • Lima, Peru 09 (87th) (ESP) • Lima, Peru 09 (88th) (ESP) • Lima, Peru 09 (89th) (ESP) • Lima, Peru 09 (90th) (ESP) • Lima, Peru 09 (91st) (ESP) • Lima, Peru 09 (92nd) (ESP) • Lima



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CREATION OF THE EU-LAC CITY PARTNERSHIP IN DRUG DEMAND REDUCTION

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In the presence of the Mayors of Coimbra (Portugal), Lugo (Spain), Roseau (Commonwealth of Dominica), Colon (El Salvador), the President of Lambayeque (Peru), the Deputy Mayors of Goteborg (Sweden) and Segovia (Spain), national, regional and municipal authorities, and representatives of international organizations, we hereby create the new EU-LAC CITY PARTNERSHIP IN DRUG DEMAND REDUCTION, to cover all areas of drug and alcohol abuse prevention, treatment and rehabilitation.



THROUGH THIS ALLIANCE, WE AGREE TO:

- Continue the efforts made by the cities and countries engaged in the EU-LAC initiative, and expand action in our cities in the area of drug demand reduction and violence prevention.
- Welcome the inclusion of other cities and stakeholders that may in the future wish to join this effort.
- Strengthen our capacities as cities to conduct assessments of the status of drug abuse and dependence in our environments.
- Continue to strengthen inter-agency relations among those authorities, governments and entities responsible for coordination of drug strategies and policies at the local, regional and national levels, thus making for an improved service to our constituents and citizens.
- Forge links with universities and research institutions that can help in the development of our local policies, so that our authorities and institutions can make appropriate plans and carry out evidence-based programs to address the drug problem.
- Engage the media to raise awareness about the local drug problem, and increase community participation in the construction of drug policies.
- Promote the inclusion of the drug issue in local policy agendas, and encourage collaboration among local, national, regional and international entities and associations working on the drug problem.
- Meet as a City Partnership at least once a year in the country that holds the Chair of the Partnership (on a rotating basis each year), beginning in Lambayeque, Peru in 2011. Lambayeque-DEVIDA (Peru) offer to take on the national and local coordination of the meeting and serve as the first Chair.

Webinars:

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EU-LAC DRUG TREATMENT CITY PARTNERSHIPS
EU-LAC ALIANZA DE CIUDADES EN TRATAMIENTO DE DROGAS

Project Description:

The European Commission's Latin American Regional Strategy calls for increased attention to non-culturally adapted and socially excluded populations who require accurate drug treatment and rehabilitation services. Demonstration of policies, plans and projects to the local level and improved measures of local confidence and self-reliance are vital to all crime management strategies. The regional drug steering for the Caribbean under the European Development Fund also highlights the importance of addressing demand reduction issues in the region. The project will strengthen a single primary prevention strategy for all social classes of Latin America, and will focus on non-culturally adapted drug use.

CICAD's continued program in the area of drug treatment, detailed below, aims to assist the development of drug treatment and rehabilitation programs in the region. The project will strengthen a single primary prevention strategy for all social classes of Latin America, and will focus on non-culturally adapted drug use.

CICAD will promote the regulatory, good governance approach to the management of demand reduction for improved drug treatment and rehabilitation.

Identify center of potential needs in drug treatment and rehabilitation in EU and LAC cities

Benefit: improve practices and training in drug treatment and rehabilitation at the municipal level

Urban crime and the criminal drug abuse and dependency problems and related health and social harms are linked largely by the criminal justice system.

Indigenous and non-indigenous populations in the region have a long history of drug use. The social and economic conditions in the region have led to a high level of drug use. The project will promote the regulatory, good governance approach to the management of demand reduction for improved drug treatment and rehabilitation.

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EU-LAC ALIANZA DE CIUDADES EN TRATAMIENTO DE DROGAS

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CICAD's pre-identified program is to be a model of drug treatment, detailed below. It will focus on creating regulations and the personnel regulation. Authorities over drug treatment, helping Latin American states to create the types of drug treatment and rehabilitation programs available and addressing the need for integration of drug treatment programs into the criminal justice system. Through this project, CICAD will promote the regulatory, good governance approach to the municipal level and encourage local authority for improved drug treatment and rehabilitation.

Identify center of perceived needs in drug treatment and rehabilitation in EU and LAC cities

Benefit: improve practices and training in drug treatment and rehabilitation at the municipal level

greater attention to the children, drug abuse and dependency problems and related health and social harms are treated largely by NGOs and the family.

Indigenous people will see a great increase in their health and education levels. This will lead to a broad range of work which does not meet the social needs of drug-dependent individuals. In the same time, the government health care services particularly at the local level, generally do not have sufficient authority to diagnose and treat health problems related to drugs. The project will contribute to a number of the local government and provide opportunities for the exchange of best practices.

Benefits of cross-learning by EU and LAC cities

EU countries and regions have in recent considerable investment in drug treatment, rehabilitation and "recovery" programs and research. Their expertise and experience will be of significant help to drug treatment providers in the participating city in LAC. At the same time, particularly at regional levels, LAC countries have considerable experience with the treatment and rehabilitation of substance and mental health problems, such as alcohol and drug abuse, which will lead to a number of solutions to EU cities that may be experiencing similar problems.

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EU-LAC DRUG TREATMENT CITY PARTNERSHIPS
EU-LAC ALIANZA DE CIUDADES EN TRATAMIENTO DE DROGAS

Collaborative Action 1

Legislating Drug Treatment Policies and Law-Enforcement Cooperation

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Benefits of cross-learning by EU and LAC cities

EU countries and regions have in recent considerable investment in drug treatment, rehabilitation and "recovery" programs and research. Their expertise and experience will be of significant help to drug treatment providers in the participating city in LAC. At the same time, particularly at regional levels, LAC countries have considerable experience with the treatment and rehabilitation of substance and mental health problems, such as alcohol and drug abuse, which will lead to a number of solutions to EU cities that may be experiencing similar problems.



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EU-LAC Alliance Creation

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CREATION OF THE EU-LAC CITY PARTNERSHIP IN DRUG DEMAND REDUCTION

In the framework of the COIMBRA FORUM, held in Coimbra, Portugal (September 2010), and as a follow-up to the DECLARATION OF LUGO ON THE PREVENT AND TREATMENT OF DRUG USE AND DEPENDENCE approved in Lugo, Spain (April 2010) as part of the EU-LAC Drug Treatment City Partnerships, a project carried out by the Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security of the Organization of American States (OAS), with financing from the European Commission,

In the presence of the Mayors of Coimbra (Portugal), Lugo (Spain), Roseau (Commonwealth of Dominica), Colon (El Salvador), the President of Lambayeque (Peru), the Deputy Mayors of Goteborg (Sweden) and Segovia (Spain), national, regional and municipal authorities, and representatives of international organizations, we hereby create the new EU-LAC CITY PARTNERSHIP IN DRUG DEMAND REDUCTION, to cover all areas of drug and alcohol abuse prevention, treatment and rehabilitation.



THROUGH THIS ALLIANCE, WE AGREE TO:


- Continue the efforts made by the cities and countries engaged in the EU-LAC initiative, and expand action in our cities in the area of drug demand reduction and violence prevention.
- Welcome the inclusion of other cities and stakeholders that may in the future wish to join this effort.
- Strengthen our capacities as cities to conduct assessments of the status of drug abuse and dependence in our environments.
- Continue to strengthen inter-agency relations among those authorities, governments and entities responsible for coordination of drug strategies and policies at the local, regional and national levels, thus making for an improved service to our constituents and citizens.
- Forge links with universities and research institutions that can help in the development of our local policies, so that our authorities and institutions can make appropriate plans and carry out evidence-based programs to address the drug problem.
- Engage the media to raise awareness about the local drug problem, and increase community participation in the construction of drug policies.
- Promote the inclusion of the drug issue in local policy agendas, and encourage collaboration among local, national, regional and international entities and associations working on the drug problem.
- Meet as a City Partnership at least once a year in the country that holds the Chair of the Partnership (on a rotating basis each year), beginning in Lambayeque, Peru in 2011. Lambayeque-DEVIDA (Peru) offer to take on the national and local coordination of the meeting and serve as the first Chair.

Webminars:


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- Contact Us

Bertha K. Madras, Department of Psychiatry, Harvard Medical School
Former Deputy Director Demand Reduction, White House Office of National Drug Control Policy



Drug dependence: a health and social issue




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INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION
CICAD
 Secretaría de Seguridad Multidimensional

BRICS SUMMIT EUROPE, LATIN AMERICA AND CARIBBEAN AMERICA AND OCEANIA
 April 23 - 25, 2023
 Bogotá, Spain

DEA/INL/INL-1
 CONVENIO ALICIA/1816
 18 Mayo 2022
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INTERVENCIÓN
 Bertha Madras, PhD
 Profesora de Psicología, Facultad de Medicina
 Harvard University

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Webinars and Self-Training

Bertha K. Madras, Inter-American Development Bank



Translating approaches to drug demand reduction: Different perspectives from international entities



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COMISIÓN DE SEGURIDAD PARA EL EQUIPO DEL MUNDO DE BRASIL
CICAD
 Secretaría de Seguridad Multidimensional

DEBATE DE ALACER, ALACER Y ALACER DE EUROPA, AMÉRICA Y EL CARIBE
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Organization of
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***Establishing Drug Treatment Courts: Strategies, Experiences and
Preliminary Outcomes***

**APPENDIX OF ADDITIONAL SUPPORTING MATERIALS
Volume Two (2010)**

Justice Programs Office, School of Public Affairs, American University

Caroline S. Cooper

Brent Franklin

Tiffany Mease

Prepared for Drugs Summit: European, Latin American and Caribbean Mayors and Cities

April 21 -23, 2010 Lugo, Spain

Inter-American Drug Abuse Control Commission (CICAD)

Secretariat for Multidimensional Security (SMS)



Institute for International Research on Criminal Policy
Universität Göttingen



Establishing Drug Treatment Courts: Strategies, Experiences and Preliminary Outcomes

VOLUME TWO:

Appendix of Additional Supporting Materials

April 2010

Justice Programs Office, School of Public Affairs, American University

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This publication was drafted by the Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security of the Organization of American States (OAS); the Justice Programs Office, School of Public Affairs, American University; the Institute for International Research on Criminal Policy (IRCP), Universiteit Gent; the Ministerio Público of Chile (General Prosecutor's Office); and the International Association of Drug Treatment Courts (IADTC). It was developed in the framework of *the EU-LAC Drug Treatment City Partnerships*, an initiative coordinated by CICAD/SMS/OAS and funded by the European Commission. The content of this publication does not necessarily reflect the position of the EU or the OAS.

¹ Lugo City Summit. April 2010. www.lugosummit.org

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Volume Two: Appendix of Additional Supporting Materials

The materials included in this Volume are organized as follows:

- (1) Legislation and/or regulations enacted to implement the Drug Treatment Court program;
- (2) Program descriptive information provided by the respondents to the CICAD survey; and
- (3) Evaluative information provided by the respondents to the CICAD survey

In view of the growing body of documentation and diversity of materials being developed on global Drug Treatment Courts, reference should be made on an ongoing basis to the various websites on which these materials are posted. A few of them are listed below:

The International Association of Drug Treatment Courts (IADTC):
<http://iadtc.carousel30.com/iadtc-home/>

Drug Court Clearinghouse (American University Justice Programs Office) (includes information on American and international drug courts):
<http://www1.spa.american.edu/justice/project.php?ID=1>

Inter-American Drug Abuse Control Commission (CICAD) Secretariat for Multidimensional Security of the Organization of American States (OAS):
<http://www.cicad.oas.org/>

EU-LAC Drug Treatment City Partnerships:
<http://www.eulacdrugs.org/eulac/>

United Nations Office on Drugs and Crime—Drug courts page (includes many links to national and international drug courts):
<http://www.unodc.org/unodc/en/legal-tools/Drug-Treatment-Courts.html>

Country links:

Australia (New South Wales):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (Queensland):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (South Australia):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (Victoria):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Australia (Western Australia):

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

Bermuda drug treatment court:

http://www.gov.bm/portal/server.pt?open=512&objID=270&&PageID=1271&mode=2&in_hi_userid=2&cached=true

Canadian Department of Justice drug court program:

<http://www.justice.gc.ca/eng/pi/pb-dgp/prog/dtc-ttt/index.html>

Dublin (Ireland) drug treatment court office (includes contact information and links to other documents):

<http://www.courts.ie/offices.nsf/fd1b5d60ef39f31380256e43003d0107/cfaf3511b9b9639e80256e45005861cf?OpenDocument>

Judges who are interested in developing DTC programs may also find useful the “Solution-Focused Judging Bench Book” by Michael S. King, published by the Australasian Institute of Judicial Administration, Inc. (2009) and available at:

<http://www.aija.org.au/Solution%20Focused%20BB/SFJ%20BB.pdf>

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Jamaica

The Drug Court (Treatment and Rehabilitation of Offenders) Act, 1999

The Drug Court (Treatment and Rehabilitation of Offenders) Regulations, 2000

The Drug Court Act, 1999

Norway

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AUSTRALIA:



New South Wales

Drug Court Act 1998 No 150

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New South Wales

Drug Court Act 1998 No 150

Act No 150, 1998

An Act to provide for the establishment of the Drug Court of New South Wales, for the referral of drug offenders to the Drug Court, and for the supervision of drug programs by the Drug Court; and for other purposes.
[Assented to 8 December 1998]

The Legislature of New South Wales enacts:

Part 1 Preliminary

1 Name of Act

This Act is the *Drug Court Act 1998*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Objects

- (1) The object of this Act is to reduce the level of criminal activity that results from drug dependency.
- (2) This Act achieves that object by establishing a scheme under which drug dependent persons who are charged with criminal offences can be diverted into programs designed to eliminate, or at least reduce, their dependency on drugs.
- (3) Reducing a person's dependency on drugs should reduce the person's need to resort to criminal activity to support that dependency and should also increase the person's ability to function as a law abiding citizen.

4 Definitions

- (1) In this Act:

court includes a Magistrate or Justice.

Drug Court mean the Drug Court of New South Wales constituted by this Act.

drug offender means a person who has been convicted and sentenced by the Drug Court under section 7.

eligible person is defined in section 5.

exercise a function includes perform a duty.

function includes a power, authority or duty.

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eligible person is defined in section 5.

exercise a function includes perform a duty.

function includes a power, authority or duty.

initial sentence, in relation to a person who is convicted and sentenced under section 7, means the sentence imposed on the person under section 7 (2).

Judge means a person appointed to be a Drug Court Judge, as referred to in section 20 (1).

member of staff of the Drug Court means any person appointed as an officer of the Drug Court as referred to in section 28 (1) or whose services are used by the Drug Court as referred to in section 28 (2), and includes any other person prescribed by the regulations.

program, in relation to a person who is convicted and sentenced under section 7, means the program of supervision and control that arises from the conditions accepted by the person and imposed by the Drug Court under section 7 (3) (a).

referring court, in relation to a person who has been referred to the Drug Court under section 6, means the court by which the person has been referred.

registrar means the registrar of the Drug Court.

Senior Judge means the person appointed to be the Senior Judge of the Drug Court, as referred to in section 21 (1).

suspension order, in relation to a person who is convicted and sentenced under section 7, means an order under section 7 (3) (b) by which the person's sentence is suspended for the duration of the person's program.

- (2) In this Act, a reference to the criminal jurisdiction of a Local Court includes a reference to the jurisdiction exercisable by a Magistrate, or by one or more Justices, under the *Justices Act 1902*.

5 Definition of "eligible person"

- (1) A person is an eligible person if:
- (a) the person is charged with an offence, other than an offence referred to in subsection (2), and
 - (b) the facts alleged in connection with the offence, together with the person's antecedents and any other information available to the court, indicate that it is likely that the person will, if convicted, be sentenced to imprisonment, and

- (c) the person has pleaded guilty to, or indicated that he or she intends to plead guilty to, the offence, and
 - (d) the person appears to be dependent on the use of prohibited drugs (within the meaning of the *Drug Misuse and Trafficking Act 1985*) or other drugs prescribed by the regulations, and
 - (e) the person satisfies such other criteria as are prescribed by the regulations.
- (2) A person is not an eligible person if the person is charged with:
- (a) an offence punishable under Division 2 of Part 2 of the *Drug Misuse and Trafficking Act 1985*, not being an offence that (under Part 9A of the *Criminal Procedure Act 1986*) is capable of being dealt with summarily, or
 - (b) an offence involving violent conduct or sexual assault, or
 - (c) any other offence of a kind prescribed by the regulations.

Part 2 Drug Court programs

Division 1 Acceptance into program

6 Courts may refer persons to Drug Court

- (1) This section applies to such courts and proceedings as are prescribed by the regulations.
- (2) It is the duty of a court before which a person is charged with an offence:
 - (a) to ascertain whether the person appears to be an eligible person, and
 - (b) if so, to ascertain whether the person is willing to be referred to the Drug Court to be dealt with for the offence, and
 - (c) if so, to refer the person to the Drug Court to be dealt with for the offence.
- (3) The power conferred on a court by this section is to be exercised as soon as practicable after the person is charged with the offence.

7 Persons accepted into program

- (1) This section applies to a person who has been referred to the Drug Court under section 6.
- (2) The Drug Court may, under this section, convict and sentence a person who has pleaded guilty to the offence for which the person has been referred (whether before the referring court or the Drug Court) if, and only if, it is satisfied as to each of the following matters:
 - (a) that the person is an eligible person,
 - (b) that, having regard to the person's antecedents, it would be appropriate for the person to participate in a program under this Act,
 - (c) that facilities to supervise and control the person's participation in such a program are available, and have been allocated to the person, in accordance with the guidelines prescribed by the regulations,

- (d) that the person accepts the conditions that the Drug Court proposes to impose on the person (whether immediately or at some later date) as a consequence of his or her conviction and sentence under this section,
 - (e) that the person has been informed of the Drug Court's powers under Division 2 and of the respective consequences, as regards the sentence to be imposed under section 12, of the person's compliance or non-compliance with a program.
- (3) On sentencing the person, the Drug Court:
 - (a) must make an order imposing on the person the conditions that the person has accepted as referred to in subsection (2) (d) (the person's *program*), and
 - (b) must make an order suspending execution of the sentence for the duration of the person's program (the person's *suspension order*).
- (4) A person who is convicted and sentenced by the Drug Court under this section with respect to an offence for which the person has been referred to the Drug Court under section 6 may at the same time be convicted and sentenced for any other offence to which he or she has pleaded guilty (other than an offence referred to in section 5 (2)), whether or not the person has been referred to the Drug Court under section 6 in relation to that other offence.
- (5) Nothing in this Act entitles a person to be convicted and sentenced under this section, and no appeal lies against any decision by the Drug Court not to convict or sentence a person under this section.

8 Persons not accepted into program

- (1) This section applies to a person who has been referred to the Drug Court under section 6 but whom the Drug Court has not convicted and sentenced under section 7.
- (2) The Drug Court may, under this section, convict and sentence a person who has pleaded guilty to the offence for which the person has been referred (whether before the referring court or the Drug Court) if, and only if, the person consents to being dealt with under this section.

- (3) If the person does not consent to being dealt with under this section, the Drug Court is to refer the person back to the referring court.
- (4) If the Drug Court refers a person back to the referring court, the proceedings against the person are to be continued before the referring court at a time and place specified in the order, as if:
 - (a) the person had not been referred to the Drug Court, and
 - (b) the proceedings had merely been adjourned to the time and place specified in the order.
- (5) A person who is convicted and sentenced by the Drug Court under this section with respect to an offence for which the person has been referred to the Drug Court under section 6 may at the same time be convicted and sentenced for any other offence to which he or she has pleaded guilty (other than an offence referred to in section 5 (2)), whether or not the person has been referred to the Drug Court under section 6 in relation to that other offence.

Division 2 Administration of program

9 Variation of conditions of program

- (1) The Drug Court may from time to time, in accordance with a drug offender's program, vary the program by adding new conditions to, or varying or revoking existing conditions of, the program.
- (2) No appeal lies against any decision by the Drug Court to vary a drug offender's program under this section.

10 Proceedings for non-compliance with program

- (1) If it is satisfied, on the balance of probabilities, that a drug offender has failed to comply with his or her program, the Drug Court:
 - (a) may, in accordance with the program, impose any one or more of the sanctions specified in the program as sanctions that the Court may impose on the drug offender, or
 - (b) if it is also satisfied that there is no useful purpose to be served in the drug offender's further participation in the program, may decide to terminate the program.

- (2) Without affecting the other circumstances in which a drug offender is taken to have failed to comply with his or her program, a drug offender is taken to have failed to comply with the program if the drug offender is charged before a court with an offence referred to in section 5 (2).
- (3) No appeal lies in relation to any action taken or decision made by the Drug Court under this section.

11 Termination of program

- (1) The Drug Court may terminate a drug offender's program:
 - (a) if the drug offender successfully completes the program, or
 - (b) if the drug offender requests the Drug Court to terminate the program, or
 - (c) if the Drug Court decides to terminate the program as referred to in section 10 (1) (b).
- (2) No appeal lies against the Drug Court's termination of a drug offender's program.

12 Imposition of final sentence

- (1) On terminating a drug offender's program, the Drug Court must reconsider the drug offender's initial sentence.
- (2) In reconsidering a drug offender's initial sentence, the Drug Court must take into consideration:
 - (a) the nature of the drug offender's participation in his or her program, and
 - (b) any sanctions that have been imposed on the drug offender during the program.
- (3) After reconsidering a drug offender's initial sentence, the Drug Court is to determine the drug offender's final sentence:
 - (a) by making an order setting aside the initial sentence and discharging the drug offender, either unconditionally or conditionally on his or her entering into a recognizance to be of good behaviour of the kind referred to in section 556A (1)(b) of the *Crimes Act 1900*, or

- (b) by making an order setting aside the initial sentence, deferring the passing of sentence and releasing the drug offender conditionally on his or her entering into a recognizance to be of good behaviour of the kind referred to in section 558 (1) of the *Crimes Act 1900*, or
 - (c) by making an order setting aside the initial sentence and imposing instead any sentence that it could have imposed for the offence to which the initial sentence related, or
 - (d) by making an order confirming the initial sentence.
- (4) The final sentence determined for a drug offender in relation to an offence is not to be greater than the initial sentence imposed on the drug offender in relation to that offence.
- (5) Part 15 of the *Crimes Act 1900*:
 - (a) applies to a recognizance under subsection (3) (a) in the same way as it applies to a recognizance under section 556A (1) (b) of that Act, and
 - (b) applies to a recognizance under subsection (3) (b) in the same way as it applies to a recognizance under section 558 (1) of that Act.

13 Revocation of suspension order

On sentencing a drug offender under section 12, the Drug Court is to revoke the drug offender's suspension order.

Division 3 Miscellaneous

14 Arrest warrants

- (1) If it suspects that a drug offender may have failed to comply with his or her program, the Drug Court may issue a warrant for the drug offender's arrest.
- (2) A warrant under this section authorises any police officer to arrest the drug offender and to bring the drug offender before the Drug Court to be dealt with under this Act.
- (3) The *Bail Act 1978* does not apply to a drug offender who is arrested on the authority of a warrant under this section.

15 Sentences imposed by Drug Court

- (1) The sentences that may be imposed by the Drug Court under this Part are as follows:

- (a) in the case of an indictable offence (including an indictable offence for which an election to have the offence dealt with on indictment has been duly made under Part 9A of the *Criminal Procedure Act 1986*), any penalty that could have been imposed by the District Court had the offence been dealt with on indictment by the District Court,
 - (b) in the case of a summary offence (including an indictable offence for which an election to have the offence dealt with on indictment has not been duly made under Part 9A of the *Criminal Procedure Act 1986*), any penalty that could have been imposed by a Local Court had the offence been dealt with summarily by a Local Court.
- (2) Except for the purposes of the *Criminal Appeal Act 1912*, a person sentenced by the Drug Court for an offence referred to in subsection (1)(a) is taken to have been convicted of the offence on indictment.

16 Conditions of program

- (1) The conditions of a program may allow the Drug Court to confer the following kinds of rewards on a drug offender who maintains a satisfactory level of compliance with the program:
 - (a) conferral of specified privileges,
 - (b) an appropriate change in the frequency of counselling or other treatment,
 - (c) a decrease in the degree of supervision to which the drug offender is subject,
 - (d) a decrease in the frequency with which the drug offender must undergo testing for drugs,
 - (e) a decrease in the amount of any monetary penalty payable to the Drug Court, as referred to in subsection (2) (e),
 - (f) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which the drug offender is required to attend vocational and social services.
- (2) The conditions of a program may allow the Drug Court to impose the following kinds of sanctions on a drug offender who fails to comply with the program:
 - (a) withdrawal of privileges conferred on the person, as referred to in subsection (1) (a).

- (b) an appropriate change in the frequency of counselling or other treatment,
 - (c) an increase in the degree of supervision to which the drug offender is subject,
 - (d) an increase in the frequency with which the drug offender must undergo testing for drugs,
 - (e) a requirement that the drug offender pay a monetary penalty to the Drug Court,
 - (f) a requirement that the drug offender be subjected to imprisonment in a correctional centre for up to 14 days in respect of any one failure to comply with the requirements of the order,
 - (g) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which the drug offender is required to attend vocational and social services.
- (3) Any monetary penalty payable by a drug offender, as referred to in subsection (2) (e), is recoverable by the registrar of the Drug Court as a debt in any court of competent Jurisdiction.
- (4) This section does not limit the conditions that may form part of a program apart from this section.

17 Immunity from prosecution for certain offences

A person is not liable to prosecution for any offence comprising the unlawful possession or use of drugs:

- (a) as a result of any admission made for the purposes of seeking a referral under Division 1, not being an admission of facts giving rise to an offence referred to in section 5 (2) (a), or
- (b) as a result of any admission made for the purposes of satisfying the Drug Court that the person should be accepted into a program, or
- (c) as a result of any admission made in connection with the Drug Court's supervision of his or her program,

nor may any such admission be admitted as evidence in proceedings for any offence comprising the unlawful possession or use of drugs that are brought as a result of the admission.

18 Application of Criminal Procedure Act 1986

In the application of the *Criminal Procedure Act 1986* to proceedings before the Drug Court:

- (a) the provisions of Part 6 of that Act that enable the Drug Court, when sentencing a person for one offence, to take other offences into account in determining the penalty to impose on the person do not enable the Drug Court to take into account any offence of the kind referred to in section 5 (2), and
- (b) the provisions of Part 9A of that Act are subject to such modifications (if any) as are prescribed by the regulations under this Act.

Part 3 The Drug Court

Division 1 Constitution of Drug Court

19 Constitution of Drug Court

There is constituted by this Act a court of record to be known as the Drug Court of New South Wales.

20 Judges

- (1) The Governor may, by commission under the public seal of the State, appoint as a Drug Court Judge any person who is a Judge of the District Court.
- (2) A person ceases to be a Drug Court Judge on ceasing to be a Judge of the District Court.
- (3) In this section, a reference to a Judge of the District Court includes a reference to an acting Judge of the District Court.

21 Senior Judge

- (1) The Governor may, by a person's commission as a Judge or by a subsequent commission under the public seal of the State, appoint one of the Drug Court Judges to be the Senior Judge of the Drug Court.
- (2) Subject to subsection (3), the Senior Judge holds office as Senior Judge while he or she holds office as Judge.
- (3) With the approval of the Governor, the Senior Judge may resign office as Senior Judge without resigning office as Judge.

22 Acting Senior Judge

- (1) The Minister may appoint a Judge to be acting Senior Judge during any absence from duty or vacancy in office of the Senior Judge.

- (2) An acting Senior Judge has the functions of the Senior Judge and anything done by the acting Senior Judge in the exercise of those functions has effect as if it had been done by the Senior Judge.

Division 2 Procedure of Drug Court

23 Single Judge to constitute Drug Court

All proceedings in the Drug Court, and all matters arising out of any such proceedings, are to be heard and disposed of before a Judge, who constitutes the Court.

24 Jurisdiction of Drug Court

- (1) The Drug Court has the following jurisdiction:
 - (a) the criminal jurisdiction of the District Court,
 - (b) the criminal jurisdiction of a Local Court,
 - (c) such other jurisdiction as is vested in the Drug Court by this or any other Act.
- (2) For the purpose of enabling it to exercise its jurisdiction, the Drug Court has the following functions:
 - (a) all of the functions of the District Court that are exercisable in relation to its criminal jurisdiction,
 - (b) all of the functions of a Local Court that are exercisable in relation to its criminal jurisdiction, including all the functions exercisable by a Magistrate or Justice under the *Justices Act 1902*,
 - (c) such other functions as are conferred or imposed on it by or under this or any other Act.

25 Sittings

- (1) The Drug Court is to sit at such places and times as the Senior Judge may direct.
- (2) Two or more sittings of the Drug Court may be held at the same time.

26 Court proceedings

- (1) This section applies to proceedings before the Drug Court in the exercise of its jurisdiction under this Act, but does not apply to proceedings before the Drug Court in the exercise of the criminal jurisdiction of the District Court or the criminal jurisdiction of a Local court.

- (2) Proceedings before the Drug Court are to be conducted:
 - (a) in accordance with the directions of the Judge presiding in the proceedings, and
 - (b) subject to paragraph (a), with as little formality and technicality, and with as much expedition, as the requirements of this Act and the regulations and the proper consideration of the matters before the Court permit.
- (3) The Drug Court is not bound by the rules of evidence, but may inform itself on any matter in such manner as it considers appropriate.
- (4) The Drug Court may adjourn its proceedings from time to time.

27 Rules of court

The Senior Judge may make rules of court, not inconsistent with this Act, for or with respect to any matter relating to the practice or procedure of the Drug Court, including:

- (a) any matter for or with respect to which rules may be made under the *District Court Act 1973* in relation to the criminal jurisdiction of the District Court, and
- (b) any matter for or with respect to which rules may be made under the *Justices Act 1902* in relation to the criminal jurisdiction of a Local Court.

Division 3 Administration

28 Court officers

- (1) A registrar and such other officers as are necessary for the proper administration of this Act are to be appointed under Part 2 of the *Public Sector Management Act 1988*.
- (2) Arrangements may be made for the use by the Drug Court of the services of any staff (by secondment or otherwise) or facilities of a Government department.

29 Court business

- (1) The Senior Judge is responsible for the administration of the business of the Drug Court.
- (2) The registrar may exercise:
 - (a) such of the administrative functions of the Court as are conferred or imposed on the registrar by the regulations or the rules of court, and

- (b) such of the functions of a registrar of the District Court as are relevant to the exercise by the Drug Court of the criminal jurisdiction of a District Court, and
- (c) such of the functions of a Clerk of a Local Court as are relevant to the exercise by the Drug Court of the criminal jurisdiction of a Local Court.

30 Delegation

- (1) The Senior Judge may delegate to a Judge any of the Senior Judge's functions, other than this power of delegation.
- (2) The registrar may delegate to any other officer of the Court any of the registrar's functions, other than this power of delegation.

Part 4 Miscellaneous

31 Provision of information to Drug Court

- (1) This section applies to such persons as are prescribed by the regulations for the purposes of this section, being persons who are involved in the administration of, or who provide services in connection with, a drug offender's program.
- (2) It is the duty of a person to whom this section applies:
 - (a) to promptly notify the registrar of any failure by a drug offender to comply with the drug offender's program, and
 - (b) to promptly comply with the requirements of the regulations with respect to the giving of information to the registrar.
- (3) The following provisions apply to and in respect of any information provided for the purposes of this section (*protected information*):
 - (a) the provision of the information does not constitute a breach of professional etiquette or ethics or a departure from accepted standards of professional conduct,
 - (b) no liability for defamation is incurred because of the provision of the information,
 - (c) the provision of the information does not constitute a ground for civil proceedings for malicious prosecution or for conspiracy,
 - (d) the information is not admissible in evidence in any proceedings before a court, tribunal or committee,
 - (e) a person is not compellable in any proceedings before a court, tribunal or committee to disclose the information or to produce any document that contains the information.
- (4) The provisions of subsection (3) (d) and (e) do not apply to or in respect of the provision of protected information:
 - (a) in proceedings before the Drug Court or any court hearing or determining an appeal from a decision of the Drug Court, or
 - (b) in support of, or in answer to, any charge or allegation made in proceedings against a person in relation to the person's exercise of functions under this Act.

- (5) A drug offender is taken to have authorised the communication of protected information:
 - (a) from any person to whom this section applies to the registrar, and
 - (b) from the registrar to any person to whom this section applies, and
 - (c) from any member of staff of the Drug Court to any other member of staff of the Drug Court.
- (6) A provision of any Act or law that prohibits or restricts the disclosure of information does not operate to prevent the provision of information in accordance with this section.

32 Regulations

The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular, for or with respect to:

- (a) the forms to be used for the purposes of this Act,¹ and
- (b) the fees to be charged under this Act, and
- (c) the postponement, waiver or remittal of fees charged under this Act.

33 Amendment of other Acts

Each Act referred to in Schedule 1 is amended as set out in that Schedule.

34 Savings, transitional and other provisions

Schedule 2 has effect.

35 Review of Act

- (1) The Minister is to review this Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.

- (2) The review is to be undertaken as soon as possible after the period of 2 years from the date of assent to this Act.
- (3) A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of 2 years.

Schedule 1 Amendment of other Acts

(Section 33)

1.1 Bail Act 1978 No 161

[1] Section 4 Definitions

Insert after paragraph (c) of the definition of *court* in section 4 (1):

(c1) the Drug Court, or

[2] Section 6 Grant of bail for certain periods

Insert after section 6 (g8):

(g9) the period between a person being referred to the Drug Court under section 6 of the *Drug Court Act 1998* and the person being brought before the Drug Court consequent on the referral.

(g10) the period between a person being referred back to a court under section 8 of the *Drug Court Act 1998* and the person being brought before that court consequent on the referral,

1.2 Children (Criminal Proceedings) Act 1987 No 55

Section 7 Jurisdiction of Children's Court not to be exercised by certain other courts

Insert at the end of the section:

(2) The Drug Court may not hear or determine criminal proceedings that a Children's Court has jurisdiction to hear and determine.

1.3 Criminal Appeal Act 1912 No 16

[1] Section 5AE

Insert after section 5AD:

5AE Appeals from sentences imposed by the Drug Court

- (1) Section 5AA applies to and in respect of a person convicted of an offence by the Drug Court in the exercise of its jurisdiction under Part 2 of the *Drug Court Act 1998* (in relation only to a final sentence determined by the Court under section 12 of that Act) in the same way as it applies to a person referred to in section 5AA (1).
- (2) For the purposes of this section, a reference in section 5AA to the Supreme Court is to be construed as including a reference to the Drug Court.
- (3) The power of the Court of Criminal Appeal to hear and determine an appeal under this section is to be exercised by such single judge of the Supreme Court as the Chief Justice may direct.

[2] Section 10 Time for appealing

Omit "or 5AD" from section 10 (4).

Insert instead ". 5AD or 5AE".

1.4 Criminal Procedure Act 1986 No 209

Section 20 Definitions

Insert after paragraph (d) of the definition of court in section 20 (1):

the Drug Court, or

1.5 Justices Act 1902 No 27

[1] Section 51A Effect of plea of guilty in 'committal proceedings

Insert after section 51A (6) (a):

- (a1) is being dealt with in accordance with Part 2 of the *Drug Court Act 1998*, or

[2] Section 121B No appeal in certain cases

Insert after section 121B (2):

- (3) Despite section 122, there is no appeal to the District Court in relation to any order made on the conviction of a person by the Drug Court under the provisions of the *Drug Court Act 1998*.

1.6 Search Warrants Act 1985 No 37

Section 3 Definitions

Insert "or the registrar of the Drug Court" after "Local Court" in paragraph (b) of the definition of *authorised justice*.

1.7 Victims Compensation Act 1996 No 115

Section 78 Application of Part

Insert "the Drug Court," after "the District Court," in section 78 (1) (b).

Schedule 2 Savings, transitional and other provisions

(Section 34)

Part 1 Preliminary

1 Savings and transitional regulations

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts:

this Act
- (2) Such a provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or a later day.
- (3) To the extent to which such a provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
 - (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of that publication, or
 - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of that publication.

Part 2 Provisions consequent on enactment of Drug Court Act 1998

2 Transitional provision for past offences

Part 2 applies to and in respect of an offence committed before the commencement of that Part in the same way as it applies to and in respect of an offence committed after that commencement, and so applies whether proceedings for the offence were commenced before or after that commencement.

[Minister's second reading speech made in—
Legislative Assembly on 27 October 1998
Legislative Council on 25 November 1998]



Queensland

Drug Court Act 2000

Reprinted as in force on 1 July 2008

Reprint No. 3

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This Act is reprinted as at 1 July 2008. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- use different spelling consistent with current drafting practice (s 26(2))
- use standard punctuation consistent with current drafting practice (s 27)
- use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- when provisions commenced
- editorial changes made in earlier reprints.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

Drug Court Act 2000

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Drug Court Act 2000

[as amended by all amendments that commenced on or before 1 July 2008]

An Act to provide a drug court program for intensive drug rehabilitation of drug dependent offenders

Part 1 Preliminary

1 Short title

This Act may be cited as the *Drug Court Act 2000*.

2 Commencement

This Act commences on a day to be fixed by proclamation.

3 Objects of this Act

(1) The objects of this Act are—

- (a) to reduce the level of drug dependency in the community and the drug dependency of eligible persons; and
- (b) to reduce the level of criminal activity associated with drug dependency; and
- (c) to reduce the health risks associated with drug dependency of eligible persons; and
- (d) to promote the rehabilitation of eligible persons and their re-integration into the community; and
- (e) to reduce pressure on resources in the court and prison systems.

(2) The objects are to be achieved by establishing drug courts.

4 Relationship with Penalties and Sentences Act 1992

- (1) A drug court magistrate—
 - (a) must have regard to the principles stated in the *Penalties and Sentences Act 1992*, section 9;¹ and
 - (b) may exercise the powers and make the orders a magistrate may exercise or make under that Act.
- (2) Subsection (1) applies unless a contrary intention appears.

4A Notes in text

A note in the text of this Act is part of the Act.

Part 2 Definitions and important terms

5 Definitions

The dictionary in the schedule defines particular words used in this Act.

6 Who is an *eligible person*

- (1) A person charged with an offence is an *eligible person* if—
 - (a) the person is not a person who must be dealt with as a child under the *Juvenile Justice Act 1992*; and
 - (b) the person is drug dependent and that dependency contributed to the person committing the offence; and
 - (c) it is likely the person would, if convicted of the offence, be sentenced to imprisonment; and
 - (d) the person satisfies any other criteria prescribed under a regulation.

¹ *Penalties and Sentences Act 1992*, section 9 (Sentencing guidelines)

- (2) Without limiting subsection (1)(d), the regulation may require that the person be someone who resides within a stated locality at the time—
 - (a) the person is referred for an indicative assessment; or
 - (b) the person is referred for an assessment; or
 - (c) an intensive drug rehabilitation order is made for the person.
- (3) The person is not an *eligible person* if—
 - (a) the person is serving a term of imprisonment other than a community term of imprisonment; or
 - (b) the person is the subject of a parole order that is cancelled by a parole board and the person is to serve the unexpired portion of the person's period of imprisonment; or
 - (c) a charge against the person for a disqualifying offence is pending in a court.

Note for subsection (3)(a)—

A person released on parole is taken to be still serving the sentence imposed on the person: *Corrective Services Act 2006*, section 214.

- (4) For the purpose of deciding whether a person ordered to serve a term of imprisonment under a law of another State or the Commonwealth (the *relevant law*) is a person serving a term of imprisonment for subsection (3)(a)—
 - (a) the *Corrective Services Act 2006*, section 214 applies; and
 - (b) a reference in the *Corrective Services Act 2006*, section 214 to parole includes a reference to a release under the relevant law that is similar to parole.
- (5) In this section—

parole order includes a release under a law of another State or the Commonwealth that is similar to a parole order.

7 What is a *disqualifying offence*

- (1) A *disqualifying offence* is—
-

Drug Court Act 2000

- (a) an offence of a sexual nature; or
 - (b) an offence involving violence against another person, other than an offence charged under any of the following provisions of the Criminal Code—
 - section 335
 - section 340(a), but only if the offence is the assault of another with intent to resist or prevent the lawful arrest or detention of the person or of any other person
 - section 340(b)
 - section 413.²
- (2) For section 6(3)(b), a reference in subsection (1) to a provision of the Criminal Code includes a reference to a corresponding provision of a law of another State or the Commonwealth.
- (3) For subsection (1), an offence of a sexual nature does not include an offence by a prostitute in providing prostitution, or in offering or accepting an offer to provide prostitution.
- (4) For subsection (1)(b), an offence involving violence against another person is an offence that involves any allegation of personal violence, whether as an element of the offence or as an act of violence associated with the offence.

Examples of offences involving violence other than as an element of the offence—

- operating a vehicle dangerously involving dragging a person behind the vehicle
- operating a vehicle dangerously involving intentionally colliding with another vehicle or a person
- breaching a domestic violence order involving a wilful injury

² Criminal Code, section 335 (Common assault), 340 (Serious assaults), 413 (Assault with intent to steal)

7A What is a *community term of imprisonment*

- (1) A term of imprisonment in relation to a person is a *community term of imprisonment* if the person is ordered to serve the term of imprisonment—
 - (a) by way of intensive correction in the community under an intensive correction order made under the *Penalties and Sentences Act 1992*, section 112; or
 - (b) in a similar way under an order made under a law of another State or the Commonwealth.
- (2) However, a term of imprisonment is not a *community term of imprisonment* if the order mentioned in subsection (1) was revoked and the person was committed to prison.

8 What is a *relevant offence*

- (1) Each of the following is a *relevant offence*—
 - (a) a simple offence;
 - (b) an indictable offence that may be dealt with summarily;
 - (c) a prescribed drug offence;
 - (d) another offence prescribed under a regulation that is punishable by imprisonment for a term of not more than 7 years.
- (2) A relevant offence does not include a disqualifying offence.

Part 3 Drug courts and drug court magistrates

9 Drug courts

- (1) The Governor in Council, by regulation, may declare 1 or more Magistrates Courts to be drug courts.
 - (2) A court is a drug court under subsection (1) whether or not it is constituted by a drug court magistrate.
-

- (3) However, a power of a drug court magistrate may be exercised only in a drug court.

10 Drug court magistrates

- (1) The Chief Magistrate must allocate the functions of a drug court magistrate to 1 or more magistrates.
- (2) Nothing in this Act prevents a drug court magistrate exercising the jurisdiction of a Magistrates Court at any time.

11 Functions, additional jurisdiction and powers of drug court magistrates

- (1) A drug court magistrate has the functions given by this Act.
- (2) For the performance of a drug court magistrate's functions, a drug court magistrate has jurisdiction to deal with a person appearing before the magistrate charged with a prescribed drug offence.
- (3) A drug court magistrate has power to do all things necessary or convenient to be done for the performance of the magistrate's functions.
- (4) A drug court magistrate must conduct proceedings under this Act quickly and in a way that avoids unnecessary technicalities and facilitates the fair and practical conduct of the proceedings.
- (5) In a proceeding under this Act, the drug court magistrate is not bound by the rules of evidence, but may inform himself or herself in any way the magistrate considers appropriate.

12 Other functions of drug court magistrates

- (1) This Act does not affect the application of the *Magistrates Act 1991* to a drug court magistrate.
 - (2) For example, a drug court magistrate, in addition to exercising functions as a drug court magistrate, must—
 - (a) exercise other functions as a magistrate as directed by the Chief Magistrate; and
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- (b) comply with reasonable directions given, or requirements made, by the Chief Magistrate.

Part 3A Indicative assessment of drug dependency

12A Application of pt 3A

This part applies if—

- (a) a person charged with a relevant offence appears before a magistrate in a Magistrates Court prescribed under a regulation for this section; and
- (b) the person has pleaded guilty to the offence or has indicated that he or she intends to plead guilty to the offence; and
- (c) the magistrate is satisfied the person may be drug dependent; and
- (d) the person appears, to the magistrate, to be an eligible person; and
- (e) the maximum number of active intensive drug rehabilitation orders prescribed under a regulation has not been exceeded.

12B Referral for indicative assessment

- (1) The magistrate may decide to refer the person for an indicative assessment.
 - (2) If the magistrate decides to refer the person for an indicative assessment, the magistrate may adjourn the proceedings and—
 - (a) remand the person in custody to appear before a drug court magistrate; or
 - (b) release the person on bail to appear before a drug court magistrate.
-

- (3) If the magistrate adjourns the proceedings to refer the person for an indicative assessment, the magistrate must require—
 - (a) the person to attend at the times and places decided by the chief executive (health) for an indicative assessment by an appropriately qualified health professional decided by the chief executive (health); and
 - (b) the chief executive (health) to prepare and submit to a drug court magistrate, within the time allowed by the magistrate, a report (an *indicative assessment report*) containing an indicative assessment of the person by the appropriately qualified health professional.
- (4) The magistrate may require the indicative assessment report to be given orally or in writing.
- (5) If the magistrate remands the person in custody, the chief executive (corrective services) must ensure the person—
 - (a) is assessed by an appropriately qualified health professional decided by the chief executive (health); and
 - (b) appears before a drug court magistrate to be dealt with as required by the drug court magistrate.
- (6) After the indicative assessment report is submitted to a drug court magistrate, the prosecuting authority appearing before the court and the person's legal representatives may make submissions about whether the proceedings should continue in the drug court or the matter should be dealt with by a magistrates court.

12C Indicative assessment reports

- (1) When required to do so by a magistrate, the chief executive (health) must arrange for an appropriately qualified health professional to prepare an indicative assessment report for a drug court magistrate about a stated person remanded or required to appear before the drug court magistrate.
 - (2) The indicative assessment report must be given to the drug court magistrate within the time allowed under section 12B(3) by the magistrate.
 - (3) The drug court magistrate must give a copy of the indicative assessment report to—
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- (a) the prosecuting authority that appeared before the court when the offender was referred for an indicative assessment; and
 - (b) the person's legal representatives; and
 - (c) the chief executive (corrective services).
- (4) The drug court magistrate must ensure the prosecuting authority and the person's legal representatives have sufficient time before the proceedings to consider and respond to the report.

12D Additional matters for indicative assessment report

- (1) The drug court magistrate may order that the report, or part of the report, not be shown to the person.
- (2) A report purporting to be an indicative assessment report made by an appropriately qualified health professional is evidence of the matters contained in it.
- (3) An objection must not be taken or allowed to the evidence on the ground that it is hearsay.
- (4) To remove any doubt, it is declared that this section does not limit the jurisdiction and powers of the drug court magistrate under section 11.

Part 4 Referral for assessment

13 Application of pt 4

This part applies if—

- (a) a person charged with a relevant offence appears before a drug court magistrate; and
 - (b) there is evidence the person is drug dependent.
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14 Referral to be decided as soon as practicable

- (1) The powers conferred on a drug court magistrate under this part must be exercised as soon as practicable after the person first comes before the drug court for a relevant offence.
- (2) Despite subsection (1), the powers may be exercised at any time before the court sentences the person or commits the person for trial or sentence for the offence.

15 Deciding whether to refer for assessment

- (1) The drug court magistrate must decide whether the person appears to be an eligible person.
- (2) If the person appears to be an eligible person, the drug court magistrate may decide to refer the person for assessment if satisfied—
 - (a) the person has pleaded guilty to the offence or has indicated that he or she intends to plead guilty to the offence; and
 - (b) the person is willing to be assessed for suitability for rehabilitation and to appear before a drug court magistrate to be dealt with for the offence; and
 - (c) the maximum number of active intensive drug rehabilitation orders prescribed under a regulation has not been exceeded.

16 Referral for assessment

- (1) If the drug court magistrate (the *referring magistrate*) decides to refer the person for assessment, the referring magistrate may adjourn the proceedings and—
 - (a) remand the person in custody to appear before a drug court magistrate; or
 - (b) release the person on bail to appear before a drug court magistrate.
 - (2) If the referring magistrate adjourns the proceedings, the referring magistrate must require the chief executive (corrective services) to prepare and submit to a drug court magistrate, within the time allowed by the referring
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magistrate, a pre-sentence report under the *Corrective Services Act 2006*, section 344³ that contains—

- (a) an assessment of the person's suitability for rehabilitation; and
 - (b) if the person is suitable, a proposed rehabilitation program.
- (3) Also, if the referring magistrate adjourns the proceedings, the referring magistrate must require the chief executive (health) to prepare and submit to a drug court magistrate, within the time allowed by the referring magistrate, a written report (an *assessment report*) containing an assessment of the person by an appropriately qualified health professional.
- (4) If the referring magistrate releases the person on bail, the grant of bail must be made subject to the condition that, for the purpose of preparing the pre-sentence report and assessment report, the person—
- (a) reports to an authorised corrective services officer within a stated time; and
 - (b) reports to other persons at the times and places directed by an authorised corrective services officer, including to an appropriately qualified health professional decided by the chief executive (health) for assessment.
- (5) If the referring magistrate remands the person in custody, the chief executive (corrective services) must ensure the person—
- (a) is assessed by an appropriately qualified health professional decided by the chief executive (health); and
 - (b) appears before a drug court magistrate to be dealt with as required by the drug court magistrate.

16A Assessment report

- (1) When required to do so under section 16(3) by a referring magistrate, the chief executive (health) must arrange for an appropriately qualified health professional to prepare an assessment report for a drug court magistrate about a stated

3 *Corrective Services Act 2006*, section 344 (Pre-sentence report)

person remanded or required to appear before the drug court magistrate.

- (2) The assessment report must be given to the drug court magistrate within the time allowed by the referring magistrate.
- (3) The drug court magistrate must give a copy of the assessment report to—
 - (a) the prosecuting authority that appeared before the court when the offender was referred for assessment; and
 - (b) the person's legal representatives; and
 - (c) the chief executive (corrective services).
- (4) The drug court magistrate must ensure the prosecuting authority and the person's legal representatives have sufficient time before the proceedings to consider and respond to the assessment report.

16B Additional matters for assessment report

- (1) The drug court magistrate may order that the assessment report, or part of the assessment report, not be shown to the person.
 - (2) A report purporting to be an assessment report made by an appropriately qualified health professional is evidence of the matters contained in it.
 - (3) An objection must not be taken or allowed to the evidence on the ground that it is hearsay.
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Part 5 Intensive drug rehabilitation orders

Division 1 Preliminary

17 Application of pt 5

- (1) This part applies if a person charged with a relevant offence (the *offender*) appears before a drug court magistrate—
 - (a) on proceedings adjourned under part 4; or
 - (b) if expressly provided in relation to a provision of this part, on other proceedings.
- (2) In deciding whether to make an order under this part, it does not matter whether the offence was committed before or after the commencement of this Act.

Division 2 Making an order

18 Drug court magistrate may make order only if conviction recorded

- (1) A drug court magistrate may make an intensive drug rehabilitation order for the offender for a relevant offence only if the magistrate records a conviction.
- (2) Subsection (1) also applies if the proceedings for the offence are before the magistrate other than on adjournment under part 4.

19 Making of order

A drug court magistrate may make an order (*intensive drug rehabilitation order*) for the offender for an offence if satisfied—

- (a) the offence is a relevant offence; and
 - (b) the offender is an eligible person; and
 - (c) the offender has pleaded guilty to the offence; and
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- (d) the magistrate would, apart from this Act, sentence the offender to a term of imprisonment; and
 - (e) the offence is—
 - (i) a prescribed drug offence, or an offence against the *Drugs Misuse Act 1986* that may be prosecuted summarily, for which the offender may be adequately punished with imprisonment of not more than 3 years; or
 - (ii) another offence for which the offender may be adequately punished with imprisonment of not more than 4 years; and
 - (f) the offender is not suffering from any mental condition that could prevent the offender's active participation in a rehabilitation program; and
 - (g) the maximum number of active intensive drug rehabilitation orders prescribed under a regulation has not been exceeded; and
 - (h) the facilities to supervise and control the offender's participation in a rehabilitation program are available for allocation to the offender under guidelines prescribed under a regulation; and
 - (i) there are reasonable prospects the offender would satisfactorily comply with an intensive drug rehabilitation order and it would be otherwise appropriate for an intensive drug rehabilitation order to be made, having regard to all relevant matters including, for example—
 - (i) the pre-sentence report and assessment report mentioned in section 16; and
 - (ii) whether a charge for an offence that can not be dealt with under this Act (other than a disqualifying offence) is pending in a court against the offender, and if so, the nature and seriousness of the offence and when the charge is likely to be dealt with.
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20 Contents of order

- (1) If the drug court magistrate decides to make an intensive drug rehabilitation order for the offender, the order must contain—
 - (a) an order—
 - (i) sentencing the offender to serve a term of imprisonment (the *initial sentence*); and
 - (ii) suspending the whole of the term of imprisonment under this Act; and
 - (b) the requirements of the order; and
 - (c) a rehabilitation program decided by the drug court magistrate for the offender.
- (2) For subsection (1)(a)(i), the intensive drug rehabilitation order may contain an order sentencing the offender to serve a term of imprisonment of more than 3 years only if the prosecuting authority appearing before the court and the offender have consented to the offence being prosecuted summarily on the ground that the defendant will be adequately punished on summary conviction.

21 Delaying suspension of sentence

If the drug court magistrate is satisfied sufficient grounds exist, the magistrate may—

- (a) direct that the commencement of the suspension of the sentence be delayed for not more than 15 days; and
- (b) order that the offender be detained in custody in a prison until the earlier of the following days—
 - (i) the day the chief executive (corrective services) is given a release authority in the approved form signed by the clerk of the court of a drug court;
 - (ii) the day the 15 day period ends.

Example—

The drug court magistrate is satisfied the offender requires detoxification but suitable facilities for detoxification are not immediately available.

22 Core conditions of intensive drug rehabilitation order

An intensive drug rehabilitation order is subject to the following core conditions—

- (a) the offender must not commit an offence, in or outside Queensland, during the period of the order;
- (b) the offender must notify an authorised corrective services officer of every change of the offender's place of residence or employment within 2 business days after the change happens;
- (c) the offender must not leave or stay out of Queensland without an authorised corrective services officer's permission;
- (d) the offender must comply with every reasonable direction of an authorised corrective services officer, including a direction to appear before a drug court magistrate at a stated time and place;
- (e) the offender must attend before a drug court magistrate at the times and places stated in the order.

23 Additional requirements of order

- (1) The intensive drug rehabilitation order may also contain requirements that the offender—
 - (a) make restitution, or pay compensation; and
 - (b) satisfactorily perform community service of up to 240 hours for the period stated in the order, as and when directed by an authorised corrective services officer; and
 - (c) do another thing that a drug court magistrate considers may help the offender's rehabilitation.
 - (2) A requirement to make restitution may be made for property—
 - (a) in relation to which an offence was committed; or
 - (b) taken in the course of, or in connection with, the commission of the offence.
 - (3) A requirement to pay compensation may be made—
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- (a) to a person for any loss or destruction of, damage caused to, or unlawful interference with, property—
 - (i) in relation to which an offence was committed; or
 - (ii) in the course of, or in connection with, the commission of the offence; and
 - (b) for personal injury suffered by a person, whether or not the person is the victim against whom an offence was committed, because of the commission of the offence.
- (4) In deciding whether to require the offender to perform community service under subsection (1)(b), the drug court magistrate must consider the number of hours of community service the offender has outstanding under another order and when the hours must be completed.
- (5) If the drug court magistrate decides to require the offender to perform community service under subsection (1)(b), the drug court magistrate must consider whether the offender is in a residential rehabilitation facility and is able to complete the community service.
- (6) The *Penalties and Sentences Act 1992*, part 3, division 4, does not apply to restitution or compensation under an intensive drug rehabilitation order.
- (7) The *Penalties and Sentences Act 1992*, part 5, divisions 2 and 3, do not apply to community service under an intensive drug rehabilitation order.
- (8) A requirement under subsection (1) is not a sentence within the meaning of the *Penalties and Sentences Act 1992*, section 4.

24 Contents and requirements of rehabilitation program

- (1) The intensive drug rehabilitation order must, as far as practicable, state the details of the rehabilitation program the offender must undertake, including, for example, that the offender must—
 - (a) report to, or receive visits from, an authorised corrective services officer; or
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- (b) report for drug testing to an authorised corrective services officer; or
 - (c) attend vocational education and employment courses; or
 - (d) submit to medical, psychiatric or psychological treatment.
 - (2) As part of the medical, psychiatric or psychological treatment, the offender may be required to remain at a place, and for a time, stated in the program.
 - (3) The offender's rehabilitation program must also state that a drug court magistrate may, at any time, commit the offender to a prison if, in the magistrate's opinion, the committal is necessary to facilitate—
 - (a) detoxification of the offender; or
 - (b) assessment of the offender's participation in the program.
 - (4) However, the offender must not be committed to a prison for detoxification unless the drug court magistrate is satisfied no other suitable facilities are immediately available.
 - (5) If a drug court magistrate commits an offender to prison to facilitate detoxification, the offender is committed to the prison until the earliest of the following—
 - (a) 22 days after the offender is committed to prison for detoxification;
 - (b) the chief executive (corrective services) or chief executive (health) is satisfied the offender is detoxified;
 - (c) a drug court magistrate, on the offender's application, orders the committal of the offender end.
 - (6) If an offender is committed to prison for an assessment of the offender's participation in the program, the committal must not be for more than—
 - (a) if the assessment is because the offender has failed to attend on a person or at a place as stated in the rehabilitation program—30 days; or
 - (b) otherwise—15 days.
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- (7) If a drug court magistrate commits an offender to prison under subsection (5) to facilitate detoxification, the drug court magistrate must order that after the committal ends the person must appear before a drug court magistrate at the time and place stated.
- (8) If a drug court magistrate commits an offender to prison under subsection (6) for assessment, the drug court magistrate must state that after the committal ends the offender must—
 - (a) appear before a drug court magistrate at the times and places stated; or
 - (b) attend at another place at the times stated.

25 Explaining orders

- (1) Before making an intensive drug rehabilitation order, the drug court magistrate must explain, or cause to be explained, to the offender the following matters—
 - (a) that the intensive drug rehabilitation order has 3 parts—
 - (i) the sentence of imprisonment and the suspension of the sentence; and
 - (ii) the core conditions and additional requirements of the order; and
 - (iii) the rehabilitation program;
 - (b) the purpose and effect of the order;
 - (c) what may happen if the offender does not comply with the order;
 - (d) that, subject to divisions 4 and 5, the requirements of the order or the rehabilitation program may be amended or a rehabilitation program terminated on a drug court magistrate's own initiative or on application by—
 - (i) the offender; or
 - (ii) an authorised corrective services officer; or
 - (iii) the commissioner of the police service; or
 - (iv) the director of public prosecutions.
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- (2) If the offender is charged with a prescribed drug offence, the magistrate must also explain—
 - (a) the offender would normally be dealt with in the Supreme Court for the offence; and
 - (b) the magistrate is dealing with the offender on the condition the offender successfully complete the rehabilitation program; and
 - (c) if the offender does not successfully complete the rehabilitation program, the offender will be dealt with in the Supreme Court for the offence.
- (3) The explanation must be made in language, or in a way, likely to be readily understood by the offender.

26 Offender to agree to making or amending of order

- (1) The drug court magistrate may make an intensive drug rehabilitation order for the offender only if the offender agrees to the order being made, including the core conditions, and agrees to comply with it.
- (2) The drug court magistrate may amend the requirements of an intensive drug rehabilitation order or a rehabilitation program only if the offender agrees to the order being amended and agrees to comply with it.

27 Copy of order to offender

- (1) The clerk of the court of the drug court must give the offender a copy of the intensive drug rehabilitation order.
 - (2) A copy of the core conditions must be included in, or attached to, the intensive drug rehabilitation order.
 - (3) The offender must acknowledge receipt of the copy of the intensive drug rehabilitation order in writing.
 - (4) Until subsections (1) and (3) are complied with, the offender must remain in the custody of a police officer.
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28 Multiple offences

- (1) Under section 19,⁴ the drug court magistrate (*magistrate*) may make more than 1 intensive drug rehabilitation order (*order*) for the offender for more than 1 offence.
- (2) If the magistrate makes an order for the offender in proceedings adjourned before the magistrate under part 4, the magistrate may also make an order under section 19 for the offender in relation to another relevant offence even though proceedings for the other offence are before the magistrate other than on adjournment under part 4.
- (3) However, in no case may the magistrate make more than 1 order for the offender for more than 1 offence if the total period of imprisonment for which the offender would be sentenced under section 20(a)(i)⁵ would be more than 4 years.
- (4) The orders may be included in a single form of order that specifies each offence for which an intensive drug rehabilitation order is made.

Division 3 Not making an order**29 Dealing with offenders if no intensive drug rehabilitation order made**

If the drug court magistrate decides not to make an intensive drug rehabilitation order for the offender, the magistrate must exercise the jurisdiction of a Magistrates Court and deal with the offender according to law.

Division 4 Rewards and sanctions**30 Application for reward or sanction**

A reward or sanction under this division may be given or imposed on the application of an authorised corrective

4 Section 19 (Making of order)

5 Section 20 (Contents of order)

services officer or the offender or on the drug court magistrate's own initiative.

31 Rewards

- (1) A drug court magistrate may give the following kinds of rewards to the offender if the magistrate is satisfied on the balance of probabilities the offender is satisfactorily complying with the offender's intensive drug rehabilitation order—
 - (a) stated privileges;
 - (b) a decrease in the amount of any monetary penalty payable, but not yet paid, by the offender under section 32;
 - (c) a decrease in the frequency of drug testing of the offender;
 - (d) a decrease in the level of supervision of the offender by a drug court magistrate or someone else;
 - (e) a change in—
 - (i) the nature of the vocational education and employment courses the offender attends; or
 - (ii) the nature of medical, psychiatric or psychological treatment the offender is undergoing;
 - (f) a decrease in the frequency with which the offender must attend the courses or treatment;
 - (g) a decrease in the amount of community service the offender must perform under the order.
- (2) The magistrate may, if necessary, amend the requirements of the offender's intensive drug rehabilitation order or the offender's rehabilitation program to give the reward.

32 Sanctions

- (1) A drug court magistrate may impose the following kinds of sanctions on the offender if the magistrate is satisfied on the balance of probabilities the offender is not complying with the offender's intensive drug rehabilitation order—
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- (a) the withdrawal of stated privileges;
 - (b) the imposition of a monetary penalty payable to the clerk of the court of a drug court;
 - (c) an increase in the level of supervision of the offender by a drug court magistrate or someone else;
 - (d) a change in—
 - (i) the nature of the vocational education and employment courses the offender attends; or
 - (ii) the nature of medical, psychiatric or psychological treatment the offender is undergoing;
 - (e) an increase in the frequency with which the offender must attend the courses or treatment;
 - (f) a term of imprisonment for up to 15 days for each failure to comply with the order, but not so as to impose a term of more than 22 days at any 1 hearing under this section;
 - (g) an increase in the amount of community service the offender must perform, but—
 - (i) not more than 40 hours community service for each failure to comply with the order; and
 - (ii) not so as to impose more than 40 hours community service at any 1 hearing under this section; and
 - (iii) not so as to increase the total number of hours to be performed under this section and under the order to more than 240 hours.
- (2) In deciding whether to increase the amount of community service the offender must perform under subsection (1)(g), the drug court magistrate must consider—
- (a) the number of hours of community service the offender has outstanding under another order and when the hours must be completed; and
 - (b) whether the offender is in a residential rehabilitation facility and is able to complete the community service.
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- (3) The magistrate may, if necessary, amend the requirements of the offender's intensive drug rehabilitation order or the offender's rehabilitation program to give the sanction.
- (4) A monetary penalty imposed under subsection (1)(b) is not a penalty within the meaning of the *Penalties and Sentences Act 1992*, section 4.
- (5) A term of imprisonment imposed under subsection (1)(f) is not a sentence within the meaning of the *Penalties and Sentences Act 1992*, section 4.⁶

Division 5 Amending orders and terminating rehabilitation programs

33 Amending intensive drug rehabilitation orders

- (1) A drug court magistrate may, on application under this division or on the magistrate's own initiative, amend the requirements of an intensive drug rehabilitation order or a rehabilitation program.
- (2) If the magistrate amends the order, the magistrate must give reasons.
- (3) This section is subject to section 26(2).⁷

34 Terminating rehabilitation programs

- (1) A drug court magistrate may, on application under this division or on the magistrate's own initiative, terminate a rehabilitation program decided for the offender if—
 - (a) the offender asks the magistrate to terminate the rehabilitation program; or
 - (b) if the magistrate proposes to amend the order—
 - (i) the offender does not agree to the order being amended; or

⁶ *Penalties and Sentences Act 1992*, section 4 (Definitions)

⁷ Section 26 (Offender to agree to making or amending of order)

- (ii) the offender does not agree to comply with the amended order; or
 - (c) the offender does not attend before a drug court magistrate as required under the offender's intensive drug rehabilitation order or otherwise; or
 - (d) the offender has otherwise failed to comply with the intensive drug rehabilitation order; or
 - (e) the magistrate is satisfied, on the balance of probabilities, there are not reasonable prospects of the offender satisfactorily complying with the offender's intensive drug rehabilitation order.
- (2) If the magistrate terminates the rehabilitation program, the magistrate must give reasons.
 - (3) If the magistrate terminates the rehabilitation program and the offence in relation to which the intensive drug rehabilitation order for the offender was made is a prescribed drug offence, the magistrate must—
 - (a) revoke the conviction recorded for the offence; and
 - (b) vacate the intensive drug rehabilitation order; and
 - (c) under the *Justices Act 1886*, section 113,⁸ commit the offender to the Supreme Court for sentence, even though the magistrate has not addressed the defendant as required under section 104(2).

35 Process for application to amend intensive drug rehabilitation order or terminate rehabilitation program

- (1) An application under section 33 or 34 may be made by any of the following persons—
 - (a) the offender;
 - (b) an authorised corrective services officer;
 - (c) a prosecuting authority.
- (2) The application may be made—

⁸ *Justices Act 1886*, section 113 (Procedure if defendant pleads guilty)

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- (a) if the offender is before a drug court magistrate—without notice; or
 - (b) if the offender is not before a drug court magistrate—after giving notice in the approved form and as required under subsection (3), (4), (5) or (6).
- (3) If an application is made by the offender, notice must be given by the court to the chief executive (corrective services) and the prosecutor.
 - (4) If an application is made by an authorised corrective services officer, notice must be given to the court, the offender and the prosecutor.
 - (5) If an application is made by a prosecuting authority, notice must be given to the court, the offender and the chief executive (corrective services).
 - (6) Notice under subsection (3), (4) or (5) must be given to the person at least the day before the application is to be heard before the magistrate.
 - (7) In this section—
prosecutor means the prosecuting authority that appeared before the court when the intensive drug rehabilitation order was made.

35A Inclusion of new rehabilitation program

- (1) This section applies when an offender is brought before a drug court magistrate after the offender's rehabilitation program has been terminated by a magistrate in the offender's absence for a reason mentioned in section 34(1)(c) or (d).
 - (2) Unless the offender's intensive drug rehabilitation order has been vacated under section 34(3), the drug court magistrate may amend the intensive drug rehabilitation order to include a new rehabilitation program.
 - (3) The drug court magistrate may amend the intensive drug rehabilitation order to include a new rehabilitation program only if—
 - (a) the drug court magistrate is satisfied of the matters mentioned in section 19 and is satisfied the offender has
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reasonable prospects of successfully completing the new rehabilitation program; and

- (b) the offender agrees to the order being amended and agrees to comply with it.

36 Final sentence to be decided on completion or termination of rehabilitation program

- (1) This section applies when an offender's rehabilitation program ends—
 - (a) if the offence for which the offender's intensive drug rehabilitation order was made was a prescribed drug offence—because the offender has successfully completed the rehabilitation program under the order; or
 - (b) if the offence for which the offender's intensive drug rehabilitation order was made was not a prescribed drug offence—for any reason unless a new rehabilitation program is included in the offender's intensive drug rehabilitation order under section 35A.
- (2) The magistrate must reconsider the offender's initial sentence, vacate the intensive drug rehabilitation order and impose a final sentence.
- (3) When reconsidering the initial sentence, the magistrate must consider the extent to which the offender participated in his or her rehabilitation program, including, for example—
 - (a) whether any rewards or sanctions were given to or imposed on the offender; and
 - (b) if sanctions were imposed on the offender that included the imposition of a term of imprisonment under section 32(1)(f), the number and length of the terms imposed.
- (4) The final sentence may be—
 - (a) for a prescribed drug offence—any sentence that a magistrate could impose for an offence against the *Drugs Misuse Act 1986* on proceedings taken summarily under section 13⁹ of that Act; or

9 *Drugs Misuse Act 1986*, section 13 (Certain offences may be dealt with summarily)

- (b) for any other relevant offence—any sentence that the magistrate could have imposed for the offence.

Note to subsection (4)—

See also the Criminal Code, section 552H(1)(b) for an express extension of a drug court magistrate's power to impose a maximum penalty of 4 years imprisonment on summary conviction under section 552A or 552B of the Code.

- (5) The magistrate must revoke the conviction recorded for the offence—
 - (a) if the *Penalties and Sentences Act 1992*, section 16 or 22¹⁰ applies; or
 - (b) otherwise, if the magistrate has a discretion not to record a conviction and decides not to record a conviction.
- (6) If the magistrate sentences the offender to serve a term of imprisonment with or without suspending the sentence, the term of imprisonment must not be greater than the term imposed in the initial sentence.
- (7) It is declared that in applying the *Penalties and Sentences Act 1992*, section 161,¹¹ to a sentence for a term of imprisonment imposed on an offender under this section, time spent in custody under this Act, other than under section 32(1)(f), is taken to be imprisonment already served under the sentence.

Division 6 General

36A Drug court magistrate must consider views of drug court team

- (1) This section applies if a drug court magistrate is making a decision (a *relevant decision*) about any of the following matters—

10 *Penalties and Sentences Act 1992*, section 16 (Court may make order under this division if it does not record conviction) or 22 (Court may make order under this division if it does not record conviction)

11 Section 161 has been renumbered as section 159A—see the *Corrective Services Act 2006*, section 496 and the *Acts Interpretation Act 1954*, section 14H.

- (a) whether an offender's rehabilitation program should include medical, psychiatric or psychological treatment (*health treatment*);
 - (b) what matters should be included in an offender's rehabilitation program about the offender's health treatment;
 - (c) where the offender should be placed for health treatment, including, for example, in a residential rehabilitation facility, an outpatient facility or with a particular service provider;
 - (d) how often the offender should meet with the persons providing or supervising the offender's rehabilitation program, including health treatment;
 - (e) how often the offender should appear before a drug court magistrate;
 - (f) whether or not to give a reward to, or impose a sanction on, an offender;
 - (g) whether or not an intensive drug rehabilitation order or a rehabilitation program for an offender should be amended;
 - (h) whether or not an intensive drug rehabilitation order for an offender should be terminated.
- (2) The drug court magistrate must consider the views of the members of the offender's drug court team in making the relevant decision.
- (3) In this section—
- drug court team*, for an offender, means the persons who—
- (a) act for an interested entity; and
 - (b) attend a hearing at which a relevant decision is made about the offender.
- interested entity* means any of the following—
- (a) Legal Aid (Queensland);
 - (b) a prosecuting authority;
 - (c) the department in which the *Corrective Services Act 2000* is administered;
-

Editor's note—

Corrective Services Act 2000—see the Acts Interpretation Act 1954, section 14H and Corrective Services Act 2006.

- (d) the department in which the *Health Services Act 1991* is administered.

37 Immunity from prosecution

- (1) A person is not liable to be prosecuted for an offence as a result of an admission made by the person—
 - (a) for the purposes of deciding whether the person—
 - (i) is, or appears to be, an eligible person; or
 - (ii) is suitable for rehabilitation; or
 - (b) to someone responsible for the person's supervision or treatment under this Act.
- (1A) To remove any doubt, it is declared that subsection (1) does not prevent a prosecution if there is evidence, other than the admission or evidence obtained as a result of the admission, implicating the accused.
- (2) The admission, and any evidence obtained as a result of the admission, is not admissible against the person in proceedings for an offence.
- (3) However, this section does not apply to—
 - (a) a disqualifying offence; or
 - (b) an indictable offence, other than an indictable offence mentioned in the Criminal Code, section 552B¹² or the *Drugs Misuse Act 1986*, section 13;¹³ or
 - (c) an offence committed in connection with an offence mentioned in paragraph (a) or (b).

12 Criminal Code, section 552B (Charges of indictable offences that may be dealt with summarily)

13 *Drugs Misuse Act 1986*, section 13 (Certain offences may be dealt with summarily)

38 Random drug testing

If a rehabilitation program under an intensive drug rehabilitation order includes a requirement that the offender must report for drug testing and states the frequency for the testing, an authorised corrective services officer—

- (a) may decide when and where the offender is to report; and
- (b) may require the offender to report for further random testing as directed by the officer.

39 Disclosure of compliance and related information

(1) A prescribed person—

- (a) must promptly give the chief executive (corrective services), or a drug court magistrate, any compliance information the prescribed person has about the offender; and
- (b) may enter in the drug court database any compliance information or related information the prescribed person has about the offender.

(2) Subsection (1) applies despite any Act, oath, rule of law or practice that prohibits or restricts the disclosure of information.

(3) In this section—

compliance information means any information about the offender's compliance with, or failure to comply with—

- (a) the requirements of the offender's intensive drug rehabilitation order; or
- (b) the offender's rehabilitation program.

drug court database means a database for the drug court diversion program to which only a prescribed person has access.

information includes a document.

prescribed person means a person involved in the administration of, or who provides services in connection

with, an offender's rehabilitation program who is prescribed under a regulation.

related information means any information, other than compliance information, about the offender obtained in the administration of, or in the provision of services in connection with, the offender's rehabilitation program.

39A Disclosure of relevant information

- (1) A person who is a member of a drug court team for an offender may give another member of the drug court team any relevant information the person has about the offender.
- (2) In this section—

compliance information see section 39.

drug court team, for an offender, means any of the following persons who are responsible for attending the drug court and providing reports to the drug court magistrate about the performance of the offender under the intensive drug rehabilitation order—

- (a) a corrective services officer;
- (b) a police officer;
- (c) a person employed for the purposes of the *Director of Public Prosecutions Act 1984*;
- (d) a health service employee under the *Health Services Act 1991*;
- (e) a Legal Aid employee under the *Legal Aid Queensland Act 1997*.

related information see section 39.

relevant information means—

- (a) compliance information; or
- (b) related information; or
- (c) any other information prescribed under a regulation for this section;

but does not include information to which legal professional privilege attaches.

39B Protection from liability

- (1) This section applies if—
 - (a) a person who is a health professional gives an indicative assessment report to the chief executive (health) or a drug court magistrate; or
 - (b) a person who is a health professional gives an assessment report to the chief executive (health) or a drug court magistrate; or
 - (c) a prescribed person gives the chief executive (corrective services) or a drug court magistrate compliance information under section 39; or
 - (d) a prescribed person enters compliance information or related information in the drug court database under section 39; or
 - (e) a person who is a member of a drug court team for an offender gives another member of the team relevant information under section 39A.
 - (2) The person is not liable, civilly, criminally or under an administrative process, for giving the report, or giving or entering the information, honestly and on reasonable grounds.
 - (3) Also, merely because the person gives the report, or gives or enters the information, the person can not be held to have—
 - (a) breached any code of professional etiquette or ethics; or
 - (b) departed from accepted standards of professional conduct.
 - (4) Without limiting subsections (2) and (3)—
 - (a) in a proceeding for defamation, the person has a defence of absolute privilege for publishing the report or information; and
 - (b) if the person would otherwise be required to maintain confidentiality about the report or information under an Act, oath or rule of law or practice, the person—
 - (i) does not contravene the Act, oath or rule of law or practice by giving the report or giving or entering information; and
-

- (ii) is not liable to disciplinary action for giving the report or giving or entering information.

39C Protection of personal information about offenders

- (1) This section applies if a personal information document about an offender is given to a drug court.
- (2) The clerk of the court of a drug court may give a copy of a personal information document to a person, other than the offender to whom the document relates, only if—
 - (a) the person applies to the drug court for a copy of the document; and
 - (b) the court is satisfied the person has a sufficient interest in the document; and
 - (c) the court orders the person is to be given a copy of the document.
- (3) A regulation may provide for the storage of personal information documents to ensure the confidentiality of information in the document.

Example for subsection (3)—

A regulation may provide that a medical report about an offender, kept in the offender's file, is to be stored in a sealed envelope.

- (4) This section applies despite any other Act, including the *Justices Act 1886*, section 154.
- (5) In this section—

personal information document means a document that is prescribed, under a regulation, to be a document to which this section applies.

40 Arrest warrants

- (1) A drug court magistrate may issue a warrant for the offender's arrest if the magistrate—
 - (a) reasonably suspects an offender has failed to comply with his or her rehabilitation program; or
 - (b) terminates the offender's rehabilitation program.
-

- (2) The warrant authorises any police officer to arrest the offender and to bring the offender before a drug court magistrate.
- (3) The *Bail Act 1980* does not apply to an offender who is arrested on the authority of a warrant under this section.
- (4) If the drug court magistrate decides to refer the offender for an assessment as to whether the offender should continue with the offender's intensive drug rehabilitation order or to reserve making a decision about terminating the offender's rehabilitation program, the magistrate may remand the offender in custody to appear before a drug court magistrate.
- (5) The period for which an offender may be remanded in custody is as follows—
 - (a) an initial period of not more than 30 days;
 - (b) a further period or periods of not more than 8 days.
- (6) If the drug court magistrate remands the offender in custody, the chief executive (corrective services) must ensure the person appears before a drug court magistrate to be dealt with as required by the drug court magistrate.
- (7) The clerk of the court of a drug court may perform the magistrate's functions under subsection (1).

41 Warrants of commitment

- (1) A drug court magistrate may issue a warrant of commitment for the purposes of section 21 or 32(1)(f).¹⁴
- (2) The clerk of the court of a drug court may perform the magistrate's functions under subsection (1).

42 When no appeal

- (1) An appeal does not lie against—
 - (a) an initial sentence; or
 - (b) a decision to do or not to do any of the following—

¹⁴ Section 21 (Delaying suspension of sentence) or 32 (Sanctions)

- (i) remand a person to appear before a drug court magistrate;
 - (ii) make an intensive drug rehabilitation order for a person;
 - (iii) amend an intensive drug rehabilitation order or terminate a rehabilitation program for an offender;
 - (iv) give a reward to or impose a sanction on an offender.
- (2) Subsection (1) applies despite the *Justices Act 1886*, section 222 and the Criminal Code, chapter 67.¹⁵

42A Application of Penalties and Sentences Act 1992, s 188

To remove any doubt, it is declared that the *Penalties and Sentences Act 1992*, section 188 applies to initial sentences and final sentences imposed under this Act.

Part 6 General

43 Regulation-making power

- (1) The Governor in Council may make regulations under this Act.
- (2) A regulation prescribing the maximum number of active intensive drug rehabilitation orders may prescribe the maximum number of active intensive drug rehabilitation orders applicable for persons who reside within a stated locality.
- (3) A regulation may prescribe guidelines for drug courts or a particular drug court.

¹⁵ *Justices Act 1886*, section 222 (Appeal to a single judge) and Criminal Code, chapter 67 (Appeal—pardon)

- (4) Without limiting subsection (3), a regulation may prescribe guidelines for drug courts or a particular drug court about the following matters—
- (a) the requirements of an intensive drug rehabilitation order;
- Example—*
- the maximum number of attendances ordinarily required before a drug court magistrate during a particular period
- (b) the contents and requirements of a rehabilitation program;
- Example—*
- the maximum number of times an offender must ordinarily report for drug testing during a particular period
- (c) the ordinary requirements for successful completion of a rehabilitation program.
- (5) A regulation may prescribe the minimum frequency with which offenders must be drug tested under the offenders' intensive drug rehabilitation orders.

44 Approved forms

The chief executive may approve forms for this Act.

Part 7 Transitional provisions

Division 1 Transitional provision for Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002

46A Transitional provisions for Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002

- (1) Sections 6 and 19,¹⁶ as in force immediately before the commencement of this subsection, continue to apply in relation to an intensive drug rehabilitation order made before the commencement.
- (2) The release under section 16(1)¹⁷ during the transitional period of a person on bail subject to a condition that the person report to persons at the times and places directed by a community correctional officer is taken instead to have been subject to a condition that the person report to persons at the times and places directed by a corrective services officer.
- (3) In this section—
transitional period means the period beginning on 1 July 2001 and ending immediately before the commencement of subsection (2).

Division 2 Transitional provisions for Drug Legislation Amendment Act 2006

47 Definition for div 2

In this division—

commencement means the commencement of this division.

16 Sections 6 (Who is an *eligible person*) and 19 (Making of order)

17 Section 16 (Referral for assessment)

48 References to Act

In an Act or document, a reference to the *Drug Rehabilitation (Court Diversion) Act 2000* may, if the context permits, be taken as a reference to this Act.

49 Transitional provision for courts

A Magistrate Court that was, immediately before the commencement, declared to be a pilot program court is, on the commencement, taken to be a drug court.

50 Transitional provision for magistrates

A magistrate who, immediately before the commencement, had been allocated the functions of a pilot program magistrate is, on the commencement, taken to have been allocated the functions of a drug court magistrate.

51 Transitional provision for proceedings

If proceedings before a pilot program court had been started but not finished before the commencement, the proceedings may continue as if they had been started after the commencement.

Schedule Dictionary

section 5

active intensive drug rehabilitation order means an intensive drug rehabilitation order other than—

- (a) an intensive drug rehabilitation order, the rehabilitation program for which has been terminated under section 34; or
- (b) an intensive drug rehabilitation order that has been vacated.

appropriately qualified, for a health professional, means having the qualifications or experience to carry out an indicative assessment or assessment of a person.

approved form see section 44.

assessment, of a person, means an assessment of the following to help decide the person's capacity to undertake treatment—

- (a) the person's physical and mental health;
- (b) the person's past and present drug dependency and drug use;
- (c) the treatment options appropriate for the person.

assessment report see section 16(3).

authorised corrective services officer see *Penalties and Sentences Act 1992*, section 4A.¹⁸

chief executive (health) means the chief executive of the department in which the *Health Services Act 1991* is administered.

community service means any activity declared by the chief executive (corrective services) to be community service for

¹⁸ *Penalties and Sentences Act 1992*, section 4A (Meaning of *authorised corrective services officer*)

Schedule (continued)

the *Corrective Services Act 2006* or the *Penalties and Sentences Act 1992*.

community term of imprisonment see section 7A.

core condition, of an intensive drug rehabilitation order, means a condition mentioned in section 22.

corrective services officer see the *Corrective Services Act 2006*.

corresponding provision means a corresponding provision of a law of another State or the Commonwealth.

disqualifying offence see section 7.

drug means—

- (a) a dangerous drug within the meaning given by the *Drugs Misuse Act 1986*; or
- (b) another drug prescribed under a regulation.

drug court means a Magistrates Court declared to be a drug court under section 9.

drug court magistrate means a magistrate to whom functions are allocated under section 10(1).

eligible person see section 6.

health professional has the meaning given by the *Health Services Act 1991*, section 60.

health service facility means a place at which a health service, within the meaning of the *Health Services Act 1991*, section 3, is provided.

indicative assessment, of a person, means an assessment as to whether the person is drug dependent.

indicative assessment report see section 12B.

initial sentence see section 20(a)(i).

intensive drug rehabilitation order see section 19.

offender see section 17.

Schedule (continued)

period of imprisonment means the unbroken duration of imprisonment that an offender is to serve for 2 or more terms of imprisonment, whether—

- (a) ordered to be served concurrently or cumulatively; or
- (b) imposed at the same time or different times;

and includes a term of imprisonment.

prescribed drug offence means an offence under the *Drugs Misuse Act 1986*—

- (a) for which the maximum penalty is 20 years imprisonment; and
- (b) that is prescribed under a regulation.

prison means a prison within the meaning of the *Corrective Services Act 2006*.

prosecuting authority means the commissioner of the police service or the director of public prosecutions.

referring magistrate see section 16(1).

rehabilitation program means a rehabilitation program under an intensive drug rehabilitation order.

relevant offence see section 8.

term of imprisonment means the duration of imprisonment imposed for a single offence.

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2008. Future amendments of the Drug Court Act 2000 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	13 June 2000	7 July 2000
1A	2000 Act No. 46	25 October 2000	8 November 2000
1B	2000 Act No. 58	17 November 2000	27 November 2000

Reprint No.	Amendments included	Effective	Notes
1C	2002 Act No. 23	19 July 2002	
1D	2002 Act No. 41	25 October 2002	
2	2003 Act No. 55	18 September 2003	
2A rv	2004 Act No. 43	3 December 2004	
2B	2006 Act No. 8	3 July 2006	
2C	2006 Act No. 29	28 August 2006	
2D	2007 Act No. 37	28 September 2007	
3	2007 Act No. 37	1 July 2008	

5 List of legislation

Drug Court Act 2000 No. 3 (prev Drug Rehabilitation (Court Diversion) Act 2000)

date of assent 8 March 2000

ss 1–2 commenced on date of assent

remaining provisions commenced 13 June 2000 (2000 SL No. 103)

amending legislation—

Statute Law (Miscellaneous Provisions) Act 2000 No. 46 ss 1, 3 sch

date of assent 25 October 2000

commenced on date of assent

Justice and Other Legislation (Miscellaneous Provisions) Act 2000 No. 58 ss 1–2 sch

date of assent 17 November 2000

s 2 sch amdt 4 commenced on date of assent (amdt could not be given effect)

remaining provisions commenced on date of assent

Criminal Law Amendment Act 2002 No. 23 ss 1, 2(3), pt 5

date of assent 23 May 2002

ss 1–2 commenced on date of assent

remaining provisions commenced 19 July 2002 (2002 SL No. 157)

Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002 No. 41

date of assent 12 September 2002

ss 1–2 commenced on date of assent

remaining provisions commenced 25 October 2002 (2002 SL No. 279)

Evidence (Protection of Children) Amendment Act 2003 No. 55 pts 1, 9A

date of assent 18 September 2003

commenced on date of assent

Justice and Other Legislation Amendment Act 2004 No. 43 pts 1, 9, s 3 sch

date of assent 18 November 2004

ss 1–2 commenced on date of assent

remaining provisions commenced 3 December 2004 (2004 SL No. 263)

Drug Legislation Amendment Act 2006 No. 8 pts 1–2

date of assent 15 March 2006

ss 1–2 commenced on date of assent

remaining provisions commenced 3 July 2006 (2006 SL No. 151)

Corrective Services Act 2006 No. 29 ss 1, 2(2), 518 sch 3

date of assent 1 June 2006

ss 1–2 commenced on date of assent

s 518 sch 3 amds 5, 6 and 8 (to the extent it amds def “corrective services office”)

commenced 28 August 2006 (amds could not be given effect)

remaining provisions commenced 28 August 2006 (2006 SL No. 213)

Justice and Other Legislation Amendment Act 2007 No. 37 pts 1, 11, s 51 sch

date of assent 29 August 2007

ss 1–2 commenced on date of assent

ss 52–61 commenced 1 July 2008 (2008 SL No. 197)

remaining provisions commenced 28 September 2007 (2007 SL No. 241)

6 List of annotations**Title** sub 2006 No. 8 s 4**Short title**

s 1 sub 2006 No. 8 s 5

Objects of this Act

s 3 sub 2006 No. 8 s 6

Relationship with Penalties and Sentences Act 1992

s 4 amd 2006 No. 8 s 7

Notes in text

s 4A ins 2002 No. 41 s 4

Who is an “eligible person”

s 6 amd 2002 No. 41 s 5; 2006 No. 8 s 8; 2006 No. 29 s 518 sch 3; 2007 No. 37 s 52

BERMUDA:

DRUG TREATMENT PROGRAMMES

Drug treatment programmes

68 (1) There is established a special magistrates court to be known as the Drug Treatment Court.

(2) The Chief Justice may designate any magistrate as a judge of the Drug Treatment Court.

(3) Where an accused other than a corporation—

(a) pleads guilty to or is found guilty of an offence;

(b) appears to the court to satisfy the eligibility criteria; and

(c) is willing to undergo an assessment by a qualified person to determine his suitability for a drug treatment programme,

the court may by order direct the offender to appear before the Drug Treatment Court.

(4) The Drug Treatment Court on being satisfied—

- (a) that the offender is suitable for enrollment in a drug treatment programme;
- (b) that it is in the best interests of the offender that he be enrolled in such programme; and
- (c) that the offender agrees to be enrolled in such programme,

may, instead of convicting the offender, order that he be enrolled in a drug treatment programme of such description, for such period and subject to such conditions as the Drug Treatment Court may specify in the order.

(5) Where an offender has been enrolled in a drug treatment programme, the Drug Treatment Court shall monitor the progress of the offender throughout the duration of the programme.

(6) Where the offender fails, without reasonable excuse, to comply with the rules of a drug treatment programme or any conditions set out in an order under subsection (4), the Drug Treatment Court may—

- (a) (i) impose any sanction, including, imprisonment for a period not exceeding 20 days, that it could have imposed for the offence in respect of which the order was made; and
- (ii) require the offender to continue in the drug treatment programme; or
- (b) (i) revoke the order,
- (ii) convict the offender of the offence in respect of which the order was made, and
- (iii) impose any sentence that could have been imposed if the offender had been convicted at the time the order was made.

(7) For the avoidance of doubt it is declared that where an accused

- (a) has pleaded guilty to an offence; and
- (b) has been enrolled in a drug treatment programme,

the plea is irrevocable.

(8) For the purposes of the Rehabilitation of Offenders Act 1977 a person shall be deemed to have become a rehabilitated person if he successfully completes a drug treatment programme pursuant to an order under subsection (4).

CRIMINAL CODE ACT 1907

(9) In this section—

- (a) "drug treatment programme" means a drug treatment and rehabilitative programme approved by the Minister of Health and Family Services;
- (b) "eligibility criteria" means eligibility criteria for participation in a drug treatment programme that are approved by the Minister of Health and Family Services and are published in the Gazette;
- (c) "qualified person" means a person approved by the Minister of Health and Family Services as qualified to conduct an assessment under this section.

[Section 68 repealed and substituted by 2001:29 effective 29 October 2001]

JAMAICA:

THE DRUG COURT (TREATMENT AND REHABILITATION OF OFFENDERS) ACT, 1999

The Drug Court (Treatment and Rehabilitation Of Offenders) Regulations, 2000

In exercise of the power conferred upon the Minister by section 18 of the Drug Court Act, 1999, and of every other power hereunto enabling, the following Regulations are hereby made:-

- | | | |
|--|----------|---|
| Citation. | 1. | These Regulations may be cited as the Drug Court (Treatment and Rehabilitation of Offenders) Regulations, 2000. |
| Approval of treatment providers. | 2. | The Minister may in writing, designate any individual or organization as an approved treatment provider if he is satisfied as to the kind of care, treatment or rehabilitation which is to be provided by that individual or organization. |
| Criteria for eligibility. | 3. | A person is an eligible person for the purposes of section 5(c) of the Act if that person -

(a) is at least seventeen years of age; and

(b) is not suffering from any mental condition that could prevent or restrict the person's active participation in a prescribed treatment programme. |
| Procedure for referring persons to Drug Court. | 4. - (1) | For the purposes of section 6 of the Act (procedure after arrest) the person arrested shall be brought before the court on the first sitting of the court following the date of arrest. |
| | (2) | Where , pursuant to section 6 (2) of the Act, a recommendation is made to the court that a person be referred to the Drug Court, the Resident Magistrate shall -

(a) ascertain whether the person is an eligible person;

(b) explain to the person the reasons why he is being referred to the Drug Court and the consequences of such referral; and

(c) require the person to signify in writing ,his consent to being so referred. |
| Procedure in Drug Court. | 5. - (1) | The Drug Court shall, in relation to a person referred to it under section 6 of the Act or brought directly before it under section 7 of the Act –

(a) explain to the person that he will be assessed by an approved treatment provider in order to determine his suitability for participation in a prescribed treatment programme; |

- (b) if the person agrees to undergo such assessment, adjourn the case for a period of two weeks to facilitate the carrying out of the assessment during that period.

(2) Where the approved treatment provider recommends to the Drug Court that a drug offender is suitable to participate in a prescribed treatment programme and furnishes to that Court, a plan of that programme, the Drug Court shall, if satisfied as to the matters specified in section 9 (1) of the Act -

- (a) require the drug offender to signify in writing his consent to such participation;
- (b) require a probation officer to carry out a means test in relation to the drug offender in order to determine the amount of contribution, if any, to be made by that offender in relation to such participation; and
- (c) make an order in relation to that offender in accordance with section 9 (2) of the Act.

(3) Where an assessment is not completed at the end of the period referred to in paragraph (1) (b), the Drug Court shall adjourn the case for such further period as it thinks fit to facilitate the completion of the assessment.

(4) An assessment shall include the following in relation to a drug offender -

- (a) social, economic and family background;
- (b) health profile;
- (c) history of drug use and previous treatment, if any;
- (d) level of education;
- (e) vocational achievements;
- (f) previous convictions, if any.

(5) The provisions of paragraphs (1) (a) and (2) shall apply in relation to a person who is convicted of a relevant offence before a regular sitting.

Conditions. 6. - (1) The conditions which may be imposed by the Drug Court pursuant to section 9 (1) (c) of the Act in relation to a drug offender's participation in a prescribed treatment programme may include the advantages specified in paragraph (2) and the sanctions specified in paragraph (3).

(2) The following advantages may be specified by the Drug Court on the recommendation of the approved treatment provider in relation to a drug offender who maintains a satisfactory level of compliance with the programme -

- (a) specified privileges;
- (b) a change in the frequency of counselling or other treatment;
- (c) a decrease in the degree of supervision to which the drug offender is subject;
- (d) a decrease in the frequency with which the drug offender is required to undergo drug tests;
- (e) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which he is required to attend those services.

(3) The following sanctions may be specified by the Court on the recommendation of the approved treatment provider in relation to a drug offender who fails to comply with the programme -

- (a) withdrawal of privileges referred to in paragraph (2) (a);
- (b) an appropriate change in the frequency of counselling or other treatment;
- (c) an increase in the degree of supervision to which the drug offender is subject;
- (d) an increase in the frequency with which the drug offender is required to undergo drug tests;
- (e) a change in the nature of the vocational and social services attended by the drug offender or the frequency with which he is required to attend those services.

Means test. 7. In carrying out a means test pursuant to regulation 5 (2) (b), the probation officer shall take into account such factors as he considers relevant, including -

- (a) the nature of the offence committed by the drug offender ;
- (b) the drug offender's income and expenses;
- (c) the drug offender's property, if any;
- (d) the ability and willingness of the offender's relatives, friends or employers to make the contribution referred to in regulation 5(2)(b).

Duration of programme. 8. - (1) A prescribed treatment programme shall commence on the date specified by the Court in the order under section 9 (2) of the Act and shall, unless it is sooner terminated pursuant to section 12 (1) (b) or (c) of the Act, be for such period as the Court shall specify in the order.

(2) Before the commencement of the prescribed treatment programme, the approved treatment provider shall conduct an intake interview with the drug offender, in the form of a discussion of the following -

- (a) the goals and objectives for participation, including abstinence from the use of drugs during the period of the programme;
- (b) counselling and education requirements;
- (c) attendance requirements;
- (d) drug testing requirements;
- (e) payment of contribution, if any;
- (f) the place and times for participation;
- (g) reasons for termination of the programme;
- (h) rules which will relate to the drug offender.

(3) The drug offender shall sign the rules referred to in paragraph (2) (h) in duplicate and one copy shall be given to the offender and the other shall be kept in the record of the offender's participation in the programme.

(4) The following documents shall be used for enrollment of a drug offender in the prescribed treatment programme -

- (a) registration form containing the information referred to in paragraph (2) ;
- (b) a form permitting the release of confidential information concerning the drug offender to the Drug Court;
- (c) an agreement to be signed by the drug offender and the approved treatment provider, listing the services to be provided under the programme, the amount of contribution, if any, payable by the offender, attendance requirements and the reasons for termination of the programme.

(5) One copy of the signed agreement shall be given to the drug offender and a copy shall be kept in the record of his participation in the programme.

Reports.	9.	The progress report required under section 11 of the Act shall be submitted to the Drug Court by an approved treatment provider at such intervals as the Court may direct.
Termination of programme.	10. - (1)	Where an approved treatment provider intends to report to the Drug Court that there is no useful purpose to be served by a drug offender's continued participation in a prescribed treatment programme, the treatment provider shall inform the drug offender of that intention.
	(2)	On receipt of a report referred to in paragraph (1), the Drug Court shall permit the drug offender to show cause why the approved treatment programme should not be terminated in accordance with section 12 (1) (c) of the Act.
	(3)	A conditional discharge of a drug offender by the Drug Court upon his successful completion of a prescribed treatment programme shall have effect for such period, not exceeding twelve months, as the Court may specify.
Register.	11.	The register required by section 14 of the Act shall contain the particulars specified in the First schedule.
First Schedule.		
Plan of prescribed treatment programme.	12.	A plan of a prescribed treatment programme shall include the matters specified in the Second Schedule.
Second Schedule.		

FIRST SCHEDULE

(Regulation 11)

Particulars to be entered in register kept pursuant to section 14 of the Act.

1. Name and address of each drug offender.
2. Nature of relevant offence and date and place of arrest.
3. Date of first appearance in regular sitting and date of reference to the Drug Court.
4. Date of appearance in Drug Court and whether the prosecution of the offence is deferred or sentence is deferred after a guilty plea.
5. Name of approved treatment provider making an assessment and recommendation under section 8 (1) of the Act.

6. Date of adjournment for assessment and date of completion of assessment.
7. Whether the drug offender is -
 - (a) considered suitable or unsuitable for participation in an approved treatment programme; or
 - (b) not willing to be dealt with by the Drug Court.
8. Date of trial by the Drug Court of offence specified in section 7 (3) of the Act.
9. Date of order made under section 9 (2) of the Act.
10. Date of commencement and period of prescribed treatment programme.
11. Date of termination of prescribed treatment programme and basis of termination.
12. Where the drug offender failed to complete the prescribed treatment programme -
 - (a) if the prosecution was deferred under section 7 (2) (a) of the Act -
 - (i) the date of the order for trial of the relevant offence and the outcome; or
 - (ii) the date of any order requiring the offender to undergo a new treatment programme and date of commencement and period of that programme;
 - (b) where sentence was deferred under section 7 (2) (b) of the Act, the nature of the sentence imposed;
 - (c) date of confirmation of any sentence, the execution of which was deferred pursuant to section 9 (4) of the Act.
 - (d) where trial was deferred by a regular sitting, the date of reference back to that sitting.
13. Date of warrant of arrest in respect of a person who has failed to comply with specified conditions.
14. Date of notification under section 17 of the Act of a drug offender's failure to comply with the prescribed treatment programme.

SECOND SCHEDULE**(Regulation 12)****Plan of Prescribed Treatment Programme**

The following matters shall be included in a plan of a prescribed treatment programme

Educational Sessions -

- (1) a minimum of 8 weekly educational sessions of at least 60 minutes (excluding time allowed for breaks) for each drug offender.
- (2) Information on -
 - (a) the effects of drug use on the individual, the foetus, the family and society;
 - (b) the physiological and psychological facets of drug use;
 - (c) the nature of addiction;
 - (d) HIV/AIDS, intravenous drug use and sex and sexuality;
 - (e) Alternatives to drug use;
 - (f) Relapse prevention;
 - (g) Stress management;
 - (h) Conflict resolution

Group Counselling Sessions -

- (1) a minimum of 12 weekly group sessions, at times convenient to the programme structure following the initial educational sessions;
- (2) at least 90 minutes in length, excluding time allowed for breaks;
- (3) conducted in such a manner as to -
 - (a) encourage participants to talk and share ideas and information in order to identify and resolve drug related problems;
 - (b) provide an opportunity for participants to examine their own personal attitudes and behaviour;
 - (c) provide support for positive changes in life style to facilitate reduction or elimination of drug use.

One-to-One Sessions -

- (1) a minimum of four separate sessions with each participant.
- (2) Conducted for the purpose of -

- (a) reviewing the participant's progress related to the treatment and recovery plan;
- (b) identifying problems which may be barriers to accomplishing the goals of that plan;
- (c) developing action plans to address the matters specified in (a) and (b);
- (d) evaluating the participant's need for voluntary referral to ancillary services, such as residential or additional non-residential services.

- (3) The frequency of one-to-one sessions shall be increased whenever the approved treatment provider or the participant determines that additional time is required.

Drug Testing -

- (1) Minimum monthly random urinalyses.
- (2) The frequency of testing shall increase whenever the approved treatment provider determines that additional drug tests are necessary
- (3) Positive results will not necessarily exclude a participant from the programme but will be used to arrive at a decision based on evaluation of the participant's progress in the programme and evaluate the participant's level of treatment intensity.

Treatment/Recovery Plan

- 1. Each participant shall have an individual written treatment/ recovery plan based on the information obtained in the process of intake and assessment.
- 2. The treatment/recovery plan shall be developed within 30 days of the date of commencement of the programme.
- 3. The treatment/recovery plan shall be reviewed and updated at least every 60 days
- 4. The treatment/recovery plan shall include the following -
 - (a) statement of problems to be addressed;

- (b) time-limited goals to be achieved which address the problem;
- (c) steps to be taken by the treatment provider and the participant to achieve the goals;
- (d) target date for achievement of steps and goals, and where possible, dates of resolution;
- (e) a description of the type and frequency of counselling services to be provided.

Dated this 28th day of December , 2000.



Minister of National Security and Justice

THE DRUG COURT ACT, 1999

Consent of Drug Offender to Participate in a Prescribed Treatment Programme (Under Regulation 5 (2) (a))

I
of
being a drug offender who *having been referred to the Drug Court/* being brought
before the Drug Court/* being convicted of a relevant offence before a regular sitting,
and the Drug Court has made an order in relation to me under section 9(2) of the Drug
Court Act, 1999, declare that the Resident Magistrate has -

(a) explained to me that I will be required to undergo a treatment programme
and that I will have to comply with the specified conditions imposed by the
Drug Court in relation to my participation in the prescribed treatment
programme; and

(b) informed me of the consequences of my failure to comply with the specified
conditions,

do hereby signify my consent to participate in the prescribed treatment programme and
to comply with the specified conditions, including, if applicable, a condition that I
undergo

drug tests at such times as are specified in the order.

.....
Signature of Offender

.....
Date

.....
Signature of Clerk of the Courts

.....
Date

*Cross out which is inapplicable

THE DRUG COURT (TREATMENT AND
REHABILITATION OF OFFENDERS) ACT

ARRANGEMENT OF SECTIONS

1. Short title.
2. Interpretation.
3. Objects of Act.
4. Declaration and jurisdiction of Drug Court.
5. Eligible persons.
6. Procedure after arrest for relevant offence.
7. Persons who may be brought directly before Drug Court.
8. Assessment of offender and determination of relevant offence.
9. Jurisdiction of Drug Court.
10. Variation of conditions.
11. Reports.
12. Termination of programme.
13. Procedure on termination.
14. Register.
15. Arrest warrant.
16. Immunity from prosecution for certain offences.
17. Provision of information.
18. Regulations.

SCHEDULE.

[The inclusion of this page is authorized by L.N. 112/2002]

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

3

THE DRUG COURT (TREATMENT AND
REHABILITATION OF OFFENDERS) ACT

Act
40 of 1999.

[15th January, 2001.]

Short title

1. This Act may be cited as the Drug Court (Treatment and Rehabilitation of Offenders) Act.

Interpreta-
tion.

2. In this Act, unless the context otherwise requires—

“approved treatment provider” means an individual or organization approved by the Minister to carry out prescribed treatment programmes for the purposes of this Act;

“drug” includes alcohol and any dangerous drug falling within Parts III, IIIA and IV of the Dangerous Drugs Act;

“Drug Court” means the sitting of the Resident Magistrate’s Court declared to be a Drug Court pursuant to section 4;

“drug offender” means a person who is referred to the Drug Court under section 6(2)(b) or brought before the Drug Court pursuant to section 7;

“eligible person” means a person described in section 5;

“regular sitting” means a sitting of the Resident Magistrate’s Court other than the Drug Court;

“prescribed treatment programme” means a programme for treatment and supervision prescribed by the Drug Court pursuant to section 9;

“relevant offence” means any offence triable by a Resident Magistrate.

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*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

Objects of
Act.

3. The objects of this Act are to—

- (a) reduce the incidence of drug use and dependence by persons whose criminal activities are found to be linked to such dependence;
- (b) reduce the level of criminal activity that results from drug abuse;
- (c) provide such assistance to those persons as will enable them to function as law abiding citizens.

Declaration
and juris-
diction of
Drug Court.

4.—(1) The Resident Magistrate presiding in each parish shall declare a sitting of the Resident Magistrate's Court to be a Drug Court for the purposes of this Act.

Schedule.

(2) The Drug Court shall be constituted in accordance with the provisions of the Schedule and when so constituted and sitting shall have the jurisdiction and powers conferred upon it by this Act.

Eligible
persons.

5. A person is an eligible person for the purposes of this Act if—

- (a) the person is charged with a relevant offence;
- (b) the person appears to be dependent on the use of drugs; and
- (c) the person satisfies such other criteria as may be prescribed.

Procedure
after arrest
for relevant
offence.

6.—(1) Subject to section 7, where a person is arrested and charged with a relevant offence and the arresting officer has reasonable cause to believe that the person is dependent on any drug, the arresting officer shall include in the police report, a note of the facts giving rise to that belief.

(2) As soon as practicable after the person is charged with the offence, the Clerk of Courts in the parish in which the person is arrested—

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*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

- (a) shall review the police report and the person's criminal record; and
- (b) may, if satisfied that the person is eligible, recommend to the Court that the person be referred to the Drug Court to be dealt with in accordance with section 8.

7.—(1) A person who is arrested and charged with a relevant offence specified in subsection (3) shall be brought before the Drug Court to be dealt with in accordance with section 9.

(2) The Drug Court may, on the recommendation of the prosecution in relation to a person brought before it pursuant to subsection (1)—

- (a) defer prosecution of the offence; or
- (b) defer the imposition of a sentence for the offence after a guilty plea.

(3) The offences referred to in subsection (1) are offences under the Dangerous Drugs Act as follows—

- (a) possession of not more than—
 - (i) one ounce of prepared opium;
 - (ii) eight ounces of ganja;
 - (iii) one-tenth of an ounce of cocaine, heroin or morphine, as the case may be;
- (b) possession of any pipes or other utensils for use in connection with the smoking of opium or ganja, as the case may be, or any utensils used in connection with the preparation of opium for smoking;
- (c) smoking or otherwise using ganja or prepared opium, as the case may be;
- (d) frequenting any place used for the purpose of smoking opium.

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*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

Assessment
of offender
and deter-
mination of
relevant
offence.

8.—(1) A person referred to the Drug Court under section 6 or brought before it pursuant to section 7 shall be assessed by an approved treatment provider who shall make a recommendation to the Drug Court as to the person's suitability for participation in a prescribed treatment programme and shall furnish to the Court, a plan of that programme.

(2) Where—

- (a) based upon an assessment by an approved treatment provider, a person is not considered suitable for participation in a prescribed treatment programme; or
- (b) a person is not willing to be dealt with by the Drug Court,

the relevant offence in relation to that person shall, subject to subsection (3), be heard and determined in a regular sitting.

(3) A relevant offence specified in section 7 (3) shall be heard and determined by the Drug Court.

Jurisdiction
of Drug
Court.

9.—(1) The Drug Court may act in accordance with subsection (2) in relation to a person referred to it under section 6 or brought before it pursuant to section 7 if the Court is satisfied that—

- (a) the person is an eligible person;
- (b) having regard to the person's antecedents, it would be appropriate for the person to participate in a prescribed treatment programme;
- (c) the person accepts the conditions to be imposed by the Drug Court (whether immediately or at some later date) in relation to his participation in a prescribed treatment programme;

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*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

(d) the person has been informed of the Drug Court's powers under this Act and of the respective consequences of the person's compliance or non-compliance with a prescribed treatment programme.

(2) The Drug Court shall make an order—

(a) requiring the drug offender to undergo a prescribed treatment programme and to comply with the conditions imposed by the Court pursuant to paragraph (b);

(b) imposing such conditions as the Court deems fit (hereinafter referred to as specified conditions) in relation to the drug offender's participation in the prescribed treatment programme.

(3) Where the Drug Court makes an order under subsection (2), it shall inform the drug offender of the consequences of any failure to comply with the specified conditions.

(4) The Drug Court may make an order under subsection (2) in relation to an offender who is convicted of a relevant offence before a regular sitting, and in such a case the regular sitting shall defer execution of the sentence during the period for which that order is in force.

(5) Where the Court makes an order under subsection (2), the drug offender to whom it relates shall be required to signify his consent in writing to participate in the prescribed treatment programme, and to comply with the specified conditions, including, where applicable, a condition that the offender undergo drug tests at such times as are specified in the order.

10. The Drug Court may, from time to time, on the recommendation of the approved treatment provider, vary or revoke the conditions imposed pursuant to section 9 (2).

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Reports.

11.—(1) An approved treatment provider shall submit to the Drug Court, at such intervals as may be prescribed, a progress report in respect of each drug offender who participates in a prescribed treatment programme.

(2) A report under subsection (1) shall include, in any case where the drug offender fails to comply with any directions given by the approved treatment provider or any specified condition, the nature of the non-compliance and the effect or likely effect on the offender's successful completion of the prescribed treatment programme.

Termination
of pro-
gramme.

12.—(1) The Drug Court shall terminate a prescribed treatment programme in relation to a drug offender if—

- (a) the offender successfully completes the programme;
- (b) the offender requests the Drug Court to terminate the programme; or
- (c) based on the report of the approved treatment provider, the Drug Court is satisfied that there is no useful purpose to be served by the drug offender's continued participation in the prescribed treatment programme.

(2) Where a prescribed treatment programme is terminated, the records of any tests performed on the person concerned shall not be admissible in evidence in any proceedings against that person.

Procedure
on termina-
tion.

13.—(1) As soon as may be reasonably practicable after the termination of a prescribed treatment programme, the drug offender shall be brought before the Drug Court to be dealt with in accordance with subsection (2) or (3), as the case may require.

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

(2) If the offender has successfully completed the prescribed treatment programme, the Drug Court shall discharge the offender in relation to the relevant offence and that discharge may be either absolute or conditional as the Court thinks fit.

(3) If the offender has failed to complete the prescribed treatment programme the Drug Court may—

(a) if the trial was deferred pursuant to section 7(2)(a)—

- (i) hear and determine the relevant offence; or
- (ii) if the Court considers that the circumstances of the case so warrant, make an order requiring the offender to undergo a new prescribed treatment programme for such period and subject to such conditions as the Court may, on the recommendation of an approved treatment provider, specify;

(b) if sentencing was deferred pursuant to section 7(2)(b), impose any sentence which it could have imposed for the relevant offence;

(c) if the execution of a sentence was deferred pursuant to section 9(4), make an order confirming that sentence;

(d) if the trial was deferred by a regular sitting, refer the relevant offence back to the regular sitting to be heard and determined by that sitting, unless it is an offence specified in section 7(3).

(4) Subject to subsection (5), a conviction in respect of a relevant offence shall not form part of the criminal record of any person who successfully completes a prescribed treatment programme.

(5) Subsection (4) shall not apply in any case where

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

a person is convicted of a relevant offence on more than two occasions.

Register.

14. The Clerk of Courts in each parish shall keep a register containing such particulars as may be prescribed in respect of persons who are dealt with by the Drug Court in accordance with this Act.

*Arrest
warrant.*

15. Where, based upon a report by an approved treatment provider under section 11, the Drug Court is satisfied that a drug offender has failed to comply with the specified conditions, the Court may issue a warrant authorizing a constable to arrest the offender and bring him before the Drug Court to be dealt with under this Act.

*Immunity
from
prosecution
for certain
offences.*

16.—(1) A person shall not be liable to prosecution for any offence comprising the unlawful possession or use of drugs as a result of any admission made—

- (a) for the purpose of seeking a referral to the Drug Court under this Act;
- (b) for the purpose of satisfying the Drug Court that the person should participate in a prescribed treatment programme;
- (c) in connection with the supervision of the prescribed treatment programme in relation to that person.

(2) An admission referred to in subsection (1) shall not be admissible in evidence against the person making it, in proceedings brought as a result of the admission, for an offence referred to in that subsection.

*Provision of
information.*

17.—(1) Every approved treatment provider shall forthwith notify the Drug Court of any failure by a drug offender to comply with the prescribed treatment programme.

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(2) The following provisions apply to and in respect of information furnished in accordance with this section (hereinafter referred to as protected information)—

- (a) the provision of the information—
 - (i) does not constitute a breach of professional etiquette or ethics or a departure from accepted standards of professional conduct on the part of the person furnishing it;
 - (ii) shall not give rise to any action for defamation against that person;
 - (iii) shall not constitute a ground for civil proceedings for malicious prosecution or for conspiracy;
- (b) the information shall not be admissible in any proceedings before a court, tribunal or committee;
- (c) a person shall not be compellable in any such proceedings to disclose the information or to produce any document that contains the information.

(3) The provisions of subsection (2) (b) and (c) shall not apply to or in respect of the provision of protected information—

- (a) in proceedings before the Drug Court; or
- (b) in support of, or in answer to, any allegation made in proceedings against a person in relation to the exercise of his functions under this Act.

(4) A drug offender shall be taken to have authorized the provision of protected information—

- (a) by an approved treatment provider to the Drug Court;
- (b) by any member of staff of the Drug Court to any other member of staff.

[The inclusion of this page is authorized by L.N. 112/2002]

*DRUG COURT (TREATMENT AND REHABILITATION
OF OFFENDERS)*

Regulations. 18. The Minister may make regulations generally for giving effect to the provisions of this Act.

SCHEDULE (Section 4)

1. The Minister shall, in each parish, appoint to a special panel of Justices, those Justices whom he may consider to be specially qualified to deal with cases before the Drug Court, and no Justice of the Peace shall be qualified to sit as a member of the Drug Court unless he is a member of such a panel.

2. A Drug Court shall be constituted of a Resident Magistrate as chairman, and two Justices one of whom shall be a woman and both of whom shall be members of the panel referred to in paragraph 1:

Provided that subject to paragraph 3—

- (a) the Court shall be deemed to be fully constituted where the chairman and only one such Justice sit;
- (b) until the panel referred to in paragraph 1 is prepared, the Court shall be constituted of a Resident Magistrate alone.

3. Where a Drug Court conducts a trial to determine guilt or innocence, the Court shall be constituted of a Resident Magistrate alone.

NORWAY:

Regulations relating to a trial scheme for court-controlled drug programmes

Laid down by Royal Decree xxxxx pursuant to the General Civil Penal Code (the Penal Code) no 10 of 22 May 1902 section 53 subsection 6, cf. Act no 92 of 17 June 2005 relating to amendments to the Penal Code sections 53 and 54 (trial scheme for court-controlled drug programmes). Proposed by the Ministry of Justice and the Police.

Section 1 Establishment and objective

A three-year trial scheme for court-controlled drug programmes (drug courts) in the municipalities of Oslo and Bergen will be established with effect from 1 January 2006, cf. section 14.

The objective of the trial scheme is to prevent new crime and to promote the rehabilitation of convicted persons. It is also intended to help improve the practical support and treatment offered to problem drug users covered by the scheme. Completion of the drug programme will require a combined effort from and binding cooperation between different sectors and administrative levels.

Section 2 Scope of the trial scheme

The trial scheme applies to problem drug users convicted of drug-related crimes, where the court has stipulated a condition that the convicted person complete a court-controlled drug programme. The drug user must reside in one of the trial municipalities and illicit drugs must be the main substance abused. Only courts with jurisdiction in the trial municipalities are authorised to stipulate completion of a drug programme as a condition.

Section 3 Definitions

By drug-related crime is meant violations of the Penal Code section 162 and the Act relating to medicines etc. section 31 second paragraph, crimes committed under the influence of illicit drugs, and crimes committed in order to finance personal drug abuse.

By trial municipalities is meant the municipalities in which a trial scheme for drug courts is established, cf. the Regulations section 1.

Section 4 Consent

The court may only stipulate completion of a drug programme as a condition with the consent of the convicted person. Consent shall be given in a declaration of consent that shall also contain necessary exemptions from the duty of confidentiality. For consent to participate to be valid the person charged must have been given and have understood sufficient information on the implications of giving his/her consent.

The declaration of consent shall be signed by the person charged in connection with the social inquiry, cf. section 5. The person charged can withdraw his/her consent at any time. If the person charged is under the age of 18, the provisions conferring rights of a party on guardians in the Criminal Procedure Act sections 83-84 shall apply.

Section 5 *Social inquiry*

Pursuant to the provisions of the Criminal Procedure Act chapter 13, the prosecuting authority or the court may decide to carry out a social inquiry of a person charged. In its decision, the prosecuting authority or the court shall state that it wishes the person charged to be assessed with a view to completion of a drug programme. A social inquiry shall always be carried out prior to a conviction in which it may be an option to stipulate completion of a drug programme as a condition of sentence. The correctional service is responsible for carrying out the social inquiry. The social inquiry is carried out by the correctional service's representative on the team in cooperation with the other team members. The person charged shall be given detailed information about the drug programme in connection with the social inquiry, including the consequences of violating the conditions stipulated for the programme and of the withdrawal of his/her consent to participate in the programme.

Section 6 *Conditions*

Pursuant to the Penal Code section 53 subsection 3, a court can stipulate special conditions for suspended sentences, including completion of a court-controlled drug programme. Before the case is brought to court, the team must prepare a plan for the drug programme including proposed conditions for the completion of the programme. The correctional service is responsible for monitoring that the conditions are complied with. The provisions relating to investigations in the Execution of Sentences Act section 56 apply correspondingly.

Section 7 *Contents and completion of the drug programme*

A drug programme is an individually adapted rehabilitation programme and a condition for a suspended criminal sentence. The programme can contain individually adapted treatment plans, referral to interdisciplinary specialist treatment for problem drug users, treatment by the municipal health service, educational and employment measures, residential follow-up, recreational plans, follow-up by social services and other measures of importance to the individual's rehabilitation and integration into society.

The contents of the drug programme shall be based on the individual's need for measures that reduce the risk of new crimes being committed and further the convicted person's rehabilitation. The contents of each individual programme shall be the result of the team's professional evaluations arrived at in cooperation with the convicted person and of the conditions stipulated by the court, for example that during completion of the programme the convicted person shall comply with the provisions laid down by the correctional service with respect to place of domicile, place of residence, work, training or treatment. The team shall prepare an intensive programme of regular and frequent appointments, continuity and work with a view to integrating the individual concerned into society.

The drug programme shall be described in an implementation plan. The plan shall contain compulsory measures, including a requirement for the submission of regular urine samples, which is compulsory for all convicted persons, and individual measures planned in cooperation with the individual. The implementation plan shall be formulated in a manner that makes the conditions for participating in the programme predictable and clear to the convicted person. If an individual plan already exists for the convicted person pursuant to the Act relating to the municipal health services section 6-2a, the Act relating to specialist health service section 2-5, the Mental Health Act Section 4-1 or the Act relating to social services section 4-3, the team shall attempt to coordinate the implementation plan with such existing plan.

The drug programme shall be carried out in four phases. The phases are designated the instigation phase, the stabilisation phase, the responsibility phase and the continuation phase. The phases are decided on the basis of an individual assessment and of what constitutes realistic progress. The contents of the phases and the conditions for progressing from one to the next shall be stated in the implementation plan.

Section 8 *The team*

The correctional service shall set up local interdisciplinary teams that will be responsible for the professional implementation of the drug programme, and it shall help provide a comprehensive programme of treatment and rehabilitation for each convicted person. Teams shall consist of a team coordinator, who shall be an employee of the correctional service, and representatives from the correctional service, municipal social services, the educational sector and the specialist health service. Which other bodies shall be represented on the team shall be assessed locally. The team coordinator is the administrative manager of the centre and organises the team's work, chairs team meetings and facilitates cooperation within the team. The coordinator shall also ensure documentation of the project, contribute to marketing and follow up important principles. The coordinator shall also prepare more detailed descriptions of team roles and work processes. The public bodies involved are responsible for the sub-tasks within their respective areas of responsibility.

Section 9 *Centre*

The correctional service shall establish a day centre in each trial municipality. The purpose of the day centre is to meet the professional requirement that convicted persons participating in the scheme receive a comprehensive service. The centre shall be the base for the team's activities. Unless otherwise agreed, the centre shall also be the place attended regularly by the convicted person. At the centre, the team shall coordinate studies, planning and follow-up of convicted persons. It is a precondition that the ordinary treatment and intervention services are used as part of the programme, but follow-up at the centre will be important, during the start-up phase in particular, until the participants are gradually transferred to ordinary services outside the centre. Moreover, as a part of its role in crime prevention and the rehabilitation of convicted persons, the centre should offer evening and weekend activities.

Section 10 *Changes in conditions etc.*

When justified by the convicted person's situation, the court may, if petitioned by the correctional service during the probationary period, decide to revoke or change stipulated conditions, or stipulate new conditions. If the court finds it necessary, it can also prolong the probationary period, not, however, such that it totals more than five years. The correctional service's petition shall be based on the discussions and conclusions of the team. The regional director or person authorised to act on his/her behalf shall submit the petition to the court. The correctional service shall notify the prosecuting authority when it submits a petition for a court ruling.

If the court decides that it is justified by the convicted person's situation, it may, on petition from the correctional service, rule that the convicted person shall proceed to the next phase of the programme. The correctional service's petition shall be based on the discussions and conclusions of the team. The regional director or person authorised to act on his/her behalf shall submit the petition to the court. The correctional service shall notify the prosecuting authority when it submits a petition for a court ruling.

Section 11 *Violation of conditions*

If the convicted person seriously or repeatedly violates the conditions stipulated by the court or if he/she withdraws his/her consent to participate, the court may, on petition from the correctional service, rule that the sentence be fully or partially enforced. Instead of ordering that the sentence be served, the court may order a new probationary period and stipulate new conditions if it finds this more expedient. Moreover, on petition from the correctional service, the court may also rule that the convicted person be returned to a phase with stricter conditions. The correctional service's petition pursuant to the second and third sentences, shall be based on team discussions and conclusions. The regional director or person authorised to act on his/her behalf shall submit the petition to the court. The correctional service shall notify the prosecuting authority when it submits a petition for a court ruling.

If the convicted person refuses to provide a urine sample aimed at detecting the use of illegal intoxicants or narcotic substances, this shall be regarded as a violation. This also applies to failure to attend treatment appointments and other appointments that have been made with the involved bodies.

The correctional service may, in the event of violations deemed to be less serious, give the convicted person a written warning about the consequences of repeated violations. The correctional service may also decide to enforce more rigorous testing of urine samples for a certain period of time or decide that the convicted person shall undergo intensive programmes aimed at improving drug control.

If the convicted person commits a criminal offence during the probationary period, the court may, pursuant to the Penal Code section 54 subsection 3, hand down a combined sentence for both criminal acts or a separate sentence for the new criminal act. The prosecuting authority is responsible for bringing the criminal case to court, and the correctional service is obliged to notify the police/prosecuting authority if it learns that the convicted person has committed any criminal acts during the probationary period.

Section 12 Evaluation

The trial scheme for drug programmes shall be evaluated during the trial period. By evaluation is meant a research-based process and assessment of results. The main objective of the evaluation is to arrive at a recommendation on whether the programme should be concluded after three years or whether it should be continued. Confidential information to be used during the evaluation shall as a rule be anonymised. If this is not the case, the convicted person must give his/her consent.

Section 13 Amendments and supplementary provisions to the regulations

The Ministry of Justice and the Police may make amendments to the regulations and issue additional provisions concerning the consent of convicted persons, the contents and completion of drug programmes, the team, the centre, the evaluation and the processing of personal information. Any proposed amendments or additional provisions must be clarified with the involved ministries before the proposal is adopted.

Section 14 Entry into force

These regulations enter into force on 1 January 2006.

UNITED STATES:

In addition to the federal Crime Bill Authorizing funding to state and local drug courts (H.R. 3355, Title V-Drug Courts. Violent Crime Control and Law Enforcement Act of 1994), statutes have been enacted in the following state and territories regarding the funding and/or other matters relating to drug court programs: Alaska; Arizona; Arkansas; California; Colorado; Connecticut; Delaware; District of Columbia; Florida; Georgia; Guam; Hawaii; Idaho; Illinois; Indiana; Iowa; Kentucky; Louisiana; Maine; Michigan; Mississippi; Missouri; Montana; Nebraska; Nevada; New Jersey; New Mexico; New York; North Carolina; North Dakota; Ohio; Oklahoma; Oregon; Puerto Rico; Rhode Island; South Carolina; South Dakota; Tennessee; Texas; Utah; Vermont; Virginia; Washington; West Virginia; and Wyoming. The following Tribal Councils have enacted Drug Court Statutes: Eastern Band of Cherokee Indians (North Carolina) and Spokane Tribe (State of Washington)²

² See Selected Statutes and Resolutions Relating to Drug Courts Enacted by State Legislatures and Tribal Councils. Compiled by Caroline S. Cooper, BJA Drug Court Clearinghouse, American University. May 2008. at www.american.edu/justice

B. PROGRAM DESCRIPTIVE INFORMATION

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The Norwegian Way. Bergen. May 2006. Ingunn Seim

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June 1, 2009

AUSTRALIA:

Australia Drug Courts

An Overview

Australia's drug court program jurisdiction is bound by state borders within Australia. The states with drug court activity are New South Wales, Queensland, South Australia, Victoria, and Western Australia. Formation processes and procedures differ across jurisdiction. The purpose of this overview is to provide information on the drug court program being implemented in each of the states and to extract relevant information in relation to the OAS drug treatment court preliminary report.

New South Wales

Source: *Australian Government-Australian Institute of Criminology*.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- The New South Wales Drug Court was established by the *Drug Court Act of 1998* and exercises both local and district court jurisdiction.
- Eligible defendants are referred from other courts within the catchment area.
- Acceptance into the program results in a custodial remand for detoxification and assessment. This takes up to two weeks and each participant leaves with an individual treatment plan.
- Successful completion of the three phase treatment program can take up to 12 months.
- The court can impose a series of sanctions or award privileges during that time. If the program is not completed successfully the participant returns to court and may be re-sentenced.
- NSW magistrates can place defendants whose offending may not be as significant as those entering the Drug Court and are likely to be granted bail, into the Magistrates Early Referral into Treatment (MERIT) program. MERIT involves completing compulsory treatment as a condition of bail.
- The State has operated a Youth Drug and Alcohol Court since 2000 which functions under the Children's Court.

Reasons for Establishment of the Drug Court³

-Research has consistently shown that there is an association between illicit drug use, particularly heroine, and income-generating crime. The study by Stevenson and Forsythe revealed that

³ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 7. 2002.

burglars who use heroine reported a higher median rate of burglary (13.0 per month compared to 8.7 per month) and generated a much higher weekly income from their burglaries than burglars who did not use heroine.

-In NSW up to 80% of the adult male prison population has committed a drug related crime, a figure that may be even higher among women in prison.

Objectives of the Court

-The Drug Court Act, which commenced on Feb. 5, 1998, outlines the objectives of the Act in section 3:

1. The object of the act is to reduce the level of criminal activity that results from drug dependency.
2. This Act achieves that object by establishing a scheme under which drug dependent persons who are charged with criminal offenses can be diverted into programs designed to eliminate, or at least reduce, their dependency on drugs.
3. Reducing a person's dependency on drugs should reduce the person's need to resort to criminal activity to support that dependency and should also increase the person's ability to function as a law-abiding citizen. (Drug Court Act s.3)

Court Procedures²

-Court procedures conducted by the Court itself outlined ten components of U.S. drug courts that were applied by the NSW Drug Court:

- Treatment is integrated into the criminal justice system
- Prosecution and defense lawyers work together as part of a drug court team
- Eligible offenders are identified early
- Participants have access to a continuum of quality treatment and rehabilitation services which meet their health needs
- Participants are frequently monitored for illicit drug use
- Any non-compliance by a participant results in a swift and certain sanction by the court
- There is ongoing judicial supervision and regular judicial interaction with each participant
- There is evaluation of the rehabilitation outcomes achieved through the drug court
- The drug court team and others associated with the court receive ongoing interdisciplinary education
- Networks are forged with other drug courts, law enforcement authorities, public bodies, treatment providers and the community'. (NSW Drug Court 1999a, point 3.10)

Addition critical components of the NSW Drug Court include ongoing case management and the provision of the social support necessary to achieve reintegration into the community (NSW Drug Court 1999a).⁴

Structure of the Drug Court Team⁵

-The Drug Court team in NSW consists of:

- Ø Senior Judge
- Ø Senior Judge's Associate
- Ø Registrar
- Ø Prosecutors (from the Office of the Director of Public Prosecutions)
- Ø Solicitors (Legal Aid Commission)
- Ø Inspector of Police (NSW Police Service)
- Ø Nurse Manager (CHS)

Drug Treatment Court Eligibility⁶

In NSW, the Drug Court exercises the functions of the criminal jurisdictions of both the District Court and the Local Court, which means that offenders appearing before both Local and District Courts can be referred to the Drug Court.

Under the Drug Court Act: it is the duty of a court before which a person is charged with an offence:

- a) To ascertain whether the person appears to be an eligible person, and
- b) If so, willing to be referred to the Drug Court to be dealt with for the offence, and
- c) If so refer the person to the Drug Court to be dealt with for the offence.' (Drug Court Act s. 6 (2))

Section 6 of the Drug Court Regulation lists the courts that are required to determine whether the person appearing before the court appears to be eligible for referral to the Drug Court. Criminal proceedings brought before the District Court sitting in Campbelltown, Liverpool, Parramatta or Penrith, and Local Courts in Bankstown, Blacktown, Burwood, Campbelltown, Fairfield, Liverpool, Parramatta, Penrith, Richmond, Ryde or Windsor are listed.

An assessment of an offender's potential eligibility for participation in the Drug Court

⁴ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 8. 2002.

⁵ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 61-64. 2002.

⁶ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 11-12. 2002.

Program may be made either by the presiding judge/magistrate at the District/Local Court, or following a request by the offender or his/her legal representative.

For a referral to be successful, the following eligibility criteria must be met. The Drug Court Act outlines the eligibility criteria as follows: if

- a) The person is charged with an offence, other than an offence referred to in subsection (2), and
- b) The facts alleged in connection with the offence, together with the person's antecedents and any other information available to the court, indicate that it is highly likely that the person will, if convicted, be required to serve a sentence of full-time imprisonment, and
- c) The person has pleaded guilty to, or indicated that he or she intends to plead guilty to the offence; and
- d) The person appears to be dependent on the use of prohibited drugs (within the meaning of the *Drug Misuse and Trafficking Act 1985*) or other drugs prescribed by the regulations, and
- e) The person satisfies such other criteria as are prescribed by the regulations.' (Drug Court Act s. 5 (1)).

Further criteria are provided to determine persons who cannot be considered eligible for the Drug Court Program. These criteria include persons charged with:

- a) An offence punishable under Division 2 of Part 2 of the Drug Misuse and Trafficking Act 1985, not being an offence that (under Part 9A of the Criminal Procedure Act 1986) is capable of being dealt with summarily, or
 - b) An offence involving violent conduct or sexual assault; or
 - c) Any other offence of a kind prescribed by the regulations.
- (Drug Court Act s. 5 (2))

In his Second Reading speech introducing the Drug Court Bill into Parliament, the Minister for Police noted that the types of offences which are eligible for referral to the Drug Court are break, enter and steal, fraud, forgery, stealing from person, unarmed robberies (with no violence), possession and use of prohibited drugs, or dealing in quantities of prohibited drugs below the indictable limit (Hansard 27/10/1998, p. 9031).

Drug Court Regulation prescribes further criteria that a person must satisfy in order to be an eligible person within the meaning of the Act:

- a) The person's usual place of residence must be within one of the following local government areas, namely, Auburn, Bankstown, Baulkham Hills, Blacktown, Campbelltown, Fairfield, Hawkesbury, Holroyd, Liverpool, Parramatta or Penrith,

- b) The person must not be suffering from any mental condition that could prevent or restrict the person's active participation in a program under the Act,
- c) The person must be of or above the age of 18 years,
- d) Criminal proceedings against the person for the offence with which the person is charged must not be criminal proceedings that are within the Children's Court jurisdiction to hear and determine'. (Drug Court Regulations s. 5)

****There are numerous other eligibility conditions and assessments, including a procedure for Referral to the NSW Drug Court, a Preliminary Health Assessment, and additional Conditions for Acceptance into the Program. See Evaluation report for further information.⁷**

Treatment and Supervision Services⁸

- Treatment and services are provided by the Corrections Health Service (Detoxification Unit) (CHS), the Probation and Parole case managers, and health treatment providers.
- Participants are only sent to the Detoxification Unit following the preliminary assessment if there is a high probability that they will be accepted onto the Drug Court Program.
- Staff at the Detoxification Unit undertake the detoxification, stabilization and development of treatment plans for Drug Court participants, and provide health services to participants on sanctions, including treatment reviews.
- Two detoxification Units were established. One for men and another for women.

Queensland

Source: *Australian Government-Australian Institute of Criminology.*

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- In Queensland. Five drug courts have been established under the *Drug Rehabilitation (Court Diversion) Act* as a pilot project. The Act and regulations limit the number of people who can enter the system from each court each year.
- In August 2005, Queensland Premier Peter Beattie issued a media statement announcing that the drug courts would be made permanent.
- To be eligible, defendants must be adults, dependant on illicit drugs, and this dependency must be a contributing factor to their offending. They must be sentenced to prison, not subject to a pending violent or sexual offence charge, and live within the prescribed areas and plead guilty.

⁷ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. 2002.

⁸ The New South Wales Drug Court Evaluation: A Process Evaluation. Taplin, Stephanie. New South Wales Bureau of Crime Statistics and Research. Pg. 68-73. 2002.

- Participants receive an intensive drug treatment order which includes treatment, drug testing, and court supervision.
- These orders generally run for up to 18 months. During that time the participant may receive added privileges or sanctions.
- Successful completion is taken into account when sentencing is conducted at the end of the order.

Queensland Drug Court Act 200-Drug Court Regulation 2006. [See Appendix, Section A.]

South Australia

Source: *Australian Government-Australian Institute of Criminology.*

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- South Australia's Drug Court operates in the Adelaide Magistrates Court.
- Participants must live within the Adelaide metropolitan area, be over 18 years of age, plead guilty to the most serious and bulk of offences and be dependent on illicit drugs.
- The participants do not have to be charged with a drug offence but their offending must have resulted from their drug addiction.
- Those accepted into the program are given an individual treatment regime, which can include electronically monitored home detention bail, urinalysis, treatment and vocational training.
- Successful completion of the program will be taken into consideration at sentencing.

⁹Program Entails:

- Withdrawal management-including in-patient detoxification if necessary
- Pharmacological treatment if necessary-for example methadone
- Relapse prevention-for example counseling, group therapy
- Group Therapy and individual counseling to develop pro-social thoughts and behaviors
- Prevention of further offending behavior through restricted bail
- Referral and assistance to manage physical and mental health issues
- Referral to access education or vocational training
- Provision of accommodation from up to 15 months and referral to access long term housing
- Assistance to restore family relationships
- Referral to obtain income support and manage financial issues
- Support to find or maintain employment
- Practical assistance on leaving detention with basic personal items and food items until income support is arranged

*Funding is set aside to purchase services where none exist.

⁹ Obtained from the Courts Administration Authority-South Australia.

http://www.courts.sa.gov.au/courts/drug_court/index.html. Accessed on March 26, 2010.

Victoria

Source: Australian Government-Australian Institute of Criminology.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- The Victorian Drug Court is located in Dandenong and services defendants within a specific geographical catchment area.
- Only adult defendants who are addicted to illicit drugs, likely to be imprisoned for a drug related offence and prepared to plead guilty are eligible.
- If they are willing to enter the program, they are placed on a Drug Treatment Order.
- Drug Treatment Orders have two components; a custodial sentence of not more than two years and a treatment and supervision component. Failure to complete the order renders the participant liable for re-sentencing.
- Other Victorian courts can place defendants within the Court Referral and Evaluation for Drug Intervention and Treatment (CREDIT) program.
- The 12 week program provides assessment, treatment and support for defendants on bail.

Western Australia

Source: Australian Government-Australian Institute of Criminology.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx. Accessed on March 23, 2010.

- In Western Australia, the drug court operates in the Perth Magistrates' Court and the Perth Children's Court.
- The Magistrates' Court drug court is supported by the *Magistrates' Court Act 2004*, which enables the Chief Magistrate to establish divisions within the court to deal with specific classes of cases or offenders, such as drug cases or family violence cases.
- Following a plea of guilty, defendants are placed within one of three regimes depending on their level of previous offending and the type of drug involved.
- The brief intervention regime is a pre-sentence option for second or third time cannabis offenders and involves three sessions of drug education.
- Supervised treatment intervention is for mid-range offenders who are required to undertake case managed treatment before sentencing.
- The drug court regime consists of more intensive treatment and judicial case management.
- Additionally, a drug court style program operates in Geraldton in the form the Geraldton Alternative Sentencing Regime (GASR). The GASR has a broader remit that includes alcohol and solvent abuse cases, domestic violence and other offending behaviors.
- It does not replace other sentencing options but offers alternative pathways for selected offenders: the Court Supervision Regime which involves the offender being managed by a court management team for a period of four to six months whilst participating in rehabilitation programs; and the Brief Intervention Regime which also includes offender participation in rehabilitation programs but without the supervision of the court management team.

BRAZIL:

Therapeutic Justice Program – Brazil

Partial data in 4 States

São Paulo St.

Source: Promotoria de Justiça Criminal de Santana

Address: Rua Benvinda de Andrade, 150 Bairro SantanaZC: 02403-030

São Paulo – SP

Phone: 55 – 11 – 2281.1800

pjcrimsantana@mp.rs.gov.br

Data reported: During the year 2009, this “court” had 120 drug abuse offenders going to treatment instead of a criminal trial.

Pernambuco St.

Source: Judge Flavio Fontes

flavioafl@uol.com.br

Data reported: In Recife (state capital city) there are two “courts” which apply the Justice Therapeutic Program, i.e., treatment instead of criminal trial for drug abuse offenders. No other info provided.

Rio de Janeiro St.

Source: Prosecutor Marcos Kac

mkac@globo.com

Data reported: In the St. of Rio de Janeiro there are 20 “courts” for adults and 10 for juveniles which apply the Justice Therapeutic Program, i.e., treatment instead of criminal trial for drug abuse offenders. No other info provided.

Rio Grande do Sul St.

Source: Brazilian Association of Therapeutic Justice

Data reported: In Porto Alegre (state capital city) there are 09 “courts” for adults and 03 for juveniles which apply the Justice Therapeutic Program, i.e., treatment instead of criminal trial for drug abuse offenders.

Further information:

For juvenile:

Pilot carried through 2001 - 2003

- reduction in use drugs and offenses

- enhancement on education, family relationships, health and professional training
- enhancement on parenting

For adults:

- most judges offer treatment as alternative to the criminal trial and incarceration for drug users offenders
- 2001 – 2006 for each 10 offenders, 7 used to accept treatment instead of criminal trial
- 2007 à Prosecutors proposed 589 offenders to TJP (DTC)
- 2008 à Prosecutors proposed 989 offenders to TJP (DTC)

About the Therapeutic Justice Program in Brazil

General information

Legal Procedures to apply the TJP (DTC) in Brazil

- **2.1 Pre-judgement phase**
- * “Transaction” – a kind of bargain
- * Procedure suspended
- **2.2 Judgement phase**
- * Up to 4 years in jail à alternative punishment + treatment
- * More than 4 years in jail à punishment + treatment
- **2.3 Post-judgement phase à executing punishment**
- * Probation (Conditional suspense of the punishment)
- * Parole (Conditional freedom)

Treatment through the TJP (DTC) in Brazil

Is provided by the public health system (which is not sufficient) and private health services.

JAMAICA:

The Jamaican Drug Court - Life Style Changes

The majority of our clients are from inner cities, socially disadvantaged backgrounds and single parent families. In the rehabilitation of the offender and in order to carry out the objectives of the Drug Court Act, we adapt the holistic approach:

In achieving our goals, help is given by:

Justices of the Peace who sit with The Drug Court Judge

Treatment Provider

Probation Officers

Defence Attorneys

Friend's of the Drug Court

Government Organizations

Non Government Organizations

Our clients receive advice and support in the following areas:

Family and Emotional Support

Self esteem building

Conflict management

- Counselling with parents, partners, siblings

Education

Referred to institutions of further education

National Youth Service

Illiterates are referred to remedial classes

Heart Academy for skills training

Employment

Referred to Employment Agencies

Assistance in job application, resumé, interview techniques

If enter program unemployed, encouraged to find employment before graduation

Business Loans Secured

Development of Social Skills

Dress, deportment

Development of interpersonal skills

Legal Counselling

Successes in Life Style changes of our Graduates

Germaine From carrying a gun to carrying books to school.
Now married, they are expecting their first child.

Kadia From spear fisherman to fire fighter

Conroy From sitting on the corner smoking ganja and drinking to motivational speaker and making presentations to our present clients about safe sex

Judith From an 18 year old prostitute and cocaine addict to a University Student. Married to an executive chef and now able to travel abroad because she has a clean record.

Nicholas From a dejected angry orphan to a happy educated youngman reunited with his mother in Belgium. In college and speaks three languages.

Recently one of our clients, Davian Smith, took leave of absence from the program without permission. He was asked to write a letter giving reasons why he should be re-admitted to the program. The attached letter speaks for itself.

We feel the Drug Court Program is making a difference in the lives of our clients. They not only kick the habit but their souls are mended.

Winsome Henry (Ms)
Senior Resident Magistrate
St. James
May, 2008

THE IMPORTANCE OF THE DRUG REHABILITATION PROGRAMME & WHY I SHOULD BE A MEMBER OF IT

Davian Smith
Age 19

The drug rehabilitation programme is a programme which is offered in Jamaica to provide our strong youths with a second chance.

It is a group which is well organized by the country's government body that includes a Judge with the members of the Justice's of the Peace, a Probation Officer and a Drug Rehabilitation centre of course with a counselor.

For a young man to be a part of the programme is after he is caught smoking or with the possession of marijuana and is brought before the jury, he is instantly seen as committing a criminal offence so automatically he have achieve a criminal record.

The law of the country states that if anyone has been confined by a criminal record to his file, he /she shouldn't be able to travel to or from abroad.

Knowing that you have made a mistake and you have pursue a bad record, you won't be able to apply for a legal visa which is very challenging to live with. That is where one of the benefits of the Drug Rehabilitation Programme is quite beneficial to the future of the youth of today.

If a survey was done on the graduates of the drug programme, it could show that more than sixty (60) percent of the youths who has been through it is continually to achieve successfully with their lives and has also manage to overcome the addiction of the drug.

If you have entered the drug rehabilitation programme without working or schooling, you should be able to find a permanent or a simple job, if not you should be able to go and try to be certified or try to get a proper qualification at a tertiary school.

As a member of the programme I would like to thank the programme for the great effort they are trying exerts to direct the footsteps of our youths.

The constructive speeches which has been delivered is really helping our youths to visualized that life is really out there for all of us to be successful. Being apart of the programme you have to keep active at all times and keep preparing for the upcoming future.

One of the largest opportunity which is been offered by the rehabilitation programme to our youths, other than clearance of records and motivation towards the future is that they provides the chance to be drug free. Without been drug free you will have very serious consequences to be faced, so there it leaves you with no choice than to give marijuana a instant break. The programme is there to help the youths see that they don't have to be under the influence of drug but they can keep the vibes natural. Most after leaving the programme is a changed person, getting to understand that have both negative and positive impact is liable to overthrow the positive. For the fear of the negative impact most change the route while a few continue on their addiction.

Therefore I see the drug rehabilitation programme playing a very important role, because after getting a bad record it give the opportunity to get a new start and it allow we as youth to be drug free.

The reason I feel that I should be apart of the programme is because, after abusing or using the drug marijuana for almost half my life, definitely I would like to give it a break and not only a break I would like to ceased it permanently. With the help of the programme you have to be drug free for at least a six month period and to be free from it so long I really don't think that I should continue the same journey.

To be on this programme is really helping in different ways, because to be addicted for such a long time I didn't expect the day would really exist when I would be telling myself that I can carry on without the influence of marijuana. This programme don't only help us by offering a second chance by freeing our records from criminology.

We hear the term " **experience teaches knowledge**" quite often and I don't think it should be taken lightly because our youth of today really needs experience. To receive enough of that we will have to do a little traveling, and with a criminal record I can say that it is quite impossible to travel and seek for whether a job, school, training or even vacationally.

From my point of view I think that the Drug Rehabilitation Programme should be highly recommended for the great changes which they delivers to the lives of our youth. Without the program I don't think that some of our youth would be able to be drug free, a clean record and really get on with their lives.

Done by



Davian Smith

New Zealand:

Christchurch Youth Drug Court Pilot:

The Christchurch Youth Drug Court pilot (YDC) was established by the Ministerial Taskforce on Youth Offending and started operating on 14 March 2002.

The pilot's overall objectives are to:

- Improve the young people's health and social functioning and to decrease their alcohol and/or drug use
- Reduce crime associated with alcohol and/or drug use
- Reduce criminal activity

Reasons Why the Christchurch Youth Drug Court Pilot was established:

1. The perceived intensity of the drug problems amongst the Youth Court population.
2. The relatively high number of young persons going through the Youth Court.
3. The services available for alcohol and other drug treatment.
4. Youth Specialty Services in Christchurch performs dual diagnosis of alcohol and other drug and forensic mental health with young people.
5. The geographical layout of Christchurch meant that one Youth Court serviced a large metropolitan area where other areas such as Wellington were more geographically dispersed with disparate services.
6. There was an assumption that there would be a reasonably culturally homogenous population so that the pilot program could be designed and evaluated relatively easily. Other centers such as Manukau have many different cultured groups that would need to be considered in the design.

Entry into the Youth Drug Court pilot:

The criteria and process for selecting participants for the YDC pilot includes: identifying young people to be screened by Youth Specialty Services (YSS) clinicians, the YSS full assessment, the role of the Family Group Conference (FGC), and acceptance onto the pilot.

- The pilot targets young offenders appearing at Youth Court who have been identified as having moderate to severe alcohol and/or other drug dependency that is linked to their offending behavior.
- To be eligible for the YDC young people should meet the following criteria:
 - Age 14-17
 - Moderate to severe alcohol and/or drug dependency linked to offending behavior
 - Recidivist offender defined as appearing in the Youth Court two or more times in the previous 12 months
 - Sexual offending is excluded
 - Some violent offending may be excluded and is assessed on a case by case basis
 - The offenses before the Youth Court have been proved or have not been proved

Linkage Between Alcohol and/or other drug use and offending:

1. offending under the influence
2. offending to obtain alcohol and/or other drugs
3. drug offenses

Acceptance on to the Youth Drug Court:

The process from screening to acceptance in the Youth Drug Court for the first 30 participants took an average of 4.5 weeks. This timeframe is slightly longer than the initial 4 weeks proposed. The time ranged from 2 to 7.5 weeks due to a variety of factors including timing of FGCs and YSS assessments. The length of time attending the YDC varied greatly from five to 74 weeks, with the mode 48 weeks and the median 45 weeks.

Programmes and Services Utilized by YDC participants:

- Alcohol and other Drug Services
 - Alcohol and other drug services are classified into three categories for the purpose of this evaluation
 1. Residential
 2. Day Programme
 3. Counselling

Types of Alcohol and Drug Treatment Services Required:

The key respondents considered that any residential facility should be well resourced with a constructive programme based on international models of best practice working with young people.

Some key respondents emphasized that working with young people requires a very different approach; for example, a much higher staff to client ratio is required to treat young people. A youth residential programme also requires more flexibility because of the range in maturity of the young people.

For young people who were required to be in custody, the YDC team considered that a medical detoxification facility attached to Kingslea may be appropriate. However, it was also noted that international research shows that the place of incarceration should be physically separate from the treatment facility, possibly to ensure that the treatment programme is not negatively associated with the incarceration facility.

The Youth Drug Court Team is made up of the following practitioners:

- Judge
- YDC Social Worker (Department of Child, Youth and Family Services)
- YJ Coordinator (Department of Child, Youth and Family Services)
- Police Prosecutor (NZ Police)
- Youth Advocates (lawyers) representing TDC participants
- Youth Specialty Services coordinator of the alcohol and other drug steam and mental health team (Ministry of Health)
- Group Special Education Team Leader (Ministry of Education)
- YDC Court Clerk (Ministry of Justice)

Source:

Dr. Carswell, Sue, *Process Evaluation of the Christchurch Youth Drug Court*

Pilot. Ministry of Justice. Wellington, New Zealand. November 2004.

http://www.aic.gov.au/criminal_justice_system/courts/specialist/drugcourts.aspx

NORWAY:

The establishment of the drug treatment court in Norway

On January 1, 2006, two “Drug treatment courts” were established in Norway as pilot projects in the cities of Oslo and Bergen. According to the US National Association of Drug Courts Professionals, a drug court is “... a special court given the responsibility to handle cases involving substance-abusing offenders through comprehensive supervision, drug testing, treatment services and immediate sanctions and incentives” (<http://www.nadcp.org/whatis>). In Norway, drug treatment courts deal with offenders of all ages and of both sexes, with an established relationship between a pattern of serious drug misuse and offending. The aim of the drug treatment court is to reduce or eliminate offenders' dependence on drugs and to reduce the level of drug-related criminal activity.

In the juridical sense, the drug treatment court sentence is a suspended sentence where participation in drug treatment court programs is a condition. The offender has to agree to participate in the drug treatment court programme. The programmes include court-controlled treatment and rehabilitation activities. The programme consists of four phases, and is specially designed for each individual client. Flexibility is an essential feature of the programme in order to meet the client's various needs. Some may need a 24-hour a day treatment at an institution, while others may need policlinic treatment. A supervision and treatment team is responsible for the design of the program. The team consists of representatives from the correctional service, the social service, the health service and the educational and employment service. Other organizations may also be represented in the team, like the police, the child protection agency etc. The permanent members of the team work together at a drug treatment court centre, and some of the client's activities also take place there. The drug treatment court programme transforms the roles of the criminal justice practitioners as well as other involved parties, and one of the aims for the pilot project is to develop good models for cooperation between the services.

A special feature of the Norwegian model is that the court's involvement in the program is not as prominent as for example in the Irish or the Scottish model. However, the programme is supervised by the court, and all the time during the programme, the offender is accountable to the court. It is the court that rewards progress, by for example moving the client to the next phase, or sanctions non-compliance. Naturally, it is also the court that responds to criminal activity during the program. The punishment for not complying with the conditions as well as for new criminality may be imprisonment.

The Norwegian Way

Bergen may 2006

Ingunn Seim

In Norway there were established a working group with participants from different ministries in the government. Their mandate was to make a report on whether the Drug Court system should be implemented in the Norwegian legal system or not, and if so: how to implement it.

The report was presented in September 2004, and the conclusion was that the results from other drug-court countries were so good that this was something Norway should try. The report suggested that the court should lead the drug treatment program.

The report was send out for comments to a lot of different agencies and also all the courts. A lot of agencies, and especially the Supreme Court, was very sceptic to a system where the courts would be so involved in the serving of a sentence. This would break the legal principle of the courts independence to the public administration. The result of the hearing was that when the bill was presented to the Parliament (Stortinget) it suggested that Norway should implement what they called a drug treatment program supervised/controlled by the court (not led by). This resulted in a new statutory provision in the Criminal Code, section 53 and 54. I have enclosed the two sections (document "strl. §§ 53 og 54"). I'm sorry I could not find these in English. The new section also decided that the Ministry of Justice should give administrative regulation to the drug-treatment program. (Enclosed in the document "Forskriften på engelsk"). Both I and Hans-Gunnar were involved in making the administrative regulations for the drug treatment program. The new statutory provision in the Criminal code and the administrative regulations came into force on the 1st of January 2006.

Description of the procedure from a person getting arrested by the police until sentences to a suspended sentence with the condition of attending the drug treatment program supervised by the court:

- ☐ Arrest
- ☐ Usually custody while the police are investigating the crimes
- ☐ A public prosecutor from the police (or the court) has to apply to the drug treatment program- team to write a social inquiry report on the person charged. The team has to conclude whether the charged is suitable for the program or not. This report will be used in court to decide what kind of sentence the judge will give. The court can theoretically come to another conclusion than the team. (Very often a defence lawyer takes the initiative to get a social inquiry report for this purpose, but they still have to apply through the public prosecution. I have spent a lot of time giving information about the drug treatment program to: lawyers, judges, police officers, public prosecutors, prison officers, social workers, health workers, people working with education for grown-ups, and you name it. So the chance for someone to know about this possibility for drug-addicts is good. Theoretically all these different people can guide the drug-addict into getting a sentence like this, as long as it is the public prosecution/the court that formally asks for the social inquiry report).

The team usually needs 4-5 weeks to finish the report. We talk to the charged and we get information from other agencies. Then the team work closely together to conclude on suitability. That is one of our most difficult and major tasks at the moment – finding the right persons to attend the program.

- ☐ When we have finished the report we send it back to the public prosecutor.
- ☐ Then we have to wait until the main hearing is over and the judge passing the sentence, then we formally start the serving of the sentence.

I have enclosed the document “The establishment of Drug Court in Norway”, made by Berit Johnsen. She is a researcher working at the Prison and Probation staff education centre. Here she explains a lot about how the system is supposed to work in Norway.

The Prison and Probation staff education centre is also responsible for evaluating the drug treatment program.

There is only one district court in Bergen and one court in Oslo. It is the ordinary court with all of the judges there, who can pass a suspended sentence and put the condition to attend the drug-treatment program. The correctional service is responsible for the execution of the sentence.

When the convicted has qualified to be transferred to the next phase in the program, the court has to say an order to do so. And also when the convicted has broken any of the conditions the court has to say a sentence that the convict has to go to jail or put other conditions to the sentence.

In Bergen there will be 5 judges (Drug Court judges) in the district court who will follow up the convicted every time they have qualified to be transferred to the next phase or when there is a breach of conditions. One of these 5 judges is probably not the same judge that pronounced the sentence (but it can be). Other than that, the judges will not be part of the team and there will be no pre-court meetings. There is no legal authority for this in Norway. The court is only involved when there is a petition, there is no routinely review.

The team in Bergen consists of:

- ☐ A coordinator (me), employed by the regional level of the correctional service. I have a law degree, and have worked as a public prosecutor, a probation officer and a legal advisor for the correctional service. Hans-Gunnar has almost the same background.
- ☐ A social worker employed by the local council.
- ☐ A psychologist employed by the local health service. (In Oslo a nurse).
- ☐ A probation officer also employed by the correctional service.
- ☐ An educational adviser employed by the county administration.

All the different ministries involved grant money to the project. All the team-members get their salary from their own agency, and the correctional service is responsible for the operating costs.

Where are we today?

We are working on a lot of social inquiry reports. It is a big challenge finding the right persons for the program. Who can we help with this program? How addicted can they be? How mentally ill can they be? Do they need a safe place to live before we start working with them? We have a lot of questions, and very few answers. But we are getting more and more experienced every day.

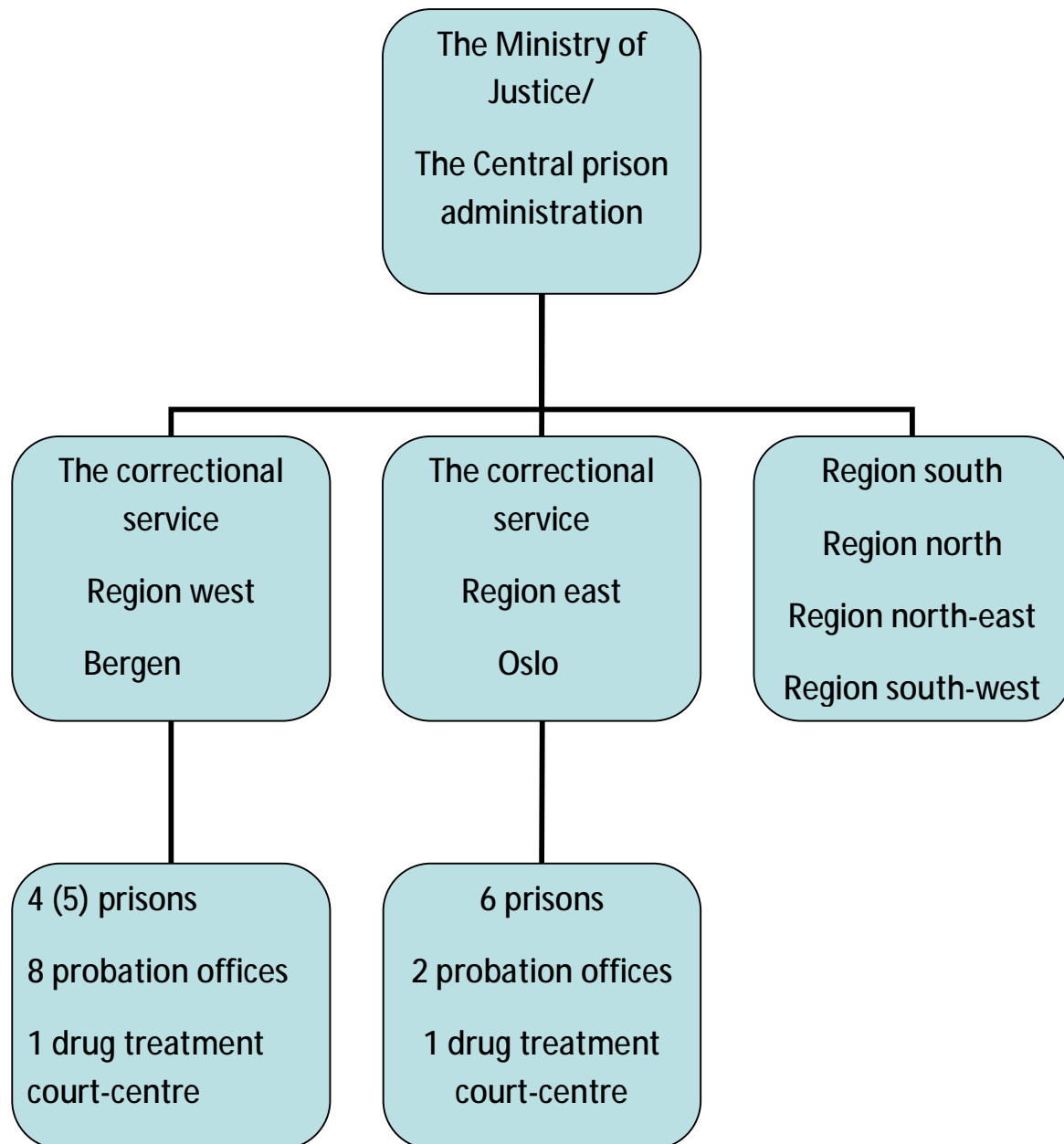
We also have five persons convicted to the program: two of them still serving a prison sentence for a couple of more months, one already breached the conditions by committing new crimes, and two convicts have started using the drug treatment court-centre. There are more to come....

Where are we in 12 months?

In 12 months I really hope we are more certain of whom the target group really is. I also hope we have found a good way to organize and administrate the project with so many agencies involved. (For example the different budgets and the organization of the staff).

I guess we will be working with about 20 convicts in different phases of the program. Hopefully some of the convicts we have today are still with us.

In case it is of any interest I have tried to illustrate the organisation of the correctional service in Norway:



UNITED STATES:



BUREAU OF JUSTICE ASSISTANCE (BJA) DRUG COURT CLEARINGHOUSE **Drug Court Activity Update:** **June 1st, 2009**

Drug Court Activity Underway

No. of Programs Currently Operating: Courts)	2,035 ¹⁰ (includes 83 Tribal Drug
<i>[Additional No. of Operating Drug Court Programs that have been consolidated with other drug courts/ or suspended operations]</i>	147
No. of Programs Planned:	227 ¹¹ (includes 35 Tribal Drug Courts)
<i>[Additional No. of Drug Court Programs that were planning but are no longer planning programs]</i>	188
No. of Drug Courts with Alumni Groups:	175+
No. of States with Drug Court Programs: (Operating or being planned):	All 50 (including Native American Tribal Courts), plus the District of Columbia, Northern Mariana Islands, Guam, and Puerto Rico
No. of states and territories with:	
Adult drug courts (operating or being planned)	50 (including Native American Tribal Courts), plus the District of Columbia,
Guam, and Puerto Rico	
Juvenile drug courts (operating or being planned)	49 (including Native American Tribal
Courts), plus the District of Columbia, Guam, and Northern Mariana Islands	
Family drug courts (operating or being planned)	41 (including Native American Tribal
Courts), plus the District of Columbia	
No. of counties with drug court programs (operating or being planned)	1,416 out of 3,155 Counties ¹² (44.8 %)
No. of Tribes and Native Villages with Drug Court Programs (Operating or being planned)	86
No. of tribal drug court/healing to wellness court programs: (Operating or being planned)	118
No. of counties with drug court programs being planned or are operating and also have mental health courts	100+
No. of Judges Who:	
Are currently serving as Drug Court Judges for programs Operating or being planned	2,775 approx.

¹⁰ Includes 1171 adult drug courts; 488 juvenile drug courts; 268 family drug courts; 24 combination adult/juvenile/family drug courts; and 84 tribal drug/healing to wellness courts.

¹¹ Includes 103 adult drug courts; 51 juvenile drug courts; 35 family drug courts; 3 combination adult/juvenile/family drug courts; and 35 tribal drug/healing to wellness courts

¹² U.S.Census Bureau, "Geographic Coverage," Washington, DC: U.S. Census Bureau. June 2006

[<http://censtats.census.gov/usa/usainfo.shtml.>](http://censtats.census.gov/usa/usainfo.shtml)

Have previously served as Drug Court Judges
Are also serving as Mental Health Court Judges

2,800 approx.
25+ approx.

States That Have:

Enacted legislation relating to the planning, operating and/or funding of Drug Courts:

44 plus the District
of Columbia, and
Guam

Enacted state or local rules/orders relating to the operation of drug courts:

24 plus the District
of Columbia

Appellate Caselaw Relating to Drug Courts:

36 states plus
District of Columbia,
3 tribal courts & 6
fed. Distrs; 4 fed. Circs.

**Native American Tribal Councils which have enacted legislation relating
to the Planning/operation of drug court programs:**

2

DRUG COURT IMPLEMENTATION BY YEAR

	JUVENILE		ADULT		FAMILY		TRIBAL/Healing to Wellness Courts		COMBINED		TOTAL*	
Year	For Year	To Date	For Year	To Date	For Year	To Date	For Year	To Date	For Year	To Date	For Year	To Date
1989	0	0	1	1	0	0	0	0	0	0	1	1
1990	0	0	0	0	0	0	0	0	0	0	0	0
1991	0	0	4	5	0	0	0	0	0	0	4	5
1992	0	0	4	9	0	0	0	0	0	0	4	9
1993	0	0	9	18	1	1	0	0	0	0	10	19
1994	0	0	21	39	2	3	0	0	0	0	23	42
1995	7	7	30	69	0	3	1	1	0	0	38	80
1996	10	17	49	118	3	6	0	1	0	0	62	142
1997	20	37	65	183	2	8	4	5	3	3	94	236
1998	29	66	72	255	8	16	7	12	2	5	118	354
1999	39	105	94	349	7	23	8	20	0	0	148	502
2000	72	177	101	450	17	40	8	28	2	7	200	702
2001	60	237	113	563	18	58	8	36	4	11	203	905
2002	62	299	128	691	39	97	10	46	2	13	241	1146
2003	33	332	74	765	30	127	4	50	1	14	142	1288
2004	44	376	120	885	28	155	8	58	1	15	201	1489
2005	45	421	112	997	37	192	9	67	3	18	206	1695
2006	25	446	68	1065	28	220	10	77	0	18	131	1826
2007	17	463	46	1111	18	238	2	79	1	19	84	1910
2008	22	485	55	1166	27	265	4	83	5	24	113	2023
6/1/2009	3	488	5	1171	3	268	1	84	0	24	12	2035

* Does not include 147 additional programs that were implemented and subsequently suspended operations or consolidated with other programs.

For further information, contact:

BJA Drug Court Clearinghouse
Justice Programs Office, School of Public Affairs
American University

4400 Massachusetts Avenue NW, Brandywine, Suite 100
Washington D.C. 20016-8159

Tel: 202/885-2875 Fax: 202/885-2885 E-mail: justice@american.edu Web: www.american.edu/justice

C. EVALUATIVE INFORMATION

Ireland:

Evaluation of Irish Drug Courts, October 2002: Summary

Jamaica:

Statistical Information

United States:

**Summary of Recidivism and Other Findings Reported in Selected
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IRELAND:

Evaluation of Irish Drug Courts, October 2002¹³: Summary

In the 1990's, informal estimates of the Irish prison system, particularly in Dublin, showed that approximately 80% of indictable crimes were drug-related and that 66% of a sample of Dublin prisoners were heroin users. In 1997, a Drug Court Planning Commission was set up to investigate the feasibility of establishing an alternative to incarceration and, in 2001, the very first participant was admitted to the drug court in Dublin.

In January, 2001, a Steering Committee decided to establish January 16th, 2001-January 31st, 2002 as the time period in which a formal evaluation of the pilot project would be conducted. Although the relatively short timeframe precluded any conclusive comparisons of recidivism to incarcerated drug users, the evaluation was able to assist in determining whether the program should be continued.

The evaluation was based on three components:

- 1) Process Evaluation: the collection of both quantitative and qualitative information to determine whether or not the drug court program met procedural and administrative goals, and to identify strengths and weakness of the model
- 2) Outcomes Evaluation: the collection of information to determine whether the drug court program was effective in reducing recidivism, drug usage, and addiction, when compared to a control group of non-participant drug offenders
- 3) Cost-Effectiveness Analysis: the collection of Average Standard Cost for processing a drug court participant compared to members of the control group

Process Evaluation: All stakeholders in the drug court process agreed that the program could address in a significant way the causes of acquisitive crime and make a strong positive impact on the lives of certain drug addicted offenders. However, there was less clarity as to the established mission and objectives of the drug court, which some believed contributed to the relatively low number of referrals. Some respondents expressed optimism that referrals would increase as the program became more established. Many respondents felt that the drug court program needed to have its own dedicated treatment service in order to appropriately address treatment needs, since "mainstream" treatment often lagged behind the established time deadlines. Furthermore, while some difficulties were experienced in getting various agencies to work together on the joint project, respondents were generally positive about future cooperation. Finally, drug court participants (offenders) believed the program to be quite demanding, but felt that it provided an experience that was overall supportive and ultimately rewarding.

Outcomes/Impact Evaluation: Despite the low numbers of referrals as of the conclusion of the evaluation, the overall profile of participants was similar to that of drug courts in other countries. Participants were primarily male; in their 20s; unemployed; undereducated; possessed a high number of prior convictions, with a high risk of reconviction; and all 35 participants were heroin addicts using an average of 5 different drugs. By the end of the evaluation period, significant results became evident: the re-offense had declined substantially, as had the percentage of positive drug tests, and participation in

¹³ This summary was prepared by staff at the Justice Programs Office, School of Public Affairs at American University. The full text of the report can be found, with statistical appendices, on the website for the Irish Courts website at [http://www.courts.ie/Courts.ie/library3.nsf/%28WebFiles%29/0D3E40D7D530786380256DA6003DB7DB/\\$FILE/Final%20Report.pdf](http://www.courts.ie/Courts.ie/library3.nsf/%28WebFiles%29/0D3E40D7D530786380256DA6003DB7DB/$FILE/Final%20Report.pdf).

educational activities was generally high. Some issues adversely affected participants' progress, including alcoholism, homelessness, and gender/childcare troubles.

Cost-Effectiveness: The study finds that, in many jurisdictions that have already established drug courts, much of the cost savings comes from participation over incarceration. However, Ireland had relatively low incarceration rates to begin with. Respondents felt that efficiency could be improved in three areas—shortening the assessment phase from an average of 27 days; revoking bail less frequently, especially in the early days of the evaluation; and increasing referrals to capacity level—but that most indicators point to cost savings over time.

JAMAICA:

STATISTICAL INFORMATION

REPORT OF DRUG COURT TREATMENT & REHABILITATION PROGRAMME FROM START OF PROGRAMME TO MARCH 2009

YEAR	TOTAL REFERRED BY COURT	ADMITTED & ELIGIBLE FOR PROGRAMME	GRADUATED	DROP OUT
2001	20	17	5	5
2002	36	32	5	10
2003	43	29	18	10
2004	57	38	18	9
2005	64	45	25	7
2006	36	29	21	5
2007	43	42	11	18
2008	30	25	6	11
2009	5	5	-	-
TOTAL	334	262	109	75

UNITED STATES:

**Summary of Recidivism and Other Findings Reported in Selected Evaluation Reports of U.S Adult
Drug Court Programs Published 2000 – Present**

**Summary of Recidivism and Other Findings Reported in Selected Evaluation Reports of U.S Adult
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PART ONE

#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
1	2004	<i>Phase II Douglas County [Nebraska] Drug Court Evaluation Report.</i> Thomas J. Martin, Cassia C. Spohn, R.K. Piper, and Jill Robinson	Recidivism and cost benefit study comparing criminal justice outcomes of offenders in drug court with offenders in County Attorney's pre-trial diversion program and offenders in traditional adjudication	Drug court participants	offenders in County Attorney's pre-trial diversion program and offenders in traditional adjudication
2	September 2004	<i>Participation in Drug Treatment Court and Time to Rearrest.</i> Duren Banks and Denise C. Gottfredson. <i>Justice Quarterly</i> . Vol. 21, no. 3, September 2004. Academy of Criminal Justice Sciences	Review of arrest history of 139 drug court and 96 control group defendants re arrests for two year period following assignment to drug court (drug court participants randomly assigned to drug court; control group was eligible but randomly assigned to nondrug court treatment)	139 drug court participants randomly assigned to drug court; and 96 control group was eligible but randomly assigned to nondrug court treatment)	96 control group defendants who were eligible for drug court but randomly assigned to nondrug court treatment
3	January 29, 2004	<i>Cost Analysis of Anne Arundel County, Maryland Drug Court. Prepared by: NPC Research, Inc., Portland, Oregon</i>	Tracked sample (53) of Drug court participants who entered the drug court from 1997 – 1998 re recidivism and costs resulting	Sample (53) of drug court participants who entered drug court from 1997 -1998	Comparable defendants who did not enter the drug court during the same period
4	January 29, 2004	<i>Cost Analysis of Baltimore City, Maryland Drug Treatment Court: Includes Outcome Findings, Cost Analysis, and Summary and Conclusions, Only; Prepared by NPC Research, Inc., Portland, Oregon</i>	Tracked sample of 60 drug court participants from 2000 and comparable sample of 63 offenders who did not enter the drug court for 3 year period to determine possible cost savings for justice system, victimization, and for other areas	Sample of 60 drug court participants who entered program in 2000 compared with comparable sample of 63 offenders who did not enter the drug court	Comparable defendants from 2000 who did not enter the drug court

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
5	January 2004	<i>Kalamazoo County 9th Judicial Circuit Court Office of Drug Treatment Court Programs: Statistical Report: 2003. Prepared January 2004</i> - Part One: Female Drug Court - Part Two: Male Drug court	Updates previous annual report with 2003 data to cover 543 female enrollees and 506 male enrollees since program began	543 female enrollees and 506 male enrollees in Kalamazoo Drug Court since its inception	n/a
6	January 2004	<i>Oklahoma Drug Courts: Fiscal Years 2002 and 200. Prepared by The Oklahoma Criminal Justice Resource Center.</i>	Review of data from 19 adult drug and DUI courts operating in 21 counties in Oklahoma, including drug court participant characteristics at time of program entry; compliance with Oklahoma Drug Court Statute; use of sanctions; outcome, recidivism and costs	1,666 participants in 19 drug courts during period July 2001 – June 2003. [findings reported for graduates only]	(1) successful standard probation drug offenders; and (2) released inmates who had drug convictions;
7	October 2003	<i>The New York State Adult Drug Court Evaluation: Policies, Participants and Impacts.</i> Center for Court Innovation. New York, New York.	Reviews operations, recidivism and other impacts in the following nine drug courts: Bronx, Brooklyn, Queens, Rochester, Suffolk Co., and Syracuse	Studied post-arrest recidivism of drug court participants for 3 years (Bronx, Manhattan, Queens, and Suffolk) and 4 years (Brooklyn and Rochester), compared with reconviction rates of similar defendants not entering the drug court;	Similar defendants not entering drug court
8	August 1, 2003	<i>Drug Court More Beneficial for Women:</i> [author not provided]	Oklahoma female prison population Drug-Court Enrollments as of July 1, 2003	Oklahoma female drug court graduates	Oklahoma male drug court graduates
9	July 2003	<i>16th Judicial District of Tennessee (Rutherford Co.) Drug Court Program 2003 Process Evaluation.</i> Dana K. Fuller, Ph.D. July 2003	Studied 99 persons admitted to the program as of July 15, 2003	Studied 99 persons admitted to the program as of July 15, 2003	n/a – process evaluation with limited outcome data

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
10	June 1, 2003	<i>Recidivism Among Federal Probationers</i> Minor, Kevin; Wells, James; Sims, Crissy.	Individuals serving federal probation sentences in the Eastern District of Kentucky.	200 individuals sentenced from Federal Probation in the Eastern District of Kentucky between 1/96 and 6/99. Individuals were studied during a 2-year follow-up period between 1/96 and 6/99.	N/A
11	May 2003	<i>Coconino County DUI/DRUG Court Evaluation</i> . Prepared by: Frederic I. Solop, Nancy A. Wonders, et. Al. Social Research Laboratory, Northern Arizona University	Outcome data compiled May 1, 2001 – October 31, 2002 for Drug court participants and control group with similar characteristics and processed through traditional criminal justice system	Participants in DUI Drug Court during May 1, 2001-October 31, 2002	Randomly assigned eligible offenders with similar characteristics processed through traditional criminal justice system
12	April 18, 2003	<i>Assessing the Efficacy of Treatment Modalities in the Context of Adult Drug Courts</i> . Donald F. Anspach, Ph.D. and Andrew S. Ferguson.	Examines various issues relating to the delivery of treatment services in four drug court sites: Bakersfield, Cal; St. Mary Parish La.; Jackson Co., Mo.; and Creek Co., Okla.;	In addition to treatment and related staff, 2,357 offenders enrolled in the four programs between January 1997 and December 2000	n/a

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
13	April 15, 2003	<i>Bibb County Special Drug Court Program: Eight-Year Annual Report. April 15, 2003.</i> Prepared by Chief Judge Tommy Day Wilcox, Superior Courts, Macon Judicial Circuit and Jacqueline Duncan, Program Administrator	Review of program operations and analysis of graduates: 1994 – 2002	394 graduates of program from 1994 – 2002	n/a
14	March 2003	<i>Summary Report of Virginia's Drug Court Programs.</i> Office of the Supreme Court of Virginia and Virginia Department of Criminal Justice Services.	Individuals in the Virginia drug court program between November 1995 and December 2002 were analyzed.	1727 Virginians admitted to the felony drug court program	N/A

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
15	March 2003	<i>Washington State's Drug Courts for Adult Defendants: Outcome Evaluation and Cost-Benefit Analysis.</i> Washington State Institute for Public Policy	Presents statistical summary of other drug court studies in U.S; describes Washington's outcome evaluation and cost-benefit analysis of the following 6 of Washington's adult drug courts (with implementation dates noted): King Co. (8/1/94); Pierce Col (10/11/94); Spokane Co. (1/1/95); Skagit Co. (4/1/97); Thurston Co. (5/1/98); and Kitsap Co. (2/1/99); and presents findings and recommendations (study conducted at direction of Washington Legislature)	Evaluated six adult drug courts in Washington operating during 1998 and 1999 to test whether Washington's drug courts reduce recidivism rates	Obtained individual-level data (gender, age, ethnicity, prior criminal history, and current offense) for defendants who entered drug court and, for four of the programs also obtained individual-level data for defendants screened for the drug court; then constructed comparison groups; used this information to construct comparison groups, using six different comparison groups and several sampling approaches, including: selecting cases filed in the same counties 2 years prior to start of drug court; selecting comparable cases from non-drug court counties filed at same time; tested drug court effectiveness using all six groups to provide a range of estimates for drug court outcomes
16	February 7, 2003	<i>Judicial Council of California. Administrative Office of the Courts. Report. Collaborative Justice Courts Advisory Committee. Progress Report</i>	Evaluated cost and effectiveness of drug courts in state; Phase I: study of three courts	Participants who completed drug court	N/A; compared arrest rates two years following admission with arrest rates two years prior to admission

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
17	January 6, 2003	<i>Evaluating the Effectiveness of Drug Courts in Idaho: Report to Governor Dirk Kempthorne and the First Regular Session of the 57th Idaho Legislature.</i> Idaho Supreme Court	Review of developments of 30 drug courts in Idaho; data provided on participants in Districts 4 and 5 (6 programs with 206 participants)	6 programs in Districts 4 (Ada Co and Elmore Co.) and 5 (Mini-Cassia Minidoka Co and Twin Falls Co.) [findings reported for graduates only]	n/a
18	January 2003	<i>Evaluating Treatment Drug Courts in Kansas City, Missouri and Pensacola, Florida: Final Reports for Phase I and Phase II.</i> Abt Associates. Prepared by Linda Truitt; Wm. Rhodes; N.G. Hoffman; Amy Maizell Seeherman; Sarah Kuck Jalbert; Michael Kane; Cassie P. Bacani; Kyla M. Carrigan; Peter Finn	Phase I: retrospective study of 1992-7 participants including case studies (process); and impact evaluation (survival analysis of recidivism); Phase II: study of 1999-2000 participants re program retention and participant perceptions	Phase I; 1992-7 and Phase II: 1999-2000 participants in Escambia County, Florida (74 participants) and Jackson County, Kansas (182 participants)	Phase I: Recidivism: Defendants with similar criminal histories arrested before drug court started and defendants with similar criminal histories arrested between 1993-7 who participated and did not participate in the drug court Phase II: n/a
19	May 5, 2002	<i>From Whether to How Drug Courts Work: Retrospective Evaluation of Drug Courts in Clark County (Las Vegas) and Multnomah County (Portland), [Oregon].</i> John S. Goldkamp; Michael D. White; Jennifer B. Robinson.	Tracks implementation and development of drug court in Portland, Oregon (1991-98) and Las Vegas, Nevada (1992-1998, focusing on outcomes and possible impact of various factors relating to structure, operation, and various innovations introduced in these programs	75 Drug court participants from each year since program inception in Portland (except 143 defendants for 1997); and 100 participants for each year in Las Vegas, and similar groups of defendants who didn't enter drug court and whose cases were disposed of through the traditional process.	Two groups of comparable defendants in each site whose cases were disposed of through the traditional process: (a): defendants who failed to attend first drug court appearance; and (b) defendants who attended first drug court appearance but failed to attend treatment

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
20	March 2002	<i>Drug Court Partnership Act of 1998, Chapter 1007, Statutes of 1998. Final Report.</i> Prepared by The California Department of Alcohol and Drug Programs and the Judicial Council of California, Administrative Office of the Courts.	Present results of evaluation of 34 drug courts operating under Drug Court Partnership Act to demonstrate cost effectiveness of program	34 drug courts operating under Drug Court Partnership Act	
21	October 2001	<i>Kentucky Drug Court Outcome Evaluation: Behaviors, Costs, and Avoided Costs to Society. Prepared by TK Logan, William Hoyt and Carl Leukefeld. Center on Drug and Alcohol Research. University of Kentucky</i>	Outcome evaluation of drug court programs in Fayette, Jefferson and Warren Counties, Kentucky	Study of 745 drug court participants from three drug courts; studied graduates, program terminators and individuals assessed for the drug court but who did not enter	Individuals assessed for the drug court but did not enter
22	October 2000	<i>Tulsa County Adult Drug Court: Phase II Analysis.</i> Wright, David. O'Connell, Paul. Clymer, Bob. Simpson, Debbie.	Clients that had entered the Tulsa County Adult Drug Court Programs from 5/96 to 6/00.	117 adult non-violent felony offenders with substance abuse histories who had entered the drug court program were monitored from 5/96 to 6/00 within the Tulsa County Adult Drug Court system.	A sample of 113 individuals on probation was matched by criminal history and felony charge to the population studied.

**Summary of Recidivism and Other Findings Reported in Selected Evaluation Reports of U.S Adult
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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
23	May 1999	<i>Evaluation of the Hennepin County {Minneapolis} Drug Court. Minnesota Citizens Council on Crime and Justice (R. Ericson; S. Welter and Thomas L. Johnson]</i>	Reviews program operations and outcomes of drug court participants during 1996-998 period; analyses treatment recidivism (readmission to new program after completing drug court treatment) and criminal recidivism (felony and gross misdemeanor charges and misdemeanor convictions occurring during 9 month follow up study period); also looked at employment status and improved parenting skills of participants while in program	Drug court participants whose cases were filed between August 1, 997 and December 31, 1997 (with certain stated exceptions)	past drug offenders prior to drug court program implementation with similar demographic characteristics
24	October 2000	<i>North Carolina Drug Treatment Court Evaluation Final Report. Craddock, Amy.</i>	Data was collected from 534 individuals attending 4 pilot drug court treatment programs in North Carolina, monitored 12 months after graduation	Individuals attending the pilot drug court treatment programs in North Carolina	Eligible drug court treatment applicants not admitted to the program
25	October 2000	<i>Evaluation of Oklahoma Drug Courts, 1997-2000. O'Connell, Paul. Wright, David. Clymer, Bob.</i>	Individuals in the Oklahoma drug court program were monitored at 6, 9, 12, 18, and 24 months.	Oklahoma Drug Court Graduates	Probation offenders matched by criminal history and felony charge

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
26	October 2000	<i>1998 Drug Court Recidivism Report Update.</i> Administrative Office of the Courts, Dade County (Miami), Florida	Provides cumulative re-arrest rates for defendants who refused drug court, withdrew from drug court, and those who successfully completed probation.	Drug court graduates through 1998	Defendants who refused drug court withdrew from drug court, and those who successfully completed probation.
27	January 2001	<i>Final Report on the Polk County Adult Drug Court: Executive Summary and Summary of Findings.</i> Iowa Dept. of Human Rights. Division of Criminal and Juvenile Justice Planning. Statistical Analysis Center.	Study comparing clients entering program from its inception through September 30, 1998 with group of revoked probationers from FY96 and other offenders referred to the drug court who didn't enter	Drug court clients who entered program from inception through September 30, 1998 [findings reported for graduates only]	Group of revoked probationers from FY 96 and defendants who were referred to the drug court but didn't enter
28	July 2001	<i>NW HIDTA/DASA Washington State Drug Court Evaluation Project.</i> G. Cox, L. Brown, C. Morgan, M. Hansten. Alcohol and Drug Abuse Institute. University of Washington, Seattle, Wash.	Study of drug court processes and outcomes in King County, Pierce Co.; Spokane Co; Thurston Co; Skagit Co; Kitsap Co; and Snohomish County; focus on examining organizational structure and operational characteristics of each program and impact of program on re-arrests; convictions, incarceration rates, earned income of participants, and utilization of public resources including medical, mental health, treatment and vocational services	Drug court participants in each site [findings reported for graduates only]	
29	December 2004	<i>Evaluation of Virginia's Drug Treatment Court Programs.</i> Office of the Executive Secretary, Supreme Court of Virginia	Process and outcome evaluation of drug court participant retention rates and graduate and nongraduate (terminated or withdrawn) recidivism rates; also analysis of severity and tonicity of offenses committed by participants prior to drug court entry to address the issue: are drug courts accepting only "light weight" offenders? Or more serious and chronic offenders?	3,216 adult felony Drug court participants admitted to the drug courts between November 1995 and December 2004, consisting of 2,002 graduates or current enrollees	Adult drug offenders studied by Virginia Criminal Sentencing Commission (VCSC) in 1999 for recidivism rates and severity of offense history

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30	October 2003	<i>South Central Judicial District Adult Drug Court Program (Bismarck, N.K). Process Evaluation – Final Report. October 2003. Jeffrey A. Bouffard. North Dakota State University. Department of Criminal Justice and Political Science.</i>	Primarily a process evaluation of program operations compared with anticipated program process and services; also provides limited analysis of outcome info re recidivism (program was too young to do compile adequate data on this) and relationship between demographic chars. Of participants and program performance and outcomes	Reviewed 105 applications of potential participants, 47 enrolled participants and 14 graduates (8 terminations). [findings reported for graduates only]	n/a
31	July 2002	<i>Outcome Evaluation of Ohio's Drug Court Efforts. Final Report. By Edward J. Latessa, Ph.D.; Deborah Koetzle Shaffer; Christopher Lowenkamp. Center for Criminal Justice Research. University of Cincinnati.</i>	Study of adult and juvenile drug courts in Ohio to examine their effectiveness; primary focus is on effects of frequent court contacts and community based treatment on recidivism rates	Common Pleas: Sampled 788 drug court participants and 429 comparison group members from Hamilton, Butler, Erie, and Richland Counties Municipal Court: 556 drug court participants and 228 comparison group from Cuyahoga Co., Miami County and City of Akron; Juvenile Court: studied 310 participants and 134 comparison group members from Belmont, Summit and Montgomery Counties	Matched offenders eligible for drug court program re demographic characteristics and presence of substance abuse problem
32	2001	<i>Evaluation of the Bernalillo County Metropolitan DWI/Drug Court (Institute for Social Research conducted comparison study specifically for drug court graduates)</i>	Reviews background, recidivism, and incarceration costs for 450 offenders served by the DWI/Drug Court since its inception in July 1997 through July 31, 2001; recidivism info for 168 graduates who graduated between March 1998 – September 2000	560 offenders served by the drug court program [findings reported for graduates only]	Recidivism and Cost comparisons: Similar group of probation clients
33	February 2005	<i>Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes. U.S Government Accountability Office</i>	Review of 27 drug court evaluation reports of 39 adult drug court programs that met GAO methodological criteria for soundness	n/a – reviewed already completed evaluation reports but focus includes participants as well as graduates	n/a

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34	April 2005	<i>Evaluation of the Outcomes in Three Therapeutic Courts: Anchorage Felony Drug Court; Anchorage felony DUI Court; Bethel Therapeutic Court. Alaska Judicial Council.</i>	Study for legislature which reviewed info about all participants in Anchorage Felony DUI Court; Anchorage Felony Drug Court; and Bethel Therapeutic Court for 1 years prior to entering drug court and 2 years after leaving drug court	Defendants in Anchorage Felony DUI Court, Anchorage Felony Dr Court and Bethel Therapeutic Court for 2 years prior and 2 years following drug court participation [findings reported for graduates and active participants only]	Defendants who matched participants but didn't enter a therapeutic program.
35	April 2003	<i>The Kootenai and Ada County [Idaho] Drug Courts: Outcome Evaluation Findings. Final Report</i>	Focus is on (1) characteristics of offenders served by the drug court; (2) how drug court participants appear on various indicators of drug use; (3) whether drug court participation affects likelihood of individual recidivating; (4) factors that predict likelihood of success/failure; and (5) outcomes for program graduates	Drug court participants in Kootenai and Ada County Drug courts selected between February 1998 and July 2002: <u>Kootenai Co.</u> : (45% in Phase I; under 1% in Phase 2, 27% in phase 3 and 25% in phase 4; 29% (41) had graduated and 52% (76) had been terminated, followed up for 820 days (2 yrs, 3 mos) for drug court group and 677 days (1 year, 10 months for comparison group; <u>Ada Co.</u> : drug court participants between March 1999 – June 2002; 25.7% currently enrolled (56); 41.7% (91) graduates; and 32.6% (71) terminated.	Comparison group identified by each court of defendants similar to participants in demographics and drug use and who were eligible for the drug court but didn't receive drug court services (Kootenai Co.- 133 and Ada Co. – 161)
36	July 2000	<i>The Hamilton County [Ohio] Drug Court: Outcome Evaluation Findings. Shelley Johnson and Edward Latessa. University of Cincinnati.</i>	Comparison of drug court participants with comparison cases to determine whether drug court participation is associated with differences in outcome	Defendants screened for program during January 1, 1997 – October 31, 1998	Comparison group identified by various data sources including demographics, case history, assessment information and judge's daily drug court docket containing disposition and outcome information; each participant must have a reported substance abuse problem and be eligible for the drug court; drug court group = 226; comparison group – 230

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37	March 2005	<i>Analysis of Oklahoma Drug Courts: Fiscal Years 2002-2004.</i> Oklahoma Department of Mental Health and Substance Abuse Services	Analyzed data from 25 adult drug and DUI courts operating in 30 counties in Oklahoma, including participants who were active July 1, 2001 – June 30, 2004, totaling 2,307 participants	2,307 participants active in 25 adult and dui drug courts during period July 1, 2001 – June 30, 2004 [findings reported for graduates only]	Recidivism rate of drug court graduates compared with that of successful standard probation offenders or released prison inmates
38	July 2001	<i>The Akron Municipal Drug Court: Outcome Evaluation Findings.</i> S. Listwam, D.K. Shaffer, and Edward J. Latessa. Center for Criminal Justice Research, University of Cincinnati	Studied participants in drug court and compared with those designated as comparison cases		Matched group of cases screened November 1997 – April 2000 with selected demographic characteristics, reported substance abuse problem, and eligible for the drug court
39	May 2003	<i>Coconino County DUI/Drug Court Evaluation.</i> Frederic I. Solop, Nancy A. Wonders, K.K. Hagen, K McCarrier. Social Research Laboratory, Northern Arizona University.	Two year process and outcome evaluation of Coconino Co. DUI/Drug court program; used random assignment of eligible offenders to an experimental group that entered the DUI drug court and a control group that was processed through the traditional criminal justice system; collected from May 1, 2001 – October 31, 2002	Drug court participants in the DUI drug court from May 1, 2002 – October 31, 2002	DUI offenders randomly assigned to traditional adjudication process; data collected: May 1, 2001 – October 31, 2002
40	2005	<i>Recidivism of Violent Offenders in a Delaware Drug Court Program for Probation Violators.</i> Christine A. Saum, Ph.D. Univ. of Delaware.	Study of 452 samples of seriously crime-involved offenders and their success in drug court program for probation violators.	452 probation violators with serious criminal histories who entered probation-violator track of New Castle Co. (Wilmington), Delaware Superior Court drug court between October 1993 and March 1997	n/a
41	2004	<i>Kalamazoo County 9th Judicial Circuit Court: Drug Treatment Court Programs. Statistical Report.</i> 2004	Review of demographics, progress, and recidivism of 1,967 females and 2,267 males referred to the drug court program (566 females and 581 males enrolled) from inception (1992 and 1997 respectively) through December 2004	Study of 1,967 females and 2,267 males referred to Kalamazoo drug court programs since inception (June 1992 and January 1997, respectively) through December 2004 [findings reported for graduates only]	n/a

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42	April 2005	<i>Puerto Rico Drug Court Program: Outcome</i> Evaluation Center for Addiction Studies, School of Medicine, Universidad Central del Caribe	(1)Study of the status of participants in the Puerto Rico Drug Court Program one year after admission compared to their status immediately prior to admission; (2) comparison of outcomes of Drug Court Participants to participants in traditional diversion groups supervised by probation and TASC	Drug Court: 222 consecutive admissions from six judicial regions which had a drug court (Arecibo, Bayamon, Carolina, Guayama, Ponce, and San Juan) from March through August 2003; comparison group comprised 220 consecutive admissions from 12 regions	comparison group comprised 220 consecutive admissions from 12 regions in probation or TASC supervised programs
43	September 2005 (interim)	<i>California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II Study Results. NPC Research, Shannon M. Carey, Michael W. Finigan, David Crumpton, Mark Waller, Francine Byrne.(See No. 51 for final report)</i>	Two research questions: (1) are drug courts cost-effective (cost-beneficial)? (2) what drug court practices appear most promising and cost-beneficial? Study of costs and benefits (opportunity resources); cost to taxpayers (public funds); and transactional cost analysis	Graduates and all participants in 9 California courts: Monterey, Los Angeles (El Monte); Orange County (Santa Ana) and Laguna Niguel; San Joaquin Co. and Stanislaus County	n/a
44	January 2005	<i>Malheur Co. Adult [gender specific]t Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey and Gwen Marchand.</i>	(1) does drug court participation reduce no. of re-arrests for participants? (2) does drug court reduce levels of substance abuse; (3) how success is program in bringing participants to graduation within expected timeframe? (4) what participant characteristics produce success? Termination?	Drug court participants entering program since implementation in January 20001 and at least 6 months prior to evaluation. (125 participants) – 77 males and 48 females)	n/a

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45	January 2005	<i>Marion Co. (Oregon), Adult Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey, Gwen Marchand.</i>	(1) does drug court participation reduce no. of re-arrests for participants? (2) does drug court reduce levels of substance abuse; (3) how success is program in bringing participants to graduation within expected timeframe? (4) what participant characteristics produce success? Termination? (5) (5) how important is aftercare to successful outcomes?	62 drug court participants who entered program since implementation in April 2000 and at least 6 months prior to evaluation.	Persons arrested on drug court eligible charges during year prior to drug court implementation, matched to drug court participants on gender, ethnicity, age and criminal history in 2 years prior to drug court
46	July 2003	<i>A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research, Inc. Shannon Carey, Michael Finigan</i>	Study of investment costs and benefits of drug court program; compares use of public resources for drug court clients and for sample of drug court eligible “business as usual” serviced clients.		
47	March 2004	State of California Department of Alcohol and Drug Programs. <i>Comprehensive Drug Court Implementation Act of 1999: Interim Report to the Legislature. Kathryn P. Jett, Director</i>	Study mandated by Comprehensive Drug Court Implementation Act (CDCI) of 1999 describing interim programmatic progress achieved	Data collected from January 2001 – June 2003 for “new participants”, participants who completed (“completers”), and those who were terminated (total of more than 9,000, 7,790 of whom were adults; 3,563 completed program; 2,657 terminated	n/a
48	June 14, 2006	<i>Suffolk Co. (Mass) Drug Court Evaluation. Abt Associates. Wm. Rhodes, Ryan Kling and M. Shiveley</i>	Impact of drug court program on drug court probationer participants	844 probation participants in four drug courts in Suffolk County; could get info for 794 participants; 13% active at time of study; 42% graduates,, 11% had FTAs;	Other drug-involved probationers (but had less extensive criminal histories and less severe probation risk scores so inappropriate to use them as comparison group

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49	May 20, 2006	<i>Outcome Evaluation of the Jackson County, Florida Drug Court.</i> Williams Consulting. Silver Spring, Md.		12 Drug court completers and 16 non-completers who entered program November 1, 2002 and left by October 31, 2005 [findings reported for graduates only]	12 Defendants with similar demographics sentenced during the same period as drug court participants (post conviction) entered program but who had different treatment
50	Spring 2006	<i>Long-Term effects of participation in the Baltimore City drug treatment court: Results from an experimental study.</i> Denise C. Gottfredson et al. U. of Maryland.	Using an experimental design, compares 235 offenders assigned either to drug court or traditional process	139 drug court participants (84 District and 55 Circuit) compared with 96 defendants processed through traditional system during 1997 and 1998	96 defendants processed through traditional system during 1997 and 1998
51	April 2005	<i>California Drug Courts: A Methodology for Determining Costs and Benefits: Phase II: Testing the Methodology.</i> NPC Research. Shannon Carey, Dave Crumpton, Michael Finigan and Mark Waller. (See No. 43 for interim report)	U.S. Dept. of Justice funded study to conduct statewide eval to develop methodology that could be used by drug courts throughout California for ongoing cost-benefit evaluation; and answer two policy questions: (1) are adult drug courts cost beneficial? And (2) what adult drug court practices appear most promising and cost-beneficial	All drug court participants who entered the nine drug courts from January 1998 – December 1999 regardless of whether they completed program.	Non-drug court Defendants in each site eligible to enter the 9 drug courts from January 1998 – December 1999
52	August 2001	<i>The Philadelphia Treatment Court, Its Development and Impact: The Second Phase (1998-2000).</i> John S. GoldKamp al. Crime and Justice Research Institute	Follows first phase that described pilot period for the drug court; focuses on providing aggregate and trend data (April 1997 – August 2000); one year follow up for all participants entering program January 1998 – August 1999 and 6-month follow-up for participants and comparison group from January 1998 – November 1999	All participants and comparison group entering court system from January 1998 – August 1999 and six month follow up for all participants and comparison group from January 1998 – November 1999	-defendants ordered to assessment but not assessed (never appeared); -defendants assessed but found not in need of treatment; -defendants assessed in need of treatment but who chose not to enter drug court; -defendants found to be ineligible for drug court after referral; and -defendants assessed who chose to enter the drug court

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53	July 2005	<i>Malheur County, Oregon Adult Drug Court (S.A.F.E. Court) Cost Evaluation: Final Report. NPC Research.</i>	Outcome: Compared study group behaviors two years prior to entering drug court to the time (12 months to 2 years) following program entry to determine whether drug court (1) reduced no. of re-referrals? (2) reduced substance abuse; (3) successfully completes program for participants; and (4) any participant characteristics predict success? Cost: compared costs to crj incurred by participant 2 years prior to drug court entry with costs over 2 years following drug court entry.	Outcome: All offenders who entered the drug court at least one year before the start of the evaluation Cost: 89 drug court participants (57 males and 32 females); whose primary drug of choice was meth (51%), alcohol (41%). Average age at entry: 31.6; (32.5 – men; 30.3-women) Prior arrests: .47 (.17 drug related)	Not used
54	September 2006	<i>Kalamazoo County, Michigan Adult Drug Treatment Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	Whether drug courts reduced substance abuse? Recidivism? Produced cost savings?	Sample of participants who entered drug court between January 2002 and December 2003	Persons referred to drug court but didn't enroll
55	September 2006	<i>Barry County, Michigan Adult Drug Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	Whether drug court reduced substance abuse? Recidivism? Produced cost savings?	Identified sample of participants who entered drug court between implementation in 2001 and July 1, 2004	(1) those eligible for drug court at time of program implementation but couldn't be admitted because of incapacity; and (2) those subsequently eligible but not participating
56	March 2004	<i>The Douglas County (Nebraska) Drug Court: Characteristics of Participants, Case Outcomes and Recidivisms. Cassia Spohn and R.K. Piker. Final Report. March 2004</i>	Describes characteristics of all offenders (255) bound over to Douglas County District Court and subsequently diverted to Douglas Co. Drug Court in 2001	255 offenders diverted to Douglas Co. drug court in 2001	Comparison group of 687 traditionally adjudicated offenders
57	November 2001	<i>Dallas County DIVERT Court Outcome Evaluation. Monica Turley and Ashley Sibley.</i>	To determine whether Dallas county DIVERT drug court successfully reduced recidivism of first time felony drug offenders	Sample of drug court clients in program between January 5, 1998 and April 30, 2000. (77 graduates; 101 noncompleters)	78 control group

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58	January 2003	<i>Initial Process and Outcome Evaluation of Drug Courts in Texas.</i> Criminal Justice Policy Council.	Legislatively mandated study to examine effectiveness of present drug courts when H.B. 1287 enacted requiring drug courts by September 1, 2002 in counties with over 550,000 population	Tracked 501 offenders entering drug courts in Dallas, Jefferson and Travis Counties between 1998 – 1999 for three years	285 offenders eligible for drug court but not participating
59	October 2003	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 1 Evaluation Report.</i> ISED Solutions.	Studied 64 participants in first year of drug court	64 participants in first year of drug court	n/a
60	December 2004	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 2 Evaluation Report.</i> ISED Solutions.	Documents second year of drug court services and outcomes and analysis of client characteristics associated with poorer /better outcomes	116 drug court clients	n/a
61	March 31, 2004	<i>Cost/Benefit Analysis of the Douglas county, Neb Drug Court.</i> R.K. Piper and Cassia Spohn	To provide administrators and policy makers with critical information for future policy and funding decisions re drug courts	Approximately 300 drug court participants in first two years of program	194 traditional adjudication offenders in Phase 2 and 309 traditional adjudication offenders in Phase 3
62	February 2007	<i>Recidivism in Alaska's Felony Therapeutic Courts.</i> Alaska Judicial Council.	Study of recidivism of graduates of Anchorage Felony DUI and Felony Drug Courts and Bethel Therapeutic Court	63 Graduates and 54 nongraduates of Anchorage Felony DUI Court (46%), Anchorage Felony Drug Court (23%); and Bethel Therapeutic Court (31%)	Comparison group of 97 offenders with similar characteristics
63	October 2006	<i>The Staten Island Treatment Court Evaluation: Planning, Implementation, and Impacts.</i> Kelly O'Keefe and Michael Rempel. Center for Court Innovation.	Process (completed December 2003 for first 19 months of program) and impact evaluation of recidivism for SITC participants in first 40 months of program (March 2002- June 2005)	First 146 SITC participants in program	Matched sample of 46 similar defendants arrested in Staten Island in the year before the SITC opened.

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64	2007	<i>2005/2006 Tennessee Drug Court Annual Report. Office of Criminal Justice Programs. Dept. of Finance and Administration.</i>	Compilation of information submitted by 37 of existing 45 drug courts in the state to annual report of drug court activity and performance according to stated performance measures to be evaluated.	n/a	n/a
65	2007	<i>Wyoming Drug Court Performance Measures Project. National Center for State Courts.</i>	Collected demographic and performance measures data for Wyoming drug courts: retention; sobriety; in program recidivism and units of service for period January 1, 2005-June 30, 2005.	Drug court participants during January 1 – June 30, 2005	n/a
66	April 2007	<i>Multnomah County, Oregon: The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs. NPC Research</i>	Examined impact of drug court on total population of drug court-eligible offenders over 10 year period (1991-2001)- focus of study was on impact of drug court on target population over time (five years of follow up on all cohorts, with up to 10 years on some)	Entire population of offenders identified as eligible for drug court from 1991-2001 identified and tracked; 11,000 cases identified; 6,500 participated in drug court; 4600 had cases processed outside of drug court; data included cases during pretrial/ component (1991-1999) and post adjudication component (beginning in 2000)	Tracked all drug court eligible defendants from 1991-2001; cases processed outside of drug court; 6500 processed cases through drug court
67	April 2007	<i>Indiana Drug Courts: A Summary of Evaluation Findings in Five Adult Programs. NPC Research</i>	Process, outcome and cost study of five unnamed adult drug courts in the state that were operating for at least 12 months at the time of the stud	Participants enrolled sometime between January 2002 and June 2005; varied by program	NA
68	Fall 2005	<i>An Evaluation of Treatment in the Maine Adult Drug Courts. Faye S. Taxman, April Pattavina and Jeffrey Bouffard.</i>	Whether the Maine Drug Court curriculum advances the recovery of offenders and ways in which the drug court affects outcomes.	99 participants from 6 drug courts in different phases of treatment	NA
69	Spring 2008	<i>Substance Use, Drug Treatment, and Crime: An Examination of Intra-Individual Variation in a Drug Court population. Denise C. Gottfredson, Brook W. Kearley, Shawn D. Bushway.</i>	Whether (1) substance use increases crime; (2) drug treatment reduces substance use; (3) drug treatment reduces crime; and (4)the effect of drug treatment on crime is mediated by reductions in substance use	Interviews with 157 study participants 3 years following random assignment to Baltimore Drug court (additional 16 had died)	Random assignment control group

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70	January 2008	<i>Strafford County [NH] Drug Treatment Court: Performance Evaluation 2. New Hampshire Center for Public Policy Studies.</i>	Issues for improvement identified earlier: (1) timeliness of substance abuse evaluations by LADC for new referrals; (2) lack of written standards for program termination for noncompliance; and (3) missed gender treatment groups which seemed to create difficulty for many female participants	Persons admitted since January 19, 2006 (start of program) through October 31, 2006	NA
71	August 1, 2006	<i>A Process and Site-Specific Outcome Evaluation of Maine's Adult Drug Treatment Court Programs. Andrew Ferguson et. Al. Dep't. Of Sociology., University of Southern Maine</i>	Study of five adult drug courts (York County, Cumberland County, Androscoggin Co., Penobscot Co, and Washington Co.) re process and outcomes	Offender level date for 1,365 persons referred to drug court over 56-month period: April 1, 2001-November 30, 2005; assessed 195 adult drug court participants over two time frames: 84 admitted between December 1, 2004- November 30, 2005; and 111 admitted between December 1, 2003 and November 30, 2004.	Substance abusing offenders who didn't participate in the drug court
72	August 2007	<i>Benefit-cost calculations for three adult drug courts in Minnesota. August 2007. Paul A. Anton. Wilder Research</i>	Review of cost benefit of three drug courts (in St. Louis, Stearns and Dodge Counties	203 participants in three county drug courts (see methodology), including both completers and noncompleters	Drug offenders in the counties in the years just prior to establishment of the drug court
73	September 2008	<i>California Drug Courts: Costs and Benefits: Superior Court of San Francisco County. Shannon M. Carey et al. NPC Research</i>	Focus on: (1) are drug courts cost-beneficial?; and (2) what drug court practices appear most promising and cost-beneficial?	221 participants who entered program January 1, 2005 – December 31, 2005 (64 graduated and 157 non-completers) 80% men/20% women: 47% African American; 22% Hispanic/Latino; 21% White; 6% Asian and 4% other; primary drug of choice was cocaine (39%), meth: 21%; heroin (17%);	Participants from 9 different counties analyzed in previous Phase I and II of the study
74	January 31, 2004	<i>Evaluation of Maine's Statewide Adult Drug Treatment Court Program. Interim Report. Donald Anspach, Ph.D. U. of Southern Maine</i>	Review of initial operational period of Maine's six adult drug court (in counties serving 2/3 of Maine's population)	800 persons referred to the drug court over 32 month period: April 2001-November 30, 2003; 345 offenders admitted to adult drug courts as of November 30, 2003	N/A- much of report is process oriented but some comparisons with nationally available data

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75	March 2009	<i>Strafford County (New Hampshire): Drug Treatment Court: Final Performance Evaluation. New Hamp Center for Public Policy Studies</i>	Determine if drug court program is operating successfully and value of rug court in improving rehabilitation of drug abusing offenders	Participants in first three years of the program	Offenders with charges in 203-4 who would have likely been admitted to drug court if existed
76	January 2009	<i>Vermont Drug Courts: Rutland County Adult Drug Court Cost Evaluation. Final Report. NPC Research.</i>	Evaluate effectiveness of Rutland Drug Court in terms of effectiveness in reducing recidivism; determining cost benefits of drug court participation, and to evaluate the drug court processes; key policy questions to be answered: was program implemented as intended? Are services that were planned being delivered to target population? Does program reduce recidivism? Is there a cost savings to taxpayers as a result of drug court participation	Participants who entered program between January 1, 2004 – July 31, 2007	Offenders eligible for drug court but received traditional court proceeding; matched on age, gender, ethnicity, prior criminal history and indications of drug use
77	April 2008	<i>To Treat or Not to Treat: Evidence on the Prospects of Expanding Treatment to Drug-Involved Offenders.</i> Urban Institute. [Avinash Singh Bhati, John K. Roman, Aaron Chalfin.] April 2008	Research using micro-level data compiled from three nationally representative sources (National Survey on Drug Use and Health (NSDUH), Arrestee Drug Abuse Monitoring (ADAM) and Drug abuse Treatment Outcome Study (DATOS) used to construct a synthetic dataset defining using population profiles rather than sampled observation. Resulting synthetic dataset comprising of over 40,000 distinct profiles, permitted cost=benefit analysis of a limited number of simulated policy options	Created a synthetic data set from three nationally representative sources (National Survey on Drug Use and Health (NSDUH), Arrestee Drug Abuse Monitoring (ADAM) and Drug abuse Treatment Outcome Study (DATOS) u	n/a

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78	March 2008	<i>Michigan DUI Courts Outcome Evaluation Final Report Carey, S. M., Fuller, B. E., & Kissick, K. NPC Research</i>	Evaluation of three drug courts in Michigan guided by five research questions. Goal to examine recidivism, reduction in alcohol and substance abuse, determine what traits lead to successful outcome of the program.	DUI court participants for a minimum of one year following either program completion or termination from DUI Court	comparison group of offenders who were eligible for DUI court in the year prior to DUI court implementation
79	April 2008	<i>Crumpton, D., Mackin, J. R., Weller, J. M., Linhares, R., Carey, S. M., & Finigan, M. W. (July 2007). Harford County Adult District Drug Court Process Evaluation. A report to the Maryland Judiciary, Office of Problem-Solving Courts. NPC Research: Portland, OR.</i>	NPC Research, under contract with the Administrative Office of the Courts of the State of Maryland, conducted a cost and outcome study of the Harford County District Court Adult Drug Court (HCADC) program. The report includes the cost of the program and the outcomes of participants as compared to a sample of similar individuals who received traditional court processing. Evaluation designed to answer three key policy questions of interest to program practitioners, researchers and Policymakers: 1. Do drug treatment court programs reduce recidivism? 2. Do drug treatment court programs reduce drug-related re-arrests? 3. Do drug treatment court programs produce cost savings?	Identified sample of participants who entered the HCADC between January 2002 and August 2005	comparison group of individuals who were arrested on a drug court-eligible charge between February 2002 and August 2005 and referred to drug court but received traditional court processing for a variety of reasons (for example, a perceived inability to meet program requirements or unwillingness to participate)

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
80	March 2008	<i>Garey, S. M., Finigan, M. W., & Pukstas, K. (March 2008). Exploring the Key Components of Drug Courts: A Comparative Study of 18 Adult Drug Courts on Practices, Outcomes and Costs. NPC Research: Portland, OR</i>	Examines how different drug court programs are implementing the 10 Key Components and, in particular, how practices vary across programs; also examines whether and how these practices have impacted participant outcomes and program costs including graduation rate, program investment costs, and outcome costs related to participant criminal justice recidivism	Eighteen of 30 evaluations conducted by NPC Research between 2000 and 2006 chosen to be highlighted in the paper for the following reasons. The evaluations included detailed process evaluations of adult drug court program operations and had at least some accompanying outcome data. All process evaluations used the same basic methodology and were designed to assess whether and to what extent the drug court programs had been implemented in accordance with the 10 Key Components	NA
81	April 2007	<i>Finigan, M. W., Carey, S. M., & Cox, A. A. (2007). The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs: Final Report. NPC Research: Portland, OR.</i>	This study was designed to look at the operations and outcomes of a single drug court in Multnomah County (Portland, Oregon) over a 10-year period of court operations through examining the entire population of drug court-eligible offenders over that period. By examining the entire population, rather than sampling, we hoped to describe for policymakers the effects of drug court on the system as it operated during that decade. By examining operations and outcomes, we hoped to add to our knowledge about external and internal changes and how they affect drug court success or failure	The entire population of offenders, identified as eligible for drug court by the Multnomah County District Attorney's Office over a 10-year period, from 1991 to 2001, was identified and tracked through a variety of administrative data systems. Approximately 11,000 cases were identified; 6,500 participated in the Drug Court program during that period and 4,600 had their case processed outside the drug court mode	n/a

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
82	March 2007	<i>Carey, S. M., & Waller, M. (March 2007). Guam Adult Drug Court Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	There are two key policy questions that are of interest to program practitioners, researchers and policymakers that this evaluation was designed to answer. 1. Do drug treatment court programs reduce substance abuse? 2. Do drug treatment court programs reduce recidivism?	NPC Research identified a sample of participants who entered the Guam Adult Drug Court from the implementation of the program through August 2005, allowing for the availability of at least 12 months of outcome data post-program entry for all participants	A comparison group was selected from Probation data on drug offenders in the 2 years prior to the GADC implementation who had cases that would have been eligible for drug court had the program existed at the time
83	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Monroe County Drug Treatment Court Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. Has the MCDTC program been implemented as intended and are they delivering planned services to the target population? 2. Does the MCDTC reduce recidivism? 3. Does the MCDTC reduce substance use? 4. Is there a cost-savings to the taxpayer due to drug court participation? I	The following Information includes data from the 132 participants who entered the program after that date. The vast majority of these participants were white (97%) and male (76%). Forty-eight percent of the participants are single, 22% are married or living as married, 29% are divorced or separated, and 1% widowed. The mean age is 33 years with a range of 19 to 60 years	A sample of individuals who were eligible for drug court but chose not to attend MCDTC and had similar demographic characteristics and prior criminal records

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
84	November 2006	Carey, S. M., Finigan, M. W., Crumpton, D., & Waller, M. S. (2006). <i>California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II in a Statewide Study. Journal of Psychoactive Drugs</i> , 38 (4),345-356.	This study focused on creating a research design that can be utilized for statewide and national cost-assessment of drug courts by conducting in-depth case studies of the costs and benefits in nine adult drug courts in California. A Transactional Institutional Costs Analysis (TICA) approach was used, allowing researchers to calculate costs based on every individual's transactions within the drug court or the traditional criminal justice system	All participants who entered the drug court programs during a specified time period and were active in the drug court programs for at least two weeks were included in the study. It was necessary for drug court participant samples to be selected from years that had a reasonable amount of administrative data, while at the same time giving the individuals in the samples enough time for outcomes to occur. The drug court cohorts were selected from participants who entered the drug court programs between January 1998 and December 1999, which provided at least four years of outcome data. The participant cohorts from each site were selected from either the drug court database or from databases (such as electronic court records) that flagged drug court participants.	comparison offenders at each site were matched as closely as possible to the drug court participants using a propensity score matching technique based on demographics (gender, age, ethnicity), previous criminal justice involvement (in the two years prior to the drug court arrest: number of all arrests, number of drug related arrests, number of days in jail), and previous use of treatment services (number of treatment episodes in the two years prior to the drug court arrest)

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
85	September 2006	<i>Marchand, G., Waller, M. S., & Carey, S. M. (Oct. 2006). Barry County Adult Drug Court Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	<p>In 2005, the Michigan Supreme Court, State Court Administrative Office contracted with NPC Research to perform outcome and cost evaluations of two Michigan adult drug courts; the Kalamazoo Adult Drug Treatment Court and the Barry County Adult Drug Court. This document describes the evaluation and results for the Barry County Adult Drug Court (BCADC).</p> <p>There are three key policy questions that are of interest to program practitioners, researchers and policymakers that this evaluation was designed to answer.</p> <ol style="list-style-type: none"> 1. Do drug treatment court programs reduce substance abuse? 2. Do drug treatment court programs reduce recidivism? 3. Do drug treatment court programs produce cost savings (in terms of avoided costs)? 	NPC Research identified a sample of participants who entered the BCADC from the implementation of the program through July 1, 2004 (allowing time for outcomes post program entry).	A comparison group was identified from two sources (1) those individuals who were eligible for Drug Court at the time of implementation, but whom could not be admitted into the program due to capacity issues at startup and (2) individuals arrested on a Drug Court eligible charge during the study period but who received traditional court processing for a variety of reasons

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86	February 2006	<i>Pukstas, K., Weller, J. M., Brekhus, J., Crumpton, D., Carey, S. M., Mackin, J. R., & Finigan, M. W. (Feb. 2006). Maryland Drug Treatment Courts: Interim Report of the Effectiveness of Juvenile Drug Courts. NPC Research: Portland, OR</i>	<p>The report includes the following</p> <p>A description of the characteristics of juvenile drug court programs and the problems that they are designed to address.</p> <ul style="list-style-type: none"> • A discussion of the practices incorporated in Maryland's juvenile drug court programs as compared with research-based best practices for juvenile substance abuse and criminal justice interventions. • A comparison of the criminal justice system experience of a statewide sample of youth before and after their participation in Maryland's juvenile drug courts. • A comparison of the estimated program costs for juvenile drug court participants with those of individuals who participate in another intervention for similar juvenile offenders operated by DJS. 	NPC selected a sample of juveniles who were placed in the Maryland juvenile drug court system between 2001 and 2004, and released prior to December 15, 2004,	N/A
87	July 2005	<i>Carey, S. M., & Marchand, G. (Jan. 2005). Malheur County Adult Drug Court (S.A.F.E. Court) Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	The goal of this design is to determine whether participation in S.A.F.E. Court was influential in changing behavior patterns established prior to S.A.F.E. Court entry	NPC Research identified all offenders who had entered the S.A.F.E. Court program at least one year before the start of the evaluation and compared their behaviors in the two years prior to entering S.A.F.E. Court to the time period (twelve months to two years) following their entry into the program	N/A

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88	July 2003	<i>Carey, S. M. & Finigan, M. W. (July 2003). A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research: Portland, OR.</i>	<ul style="list-style-type: none"> · Collect and examine data from a mature drug court using a high-intensity cost assessment protocols developed specifically for this study and report these findings in a manner relevant to local policy makers. · Examine the differences between the proxy measures that we might have used in this study with the actual costs generated by our detailed cost assessment protocols. · Develop preliminary cost and cost offset assessment protocols that can be used by other drug court sites. 	N/A	N/A

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89	February 2004	Carey, S. M. (Feb. 2004). <i>Clackamas County Juvenile Drug Court Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	<p>Following is the list of research questions asked in this evaluation and the outcome results for these questions.¹</p> <p><i>Research question #1: Does participation in drug court, compared to traditional court processing, reduce the number of re-referrals for participants?</i></p> <p><i>Research question #2: Does participation in drug court reduce levels of substance abuse?</i></p> <p><i>Research question #3: How successful is the program in bringing program participants to completion and graduation within the expected time frame?</i></p> <p><i>Research Question #4: How has the program impacted the participants and their families?</i></p> <p><i>Research Question #5: What participant characteristics predict successful outcomes? What are the commonalities of clients terminated from the program? How do those terminated from the programs differ from those who have graduated?</i></p>	<p>This report contains the CCJDC outcome evaluation performed by NPC Research. Because the CCJDC is relatively small and was implemented recently, the entire population of drug court participants (except for those who had started less than 6 months before the time of outcome data collection) was used in these analyses</p>	<p>The drug court participant outcomes were compared to outcomes for a matched group of offenders who were eligible for drug court during a time period before the CCJDC program was implemented.</p>

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90	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., & Linhares, R. (April 2007). Indiana Drug Courts: Vanderburgh County Day Reporting Drug Court Evaluation: Final Report. NPC Research: Portland, OR.	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. <i>Has the VCDRDC program been implemented as intended and are they delivering planned services to the target population?</i> 2. <i>Does the VCDRDC reduce recidivism?</i> 3. <i>Does the VCDRDC reduce substance use?</i> 4. <i>Is there a cost-savings to the taxpayer due to drug court participation?</i> I	current participants	Terminated participants
91	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Vigo County Drug Court Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. <i>Has the VCDC program been implemented as intended and are they delivering planned services to the target population?</i> 2. <i>Does the VCDC reduce recidivism?</i> 3. <i>Does the VCDC reduce substance use?</i> 4. <i>Is there a cost-savings to the taxpayer due to drug court participation?</i>	Current and graduated participants	Terminated participants

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#	Publication Date	Bibliographic Information	Focus of Study	Population Studied	Comparison Group
92	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: St. Joseph County Drug Court Program Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.	This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers: 1. <i>Has the SJCDC program been implemented as intended and are they delivering planned services to the target population?</i> 2. <i>Does the SJCDC reduce recidivism?</i> 3. <i>Does the SJCDC reduce substance use?</i> 4. <i>Is there a cost-savings to the taxpayer due to drug court participation?</i>	Current and graduated participants	Terminated Participants
93	November 2009	Analysis of the Sisseton-Wahpeton Oyate Tribal Drug Court	Analyzing the Successes and areas in need of improvement in the treatment court.	Current and Graduated Participants	Terminated participants

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PART TWO

#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
1	2004	N/A	<p>Offenders assigned to drug court significantly less likely to be rearrested than offenders who go through traditional adjudication (including felony arrests)</p> <p>Offenders assigned to drug court more likely to be rearrested than offenders in pretrial diversion (including felony arrests) <u>–[NOTE: pretrial diversion is for lower risk offenders]</u></p>	n/a	n/a
2	September 2004	Survival analysis of 139 drug court participants and 96 defendants eligible for drug court but randomly assigned to non drug court program	<p>-A significantly greater proportion of the drug court sample (33%) survived throughout the follow up period compared with less than one fifth of the control sample (18%)</p> <p>-both samples experienced their sharpest decline between months 0 and 4 when each lost about one third of its members to failure (e.g., arrest).</p> <p>- half of the control sample failed by 5.1 months while the drug court sample did not lose half of its members until 11.1 months</p> <p>- drug court sample members who had greater exposure to the drug court components of drug treatment, drug testing, and status hearings were rearrested significantly less often than those with less exposure to these components.</p>	N/a	24 months from time of program entry

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
3	January 29, 2004	Tracked sample of drug court participants (53) in District Court and comparable group of non drug court participants for recidivism and costs and possible cost savings resulting	Over 4 year period, drug court participants had 12.3% fewer arrests than comparison group; PROPERTY OFFENSES: Drug court participants had 18.8% fewer arrests for property crime than comparison group; CRIMES AGAINST PERSONS: Drug court participants had 73.3% fewer arrests for crimes against persons than comparison group, so that victimization costs (e.g., medical costs, lost time from work, etc.) were substantially reduced; nongraduates had 1.17	n/a	Four years following program entry
4	January 29, 2004	Tracked sample of drug court participants (60) in Circuit and District Courts and comparable group of (63) non drug court participants for recidivism and resultant costs and possible cost savings resulting	- Over 3 year period, drug court participants had 31.4% fewer arrests overall than comparison group (Circuit Court participants had 44.2% fewer arrests); - DRUG OFFENSES: Drug court participants had 35.3% fewer arrests than comparison group (62.3% fewer arrests for Circuit Court participants); -PROPERTY OFFENSES: Drug court participants had 68.8% fewer arrests for property crimes than comparison group (71.9% fewer arrests for Circuit Court participants) -CRIMES AGAINST PERSONS: drug court participants had 48% fewer crimes against person than comparison group (Circuit Court participants had 70% fewer), with resultant reductions in victimization costs (medical expenses, lost pay, etc.) as well as criminal justice system costs	n/a	3 years following program entry
5	January 2004	Updated previous annual report to follow 543 female enrollees since program inception		N/a	n/a

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			Re-Arrests	Convictions	Time Followed
6	January 2004	N/A		Of 425 drug court graduates, 8 (1.9% recidivated*; of 3,405 successful standard probation offenders, 113 (3.3% recidivated); of 3,334 released inmates, 262 (7.9%) recidivated. Drug court graduates almost 2 times (73.7%) less likely to recidivate* than successful standard probation offenders; Drug Court graduates over 4 times (315.8%) less likely to recidivate than released <u>prison inmates</u> *recidivate: defined as offender becoming incarcerated in prison	First year following graduation
7	October 2003	Follows drug court participants in six NY programs and compares with similar defendants not entering drug court	(1) Recidivism reductions ranged from 13% to 47%, with average of 29% (2) (post program recidivism reduction from 19% to 52% (average is 32%))		(1)Following arrest (2) following program
8	August 1, 2003	N/A	-Women 14.2% -Men 21.4%	N/A	Within 36 months of graduating from drug court
9	July 2003	Process evaluation of 99 participants admitted to the program as of July 15, 2003	21% of participants admitted to program arrested while enrolled; 8% of 36 graduates arrested after graduation		December 2000 – July 2003
10	June 1, 2003	N/A	-30.5% had violated sentences within 2 years of being placed on probation.	N/A	N/A

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
11	May 2003	Process and outcome evaluation of 57 DUI drug court participants and 42 control group randomly assigned defendants with similar characteristics whose cases were processed in the traditional process	.01 offenses for DUI Drug Court participants compared with .03 for control group also: number of positive drug tests: - DUI drug court participants: 4% (6.1 average taken per month) - Control group: 18% (1 average taken per month)	n/a	18 months
12	April 18, 2003	Obtained re-arrest data for each of 2,357 participants in 4 drug courts studied for 12 months following discharge from program	Overall: - 9% rearrests for graduates; rearrests took average of 6.6 mos; - 41% rearrest for unsuccessful terminations; rearrests took average of 5.6 mos. Specific Programs: (p.9-4) -Bakersfield, Cal: 13%-grads; 53% terminated; St. Mary Parish, La.: 6%-graduates; 22%-terminated; Jackson Co., Mo.: 7%: grads; Creek Co., Okl: 20%	N/A	N/A
13	April 15, 2003	Review of rearrests for participants and graduates: 1994 – 2002	Participants: total rearrests were 140 (10.14%) of 1,380 participants	28 (7.11% of 394 graduates were convicted of offenses following graduation	N/A
14	March 2003	N/A	Felony -avg. 5.9% (0-12%) Misdemeanor -avg 10.1% (0-14.3 %) Recidivism defined as re-arrest.	N/A	N/A

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			Re-Arrests	Convictions	Time Followed
15	March 2003	Using six different comparison groups, measured recidivism rates (criminal convictions for new offenses) of drug court; pooled smaller counties (Kitsap, Skagit, Spokane and Thurston) and analyzed King and Pierce separately because they were larger		In all counties except King Co., drug court reduced felony recidivism rates by 13%; 8 year felony reconviction rate is 45.8% for nondrug court participants and 39.9% for drug court participants. King Co. didn't reduce recidivism, with high rate of terminations for 1998-1999. Also found that this 13% reduction in recidivism was consistent with recidivism reductions reported in 30 drug court evaluations reviewed for other jurisdictions.	Maximum of eight years
16	February 7, 2003	Studied arrest rates, compiled from 17 counties for 1,945 participants who completed one of 3 drug courts in state	Declined by 85% in first two years after admission compared to two years prior to entry	Declined by 77% in two years following admission compared to two years prior to entry	Two years following entry
17	January 6, 2003	Statistical data on convictions of graduates after leaving program		Conviction rate for graduates was 11%	N/A

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
18	January 2003	Ph. I: case studies to document program dev, policies and procedures, lessons learned; and impact evaluation using survival analysis to measure recidivism Ph. II: program retention model using logistic regression to predict program status, and survival analysis to predict length of stay; and descriptive analyses (Escambia County) using court records and interviews re participant perceptions	(definition of recidivism as rearrests implied from discussion) <u>Escambia Co.</u> : drug court participation reduced recidivism for new felonies from roughly 40% to nearly 12% within two year follow-up period. (less impact if <u>any</u> rearrest is considered)- drug court reduced recidivism for felonies but not new misdemeanor arrests; males had higher probability of recidivism than females; blacks had higher probability of recidivism than whites; recidivism rates decreased with age; offenders more likely to recidivate if they had more serious criminal records; timing of recidivism not affected by drug court participation <u>Jackson County</u> : probability for recidivism fell and time to rearrest increased with drug court participation; drug court participation reduced recidivism from approximately 50% to 35% for both felonies and misdemeanors; probability of eventually recidivating fell with drug court participation and time to rearrest increased. Participation reduced recidivism for new felonies or misdemeanors from 65% to 45%.; recidivism rates same for men and women but higher for blacks than for whites; recidivism rates dropped as age increased and rose for offenders with more serious criminal r records		24 months (implied from date of arrest)

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
19	May 5, 2002	Obtained rearrest data for group of drug court participants at each site from date of program inception through 1998 and rearrest data for comparison group of defendants	<p>Portland: 1991-97 Dr. Ct. partics: 37.4% rearrest at 1 year, compared with non drug court defendants group A (never appeared at first hearing) 53.3% and B (appeared at first hearing but not at treatment) 50.8%; 46.4% of drug ct partics rearrested after 2 yrs compared with 57.8% and 59% of comparison groups; 49.9% of drug ct partics rearrested after 3 years compared with 60.1% and 60.3% of nondrug court defs.</p> <p>Las Vegas: 1993-97: -52% drug court partics compared with 65% of compare group rearrested after one year; 62% of drug court partics vs. 74% of nondrug court arrested after 2 years; 65% of drug court partics vs. 79% of nondrug court defs rearrested after 3 years.</p>		3 years
20	March 2002		<p>A substantial number of drug court participants (approximately 3,0090) completed drug court during the study period; participants who completed drug court as compared to aggregate of all entering participants during study period, had very low rearrest, conviction and incarceration rates for the two years after admission to drug court.</p> <p>Arrest rate for participants who completed drug court is 85% less during the two years after admission than arrest rate for those entering program during the two year prior to entry</p>	Conviction rate for participants who competed drug court is 77% less during two years after admission than conviction rate of those entering program during the two years prior to entry;	2 years following drug court admission

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			Re-Arrests	Convictions	Time Followed
21	October 2001	Studied client files, local jail and prison data; NCIC data, child support collections, traffic accidents, mental health service utilization, employment data and random interviews of drug court graduates and terminators		12 months following graduation, graduates less likely to have had felony or misdemeanor conviction, or been in prison or jail; graduates had significantly more days to first misdemeanor charge but significantly fewer days to first felony charge than other groups (terminators and nonentry defendants)	12 months after graduation or termination
22	October 2000	Individuals were tracked with rap sheets in order to produce results.	6 months -6% DC -7% Comp. 12 months -9% DC -21% Comp. 18 months -10% DC -26% Comp. 24 months -11% DC -27% Comp. = 11% recidivism rate Recidivism was defined as any contact with the law.	N/A	At 6,12,18, and 24 months after release

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			Re-Arrests	Convictions	Time Followed
23	May 1999	Tracked drug court cases filed between August 1, 1997 0- December 31, 1997 and predrug court comparison group for 9 month period; compiled data on offender characteristics, prior conviction history; length of case; reoffenses; and nature of drug addiction (for drug court participants only)	Drug court and predrug court defendants had similar recidivism rates	Drug court and predrug court defendants had similar recidivism rates	9 months following case filing
24	October 2000	Research compared DTC and non-DTC drug offenders	12 months -18% graduates -41% non-graduates -44% comp.	N/A	12 months after graduation
25	October 2000	N/A	6 months: -6% DC; -6% comp. 12 months: -10% DC; -14% comp. 18 months: -11% DC; -22% comp. 24 months: -14% DC; -22% comp. Recidivism was defined as re-arrest	N/A	N/A
25	October 2000	N/A	Those Refusing Drug Court: - 19.91% Those Who Withdrew From Drug Court: - 25.2% Successful Probationers: - 15.9% 1998 average for DC graduates: - 10.6%	N/A	N/A

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
27	January 2001	Tracked information re drug court participants and comparison group members re recidivism; completion rates; justice system and treatment costs	(recidivism not defined): drug court graduates had lower total post program recidivism than comparison groups	Post program recidivism rate for graduates after 416 days follow up was 28%, with only one of the 15 convictions a felony; 85% of the new convictions were for misdemeanors; 40% drug court clients were convicted of crimes post program; 62% of the men entering the drug court were convicted of new crimes while only 33% of the women were convicted;)	n/a
28	July 2001	Conducted interviews of program officials and tracked data on participants at each site; divided subjects into five outcome groups: ineligible; opt outs; did not finish; graduates; and active cases	Graduates have fewer re-arrests than any of the other outcome groups	Offenders who graduate from drug court less likely than offenders in any other group to be reconvicted in the three years following referral to drug court	Three years following referral to drug court
29	December 2004		<p>Of 647 graduates of adult drug courts, 103 have been rearrested for felony offenses after graduation (15.9% recidivism rate); 59 graduates had misdemeanor arrests (9.1% recidivism rate;</p> <p>Of 2,056 nongraduates, 303 were arrested for felony offenses after leaving drug court (33% recidivism rate) and 72 were arrested for misdemeanors (7.8%).</p> <p>Felony recidivism rate of drug offenders studied by Va. Criminal Sentencing Commission (VCSC) in 1999, was 50% -- significantly higher than felony recidivism rate for graduates or nongraduates</p>	n/a	n/a

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
30	October 2003	Used combination of interviews, surveys of program officials, and review of data maintained by the drug court coordinator	One of the 14 graduates has had arrest/conviction for new offense (7%)	One of the 14 graduates has had arrest/conviction for new offense (7%)	Not indicated
31	July 2002	Quasi-experimental matched comparison group design to estimate impact of drug courts on future criminal involvement; evaluated 3 distinct groups of participants: those in Common Pleas Court; Municipal Court; and Juvenile Drug Courts	32% of <u>Common Pleas</u> participants rearrested vs. 44% of comparison group (Offenders with prior record, less than High school education, unemployed and nondrug court participation more likely to be rearrested; <u>Municipal</u> drug court participants significantly less likely to be rearrested than comparison group members for new offense and for multiple times; 41% of Municipal drug court participants rearrested vs. 49% of comparison group; factors predicting rearrest were race, education, employment, time at risk; and drug court participation; offenders who were nonwhite , had less than high school education, unemployed, a risk the longest were significantly more likely to be rearrested;; - completion of drug court was a significant predictor of new arrests; probability of rearrests for those offenders who completed a drug court program was 32% vs 55.5% for comparison group		

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32	2001	Reviewed automated data collected by Bernalillo Co. Metropolitan Court; comparison data drawn from automated records maintained by court	<p>Within six mos graduation: 3.6% (6) vs. 14 (9%) for successful probation and 15 (9.7%) of unsuccessful probation</p> <p>Within 7-12 mos graduation: 9 (5.4%) vs. 14 (9%) successful probation vs 9 (5.8%) of unsuccessful probation</p> <p>After one year: 11 (6.5%) vs. 14 (9%) of successful probation vs. 20 (13%) unsuccessful probation</p> <p>For DWI offenses: 21 (12.5%) vs. 26 (16.7%) for successful probation vs. 32 (20.8%) for unsuccessful probation</p> <p>for Violent Offense: 4 (2.4%) vs. 12 (7.7%) for successful probation vs 9 (5.8%) for unsuccessful probation</p> <p>Total Recidivism: 26 (15.5%) vs. 42 (27%) for successful probation vs. 44 (28.5%) for unsuccessful probation</p>		

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
33	February 2005	Reviewed 27 evaluation reports of 39 adult drug court programs that met criteria for methodological soundness and other attributes	<ul style="list-style-type: none"> - Lower percentage of drug court participants than comparison group members rearrested or reconvicted; - Program participants had fewer recidivism events than comparison group members - Recidivism reductions occurred for participants who had committed different types of offenses - Inconclusive evidence that specific drug court components, such as. Behavior of judge or amount of treatment received, affected participants' recidivism while in program -recidivism reductions also occurred for some period of time after participants completed drug court program in most of programs reporting these data 		n/a

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			Re-Arrests	Convictions	Time Followed
34	April 2005	Studied every person who opted into one of the courts even if only stayed brief time; data base included 154 defendants who participated in programs (32 graduated; 63 active and 59 terminated without graduation; comparison group derived from case coordinators and observation in court; data derived from court case files and therapeutic courts data base		<p><u>Drug Court:</u> Both graduates and active participants had significantly fewer convictions during 2 years after opting into the program; those not in program had slightly more convictions during the two years after while those who opted out (were terminated) had fewer convictions during the two years after.</p> <p><u>DUI Court:</u> graduates and those active had fewer convictions during period after opting into the program than they had in the preceding two years; for those active in the program, the difference was significant; those who opted out of the program and those who were not in the program also had fewer convictions</p> <p><u>Bethel Therapeutic Court:</u> all groups saw reduction in convictions during the 2 years after the plea/opt in date. Reduction was statistically significant for those active in the program and for those who dropped out/opted out of the program.</p>	Two years following drug court participation (compared with two years prior to drug court entry)

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35	April 2003	Used quasi-experimental matched control group design to estimate impact of drug court involvement on future criminal behavior- reviewed info on drug court participants and comparison group selected by each drug court using court maintained and self reported data	<ul style="list-style-type: none"> - PARTICIPANTS: <u>Kootenai Co.</u>: drug court participants less likely (41%) than comparison group (53%) to be rearrested - majority of arrests for drug related offense (46% for drug court group and 55% for comparison group; 55% of drug court arrests vs. 46% of comparison arrests were for felonies - -10% of drug court participants arrested multiple times during follow up period vs. 24% of comparison group members arrested multiple times; 15% of drug court participants arrested at least twice in follow up period vs. 29% of comparison members - <u>Ada Co.</u>: - - Fewer (38%) of drug court participants arrested vs. comparison group (63%). And fewer arrested for drug charge; - 22% of drug court vs 51% of comparison group arrested multiple times - GRADUATES: <u>Kootenai Co.</u>: 41 graduates: 7 (20%) arrested for new offense during follow up period of 1006 days (115 days post graduation) vs. 60% arrest rate for non graduates and 53% arrest rate for comparison group - <u>Ada Co.</u>: 17 of 91 graduates (19%) arrested following graduation vs. 77% for nongraduates and 63% for comparison group; 29% of graduates arrested for felony vs. 85% of nongraduates and 81% of comparison group; 		<p>Kootenai Co: 1006 days (115 days post program)</p> <p>Ada Co.: participants: 851 days (2 yrs 4 mos) for drug court group and 660 days (1 year 8 months) for comparison group; graduates: 1084 days 1003 (terminated); 660 days for comparison group – graduates followed 5502 days (1 yr and 4 months) post graduation</p>

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
36	July 2000	Quasi-experimental matched control group study to assess program outcomes among drug court participants compared to similar group of drug addicted adults who did not participate in the drug court; data obtained through the following pretrial data and court docket info: (1) Pretrial Services: demographic, current offense, disposition and criminal history info; (2) treatment needs and participation from ADAPT program; (3) court reported violations, fees, community service and recidivism data from Probation Department; (4) recidivism data compiled by court.	<ul style="list-style-type: none"> - 13% of participants arrested for new charge; - offenders in treatment group less likely (29% [sic]) to be rearrested than comparison group (39%) – new charge frequently drug charge for both groups <p>Graduates: Overall: 31% of graduates rearrested during 18 month follow up period : 23% of July 1996 graduates vs. 31% of participants rearrested; 35% of the October 1996 graduates; 63% of the March 1997 graduates; 29% of the June 1997 graduates and 31% of the November 1997 graduates have been rearrested since graduating;</p> <p><u>Other:</u></p> <p>majority of participants in all classes not arrested more than once during follow up period rear rest by gender generally similar</p>	significantly more drug court participants were convicted of the offense for which they were arrested than the comparison group	
37	March 2005	n/a		<ul style="list-style-type: none"> -Drug court graduates 74% less likely to return to prison than successful standard probation offenders; - Drug court graduates more than four times (316%) less likely to recidivate than released prison inmates [<u>Note:</u> recidivism not defined but assume refers to convictions because of reference to “return to prison”] 	n/a

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38	July 2001	Quasi-experimental matched comparison group design to estimate impact of drug court on future criminal involvement; comparison group of participants that had reported substance abuse problem and were eligible for the drug court; comparison group screened between November 1997 and April 2000	40% of drug court treatment group rearrested during follow up period vs. 52% of comparison group;; significantly more individuals in control group arrested on felony charge;		n/a
39	May 2003	Random assignment of eligible offenders to an experimental group that entered the Co. DUI/Drug Court and a control group processes through traditional cjs processing.	Control group committed 3 times as many offenses as DUI drug court participants each month		n/a

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40	2005	Tracked 452 participants in probation track of drug court for any contact with cjs system following discharge (successful or unsuccessful) from program.	<p>Drug court participants had total of 1,726 contacts with cjs after discharge, resulting in over 4,000 charges. (1/4 of participants had a violent criminal charge)</p> <p><u>One year after discharge:</u> (1) failed clients significantly more likely to have made some contact with cjs and have been arrested for felony crime than graduates; (2) four times as many of the failed clients had been incarcerated within the 12-month period than had program graduates</p> <p><u>Three years after discharge:</u> similar findings; 80% of participants who failed program had some period of incarceration vs. 1/3 of the clients who graduated.</p> <p>Rates of overall arrests and types of charges didn't differ by graduation status at either 12 month or 36 month period.</p> <p>Participants with violent criminal history: significantly more likely to recidivate with serious offenses during program participation than persons with nonviolent criminal history; at 12 month e=period, offenders with history of violent criminal offending significantly more likely to have any contact with cjs (67%) than participants with no previous violent criminal history (42%).</p> <p>Violent offenders, compared with nonviolent offenders, recidivate more and with more serious types of offenses during active program participation and after program discharge. However, violent offenders who graduated were significantly less likely to recidivate than their violent counterparts who didn't complete the program.</p>		Generally 12 months and 36 months but ranged from 5 months to over 6 years, depending upon how much time had elapsed since participant was discharged from program and time study was conducted.

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41	2004	Tracked sources of referrals and demographics, progress and recidivism of enrollees in female and male drug court programs from inception through December 31, 2004	n/a	<p><u>Females:</u> 85% (172) of women who completed program had no subsequent convictions within 3 years of program completion; 15% (30) were convicted of new misdemeanor or felony offenses</p> <p><u>Males:</u> 156 (85%) of graduates had no subsequent convictions within 3 years of program completion; 27 (15%) were convicted of new misdemeanor or felony offense within 3 years of program completion</p>	Females and Males: 3 years following program completion.
42	April 2004	Contacted participants 12 months after recruitment in the study; given two assessment tools; a face-to-face structured interview to collect demographic and other nonsensitive info and a self administered questionnaire, including questions relating to drug use and other sensitive info.	Current information system precluded tracking drug treatment court as well as comparison group participants for recidivism; Self reports from participants in study group of drug court participants indicated: (1) antisocial/illicit behavior reduced from 76.5% prior to admission to 17.5% 12 months after admission; (2) proportion of participants reporting possession, selling or distributing drugs reduced from 55.9% prior to admission to 7.5% after admission; (3) drug court participants showed significantly more improvement than comparison groups in reported illicit/antisocial behavior although there was a marked reduction in antisocial/illicit behaviors among both groups.	Current information system precluded tracking drug treatment court as well as comparison group participants for recidivism	One year after program entry

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43	September 2005 (interim report)	Transactional and Institutional Cost Analysis- (1) determine flow/process; (2) identify transactions; (3) identify agencies involved; (4) determine resources used; (5) identify costs associates; (6) calculate cost results	17% for graduates 29% for all participants 41% for comparison group [- note: -not clear whether recidivism refers to arrests or convictions]		
44	January 2005	Examined participant info through existing administrative data bases (Oregon Drug Court Case Management System; Oregon Judicial Information System and data from treatment provider)	-Average no. or re-arrests for males and female participants in the 24 months following program entry less than corresponding period prior to entry (16% rearrested: 19% of men and 10% of women, compared with 100% arrests during prior 2 year period; - significant reduction in drug related re-arrests during 24 months following program entry; males rearrested for more drug related crimes than females but both genders had fewer drug related arrests	n/a	24 months following program entry
45	January 2005	Examined participant info through existing administrative data bases (Oregon Drug Court Case Management System; Oregon Judicial Information System and data from treatment provider)	13% of all 62 drug court participants were rearrested sometime within the 2 years after drug court entry compared with 27% (more than double) of the comparison group.	n/a	24 months following program entry

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			Re-Arrests	Convictions	Time Followed
46	July 2003	-Tracked use of court, district attorney, public defender, law enforcement, correctional and probation services by drug court and comparison group; assesses costs overall and by agency; - detailed data collected by tracking drug and drug court-eligible offenders in terms of resources consumed in court sessions, attorney visits, and treatment sessions (using stop watches to time events)	n/a	n/a	n/a
47	March 2004				
48	June 14, 2006	Compared receipt of alcohol and other drug treatment services; probation revocations; recidivism (new arrests and new convictions) and incarceration of drug court participants and comparison group	Drug court participants (graduates and nongraduates) were 13% less likely to be arrested; Drug court participants remained arrest free for 15% longer (410 days vs 356 for comparison group) GRADUATES: were 33% less likely to be arrested; remained arrest free for 25% longer time	Drug court participants had 34% fewer convictions GRADUATES had 47% fewer convictions	One year after entry into drug court

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49	April 2006	Used data from Florida Department of Law Enforcement to obtain recidivism info; Dev. Cost analysis based on treatment costs vs costs of crime	16% (2) of the 12 grads arrested within 12 months for tech viol of prob; 8.3% (1) grad arrested 12 mos after grad. 12% (2) of 12 grads charged within 12 mos for tech violation of probation (83 % had no arrests for 12 mos).		One year following program termination (successful or unsuccessful)
50	Spring 2006	Experimental design using random assignment of 235 drug court-eligible defendants assigned to drug court and traditional adjudication during 1997 and 1998	78.4% of drug court participants rearrested during 3 year period compared with 87.3% for comparison group; <u>average no. Of new arrests</u> : 2.3 for drug court participants; 3.4 for comparison group <u>new violent or sex charge</u> : 14.4% for drug court participants; 24.7% for comparison group <u>new drug charge</u> : 55.5% for drug court participant; 68.4% for comparison group	58.3% drug court participants vs. 64.4% nondrug court participants average no. of convictions: 1.2 for drug court participants; 1.3 for comparison group	Three years following program entry

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51	April 2005	Selected nine adult drug courts, based on “drug court maturity” and data collection capabilities and diversity of demographic and geographic representation.; used longitudinal data collection approach to track study participants over 4-year period; conducted “transactional and Institutional Cost Analysis (TICA) entailing: 1. Document drug court and nondrug court processes; 2. Identify transactions occurring within each process; 3. Identify agencies involved in each transaction; 4. Determine resources used in each transaction; 5. Isolate cost of the resources; and 6. Calculate overall costs.	<u>El Monte</u> : 90 vs. 1.96 (-3%) <u>Monterey</u> : 3.65 vs. 3.05 (20% increase) <u>Orange Co.-Laguna Niguel</u> : 1.65 vs. 3.25: 30% decrease <u>Orange Co-Santa Ana</u> : 2.74 per drug court vs. 2.65 comparison group (3% greater) <u>San Joaquin Co.</u> : 3.27 vs. 4.54 (28% reduction) <u>Stanislaus Co.</u> : 1.89 vs. 2.53 (25% reduction)	n/a	Four years from time of program entry
52	August 2001	Initially used experimental design; then selected “post hoc comparison group of presumptively eligible defendants” after public defender objected to original design	Participants showed lowest rear rest rate: (21%) in a 6- month period Participants showed lowest rate of felony arrests Participants rearrested for drug offenses less often (17%) than defendants who declined treatment and 27% over a year period	n/a	Six and 12 months following arraignment

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53	July 2005	<u>Outcome:</u> Used existing databases on criminal activity, treatment utilization to determine participants' arrest histories prior to and following program entry <u>Cost:</u> used Or. Dr Ct Case Mgt Sys, and data from treatment provider	Drug court participation reduced recidivism; average number of rearrests for males and females during 24 month period following program entry less than rate prior to program entry; Reduction in rearrests greater for females who had more arrests prior to program entry than males	n/a	Up to 24 months following program entry (minimum of 12 months)
54	September 2006	Identified sample of participants entering drug court between January 2002 – December 2003 and developed comparison group of persons eligible but failed to participate; used data from multiple sources, including observations, team meetings, interviews, agency budgets, and other financial data bases and agency files.	Drug court participants significantly less likely to be rearrested than offenders eligible for drug court but not participating; -females rearrested more than males during first few months of program but significantly less likely to be rearrested in 2 years following program entry	n/a	24 months following program entry

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55	September 2006	Identified sample of participants entering drug court from time of implementation in 2001 through July 1, 2004 and developed comparison group of persons eligible but (1) couldn't enter in 2001 because of program's incapacity; and (2) eligible subsequently but did not participate	All Drug court participants (graduates and terminated) significantly less likely to be rearrested than comparison group; Drug court participants rearrested less than half as often as comparison group members ; -graduates rearrested approximately one third as often as comparison groups and overall were rearrested very rarely - for first 21 months after program entry drug court graduates did not commit any new offenses - 4% of graduates and 26% of all participants were rearrested in 24 months following program entry compared with 50% of comparison group	n/a	24 months after program entry
56	March 2004	Compiled statistical data on drug court participants' demographics, criminal history and progress in drug court and comparable data for comparison group	-Drug court participants/graduates generally had lower recidivism rates than drug court failures and traditionally adjudicated offenders; - participants/graduates had a lower likelihood of arrest or conviction for failure to appear, a lower likelihood of arrest or conviction for a new felony offense and a lower likelihood of being incarcerated for a new crime. -Participants/graduates more likely than traditionally adjudicated offenders to be arrested for or convicted of a misdemeanor but less likely to be convicted of a felony	(see "re-arrests")	12 months following program entry

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57	November 2001	Sample of drug court participants from January 5, 1998 – April 30, 2000 in two groups: 77 successful completers between February 23, 1999 and 285 dropouts and 78 matched control group	<p><u>Overall:</u> Graduates had lowest rearrest rate (15.6%); dropouts' rearrest was 30.7%; control group had highest rearrests (48.7%)</p> <p><u>Drug Charges:</u> Graduates had lowest rearrest rates for drug charges (9.1%) vs dropouts *(15.8%) and control group had highest (24.4%)</p> <p><u>Length of Stay:</u> Participants who remained in program had .96 rearrests; participants who remained in 91-270 days had .42 arrests and participants who remained in treatment 270 or more days had .38 rearrests</p>		27 months; overall recidivism 12 months following discharge for drug arrests
58	January 2003	Tracked 501 participants in drug courts in Dallas, Jefferson and Travis Counties between 1998-1999 and 285 offenders eligible but not participating in drug courts	Drug court graduates had 28.5% recidivism rates vs 65.1% for noncompleters and 56.8% for comparison group; rearrest for all drug court participants was 40.5%		Three years
59	October 2003	Tracks progress of 64 participants in Douglas County, Neb. Drug Court	Drug court participants who complete residential treatment component have lower rearrest rates		12 months following program entry
60	December 2004	Tracks progress of 116 participants in Douglas County, Neb. Drug Court	Completion of residential treatment is associated with significant reductions in general arrests as well as post-treatment drug use		24 months of program operation
61	March 31, 2004	Tracks cost benefits resulting from approximately 300 participants in Douglas County drug court	Drug court participants had 132 fewer misdemeanor and 60 fewer felony arrests than comparison group	--	24 months

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62	February 2007	Compiled new arrests and convictions from the Alaska Department of Public Safety for each of the offenders who participated in the Anchorage DUI Court, the Anchorage Felony Drug Court and the Bethel Therapeutic Court for at least a one year period following program termination and, for comparison group, following service of sentence and any custody	<p>13% of graduates rearrested within one year after completion vs. 32% rearrest rate for comparison offenders and 38% rearrest rate of offenders charged with felonies in 1999</p> <p>Participants in the Anchorage Felony DUI Court less likely to be rearrested than those in the Anchorage Felony Drug Court and Bethel Therapeutic Court</p>	<p>No participants who were reconvicted within the first year were convicted of an offense at a more serious level than the one on which they entered the therapeutic courts vs. 3% of the comparison offenders and 15% for 1999 offenders</p> <p>No participant was convicted of a drug or sexual offense</p>	One year following program termination
63	October 2006	Compiled “recidivism” data for first 146 SITC participants arrested from March 2002 – June 2005; obtained “recidivism” data through December 2005, resulting in all participants being tracked for at least months; 123 participants tracked for 1-year and 102 participants tracked for 18 months.; tracked comparison group for felony drug charges only; used NY State Div. of Criminal Justice Services (DCJS) arrest and conviction data but results are presented in terms of re-arrests.	<p>SITC produced substantial reduction in recidivism at both 1-year and 18-month periods.</p> <ul style="list-style-type: none"> - After 1 year, 26% of drug court participants vs. 48% of comparison group were rearrested; - after 18 months, 41% of SITC participants vs. 55% of comparison group were rearrested <p>drug court participants averaged .63 rearrests over 18month period vs. 1.19 for comparison group.</p> <p>Drug court also appeared to delay onset of recidivism for those that weren’t arrested during the first year.</p>	-18 month reconviction rate was 23% for drug court participants and 451% for comparison group – drug court therefore reduced reconviction rate by 44%	6 months, 12 months and 18 months after arrest for drug court charge

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64	2007	Tenn. Office of Crim Just Programs, Dept. of Finance and Admin., compiled data from 45 operating drug courts regarding performance standards identified for measurement	-Of 1,614 participants, 9% (146) arrested during FY 2005/2006; of the 5,958 participants served since inception, -413 arrested while in the program (7%) in all 37 programs responding. - 56 of the 188 (30%) graduates in 2004/2005 in 22 programs reporting were rearrested within one year of graduation. 2004-4: 61 (35%) graduates of the 174 total graduates (17 programs) rearrested within 2 years of graduation. [four juvenile drug courts reported overall 30% one year post graduation recidivism and 13% 2-year post graduation recidivism.		
65	2007	Compiled data from existing adult (and juvenile—reported separately) programs	Rearrested: 27.9% vs. graduates: 13.7%		January 1 – June 30, 2005
66	April 2007	Tracked data from 11,000 cases through various administrative data systems; focus of analysis was on overall impact of drug court on target population over time; cost analysis based on transactional method and overall investment of taxpayer money compared to benefits derived	Recidivism reduced for drug court participants up to 14 years after drug court entry compared with those who didn't participate; rearrests reduced by almost 30%; Recidivism reductions continued to be evidenced for up to 14 years after the petition hearing.		At least 5 years and, for some, up to 15 years following drug court entry

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67	April 2007	Na	All graduates had substantially lower re-arrest rates and, at 4 of the 5 programs, all participants ha significantly lower re-arrest rates. - # 1: 10% grads, 30% all partics, 39% compare. - # 2: 18%, 43%, 41% - # 3: 7%; 20%; 39% - # 4: 12%; 18%; 34% - # 5: 11%; 17%; 33%		Two years after program entry
68	Fall 2005	Conducted interviews with 99 participants selected to participate who were in different stages of treatment: 34 in motivation; 39 in intensive phase; 18 in maintenance phase; and 89 in post treatment phase	NA	NA	Nine months
69	Spring 2008	Review of data compiled in 2005 study and interviews with participants randomly assigned to drug court and alternative program 3 years following program participation	NA	NA	3 years following program participation
70	January 2008	Review of information compiled in data collection system; interviews with staff	Na	Na	na

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71	August 1, 2006	Review of program operations of five adult drug court, including referrals, acceptances, time to program entry, sanctions, drug testing, etc.	Adult drug court participants less likely than comparison group to be rearrested on felony charges and less likely to commit violent crimes 17.5% recidivism among drug court participants vs. 33.1% in comparison group	n/a	12 months post program
72	August 2007	203 individual records of drug court participants who both successfully completed (79) as well as failed (50) the drug court program compared with control group (74)	St. Louis Co.: completers arrested less than half as often as control group; Dodge County: no arrests of any completers; Streams Co.: drug court completers arrested less than one fourth as frequently as control group; estimate drug court saved 133.7 arrests and 47.2 convictions during period	Convictions: Similar findings as for arrests	2 years post program
73	September 2008	Utilized web-based tool for self evaluation re costs and benefits developed for earlier phases of study; focus on measuring costs of events in drug court process, including court appearances and drug tests; number of group and individual sessions; number of days in residential treatment; number of jail days as sanction; outcome benefits measured in terms of rearrests, number of days on probation or in prison due to recidivism; number of new court cases, etc.	43% rearrest rate for graduates; 57% rearrest rate for all drug court participants; vs. 67% rearrest rate for comparison group	n/a	Two years following termination

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
74	January 1, 2004	Part of Maine's ongoing review of drug court operations; analysis of offender characteristics and data associated with drug court performance; also interviews with judges, probation staff and others	N/a – see nos. 68 and 71 for follow up studies	N/a – see nos. 68 and 71 for follow up studies	N/a – see nos. 68 and 71 for follow up studies
75	March 2009	Analyzed drug court data collected by drug court case managers, including demographic data, treatment data, data on court proceedings and also gathered feedback from drug court staff	One graduate charged with new crime	N/A	First three years of program operation: focus primarily on program operations and period of participation

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
76	January 2009	Examined drug court processes to determine how well 10 key components were implemented; compared program practices to national data; collected info from staff interviews, drug court participant focus groups; observations and program documents, including handbook; Outcome analysis based on cohort of drug court participants who entered program been January 1, 2004 – July 31, 2007 and comparison group; tracked participants and comparison groups through criminal justice and treatment databases for up to 36 months post drug court entry.; Cost evaluation: used NPC's Transactional and Institutional Cost Analysis approach (TICA), looking at transactions in which individual utilizes resources contributed from multiple agencies; also used a "cost to-taxpayer" approach	<p>23% of graduates and 61% of all participants were rearrested following entry into drug court vs. 84% of comparison group members.</p> <p>Drug court participants (including graduates) had: (1) 3 times fewer drug charges in the 3 years following program entry; (2) 3 times fewer violent charges; (3) nearly half as many re-arrests; and (4) significantly reduced drug use over time</p>		36 months following program entry

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			Re-Arrests	Convictions	Time Followed
77	April 2008	Extracted data from three nationally representative sources (National Survey on Drug Use and Health (NSDUH), Arrestee Drug Abuse Monitoring (ADAM) and Drug Abuse Treatment Outcome Study (DATOS) to develop a “synthetic dataset” from which cost benefit predictions could be made re various policy options to offer/expand drug court services	n/a	n/a	n/a
78	March 2008	Data were abstracted from several sources including site visits, the Criminal History Records (CHR) database maintained by the Michigan State Police and the Michigan Judicial Warehouse (JDW). All of these data were entered into a database created in Microsoft Access.	DUI court participants were re-arrested significantly less often than comparison group offenders who were sentenced to traditional probation. In the example from one DUI court site shown in Figure A, the comparison offenders on traditional probation were re-arrested nearly six times more often in the first year after starting probation for the DUI charge than the DUI court participants and were re-arrested four times more often in the second year.	N/A	Minimum 1 year

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
79	April 2008	Both the participant and comparison groups were examined through existing administrative databases for a period up to 24 months from the date of drug court entry. The two groups were matched on age, sex, race, prior drug use history and criminal history (including total prior arrests and total prior drug arrests). The methods used to gather this information from each source are described in detail in the main report	HCADC program participants were significantly less likely to be re-arrested than offenders Who were eligible for the program but did not participate. Figure A shows the average number of re-arrests for 24 months after entering the drug court program for HCADC graduates, all HCADC participants, and the comparison group. Drug court participants, regardless of graduation status, were re-arrested significantly less often than were the comparison group members.	n/a	24 months maximum, 6 months minimum

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#	Publication Date	Methodology	<u>Recidivism Results</u>		
			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
80	March 2008	For each drug court, NPC Research identified program samples of participants who enrolled in the adult drug court programs over a specified time period (at least 2 years). These were generally elected using the drug court program database. NPC also identified a sample of individuals eligible for drug court but who did not participate ² and received traditional court processing. Both groups were examined through existing administrative databases for a period of at least 24 months post drug court entry.	n/a	n/a	24 months post drug court entry

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
81	April 2007	Data on intermediate and long-term outcomes were gathered on each offender, with a particular emphasis on criminal recidivism (re-arrest) as a primary outcomes measure. The outcome data were drawn in late 2005 and early 2006, allowing a minimum of 5 years of follow-up on all cohorts and over 10 years on many cohorts. (For some individuals, over 14 years of follow-up data were available). Data on internal measures of Drug Court participation, internal changes in the Drug Court over the years and external changes in the criminal justice, court and substance abuse treatment systems were also gathered for the same period. Data on costs were gathered using a modified Transactional Cost Analysis Approach to allow us to conduct a cost-benefit analysis. Costs were calculated from a previous study on this program that involved intensive tracking of 155 individuals that entered the Multnomah County Court	Overall, for the entire population of eligible offenders, the Drug Court significantly reduced the incidence and frequency of criminal recidivism for participants compared to offenders who did not participate. Including all offenders who were eligible for the Drug Court during the total 10-year period, over 5 years from the Drug Court petition hearing, the incidence of re-arrest was reduced by nearly 30%. The Drug Court reduces the incidence of drug crimes substantially for up to 14 years after the petition hearing. The effect is statistically significant after controlling for age, gender, race, and 2 years of prior criminal history for all but year 14, where the number of cases available for the analysis drops to only 317	NA	Ten years

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
82	March 2007	Information was acquired for this evaluation from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, and data collection from administrative databases used by the GADC program, Probation, and the Court.	GADC program participants were significantly less likely to come through the court system again than offenders who were eligible for the program but did not participate. Figure 2 provides the average number of new criminal court cases per year for GADC graduates, all participants, and the comparison group over a 3-year period. The differences between the groups are significant at all three time periods. Guam Adult Drug Court participants (regardless of whether they graduated from the program) came back through the court system 4 times less often than comparison group members who were eligible for drug court but did not attend. Graduates recidivated 15 times less often than the comparison group.	N/A	12 months
83	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records. The methods used to gather this information are described in detail in the main report	The MCDTC reduced recidivism. MCDTC participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate	N/A	24 months

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
84	November 2006	A Transactional Institutional Costs Analysis (TICA) approach was used, allowing researchers to calculate costs based on every individual's transactions within the drug court or the traditional criminal justice system. This methodology also allows the calculation of costs and benefits by agency (e.g., Public Defender's office, court, District Attorney).	On average, drug court participants had a recidivism rate 12% lower than similar offenders who did not participate in the drug court program. The comparison groups of those who did not participate in drug court programs were more than twice as likely as drug court graduates to be re-arrested. This provides evidence that drug courts are successfully reaching their goal of reducing recidivism in drug-addicted offenders.	N/A	The drug court cohorts were selected from participants who entered the drug court programs between January 1998 and December 1999, which provided at least four years of outcome data.
85	September 2006	Information was acquired for this evaluation from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, agency budgets and other financial documents. Data was also gathered from BCADC and other agency files and databases.	BCADC program participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate. Barry County Adult Drug Court participants (regardless of whether they graduate from the program) were re-arrested less than half as often as comparison group members who were eligible for drug court but did not attend. Graduates were re-arrested approximately a third as often as the comparison group, and overall were re-arrested very rarely.	N/A	24 months

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			Re-Arrests	Convictions	Time Followed
86	February 2006	To make this determination, NPC obtained a dataset of juvenile drug court participants through the cooperation of the Department of Juvenile Services (DJS). This dataset provided records of all formal adjudicated charges that juvenile drug court participants accrued both before and after their experience in drug court.	In the year following their release from drug court, only 29% of these juveniles had any adjudicated charges added to their records. This result means that 70% of the juveniles had no adjudicated charges added to their records in the year after their release.	n/a	1year

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
87	July 2005	The cost study followed the pre-post program design started in the outcome evaluation due to difficulties in finding the data necessary to select an appropriate comparison group. Costs were determined using NPC Research's Transactional and Institutional Cost Analysis (TICA) methodology, which views offenders' interactions with the criminal justice system (e.g., court hearings, treatment sessions) as transactions during which system resources are consumed	Overall, it appeared that participation in S.A.F.E. Court was beneficial to participants and to the criminal justice system. The average number of re-arrests for males and females combined in the 24-month period following entry into the program is less than the corresponding period prior to their entry into the program. That is, S.A.F.E. Court participants are re-arrested less often after entering the program. (This difference is statistically significant at 6, 12, and 18 months.) This was particularly true for females who have, on average, more arrests prior to S.A.F.E. Court than the males but were re-arrested far fewer times after entry into the program than males.	n/a	24 months pre and post Safe court

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			Re-Arrests	Convictions	Time Followed
88	July 2003	The overall research design was to collect highly detailed data on a small, randomly selected sample of individuals who were eligible for drug court. These individuals (some of whom participated in drug court and some who received traditional court processing) would be tracked intensively through both the criminal justice and drug court treatment system for the purpose of collecting more detailed data than is generally available in administrative datasets. These highly detailed data would then be used to augment administrative data collected at an individual level on a much larger sample of drug court and non-drug court participants. The detailed data were collected by tracking drug court eligible offenders into court sessions, attorney visits and treatment sessions	N/A-	N/A	30 months after program

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89	February 2004	The research strategy used by NPC Research for this outcome evaluation was to identify a sample of participants who entered Drug Court and a matched historical comparison sample of individuals who were eligible for Drug Court but who received traditional court processing before the CCJDC program was implemented. Because this drug court is both small and relatively new (beginning late in 2001), the Drug Court sample consisted of the entire Drug Court participant population except for those who had entered the Drug Court less than 6 months from the time of the outcome data collection. Both groups were examined through existing administrative databases from the date of the initial contact with the Drug Court program (or the equivalent) through November 2003	Drug Court participants are re-referred much less often than individuals who did not participate in the Program. In the first three months, Drug Court participants are re-referred more than twice as often as the comparison group members.	N/A	18 months

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
90	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records	The VCDRDC reduced recidivism as participants were significantly less likely to be rearrested than offenders who were eligible for the program but did not participate. As Figure A illustrates, VCDRDC participants were re-arrested less often than comparison group members who were eligible for drug court but did not attend. The 24-month recidivism rate for drug court was 29.5% while the comparison group rate was 39.2%. Thus, drug court participants (regardless of graduation status) were 33% less likely to have had any arrests in the 24-month follow-up period relative to the comparison group (regardless of graduation status).	N/A	24 months
91	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records	The VCDC reduced recidivism as participants were significantly less likely to be rearrested than the comparison group. As Figure A illustrates, VCDC participants were re-arrested less often than comparison group members. The 24-month recidivism rate for drug court was 19.7% while the comparison group rate was 39.2%. Thus, drug court participants (regardless of graduation status) were 99% less likely to have had any arrests in the 24-month follow-up period relative to the comparison group. Even after excluding individuals with alcohol as their drug of choice from the VCDC (leaving mainly methamphetamine users), the number of re-arrests over 24 months was lower than for the comparison group.	N/A	24 months

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			<u>Re-Arrests</u>	<u>Convictions</u>	<u>Time Followed</u>
92	April 2007	Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, Court Substance Abuse Program (CSAP) records which includes drug court data, plus arrest records.	The SJCDC significantly reduced recidivism. Participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate. As Figure A illustrates, St. Joseph County Drug Court Program participants were re-arrested less often than comparison group members who were eligible for drug court but did not attend. The 24-month recidivism rate for drug court was 18.2% while the comparison group rate was 33.6%. Thus, drug court participants (regardless of graduation status) were 54% less likely to have had any arrests in the 24 months following drug court entry than the comparison group.	N/A	24 months
93	November 2009	Residents were tracked and interviewed using court databases and personal interviews.	As of now only ten people in the program have recidivated/	N/A	One year Post graduate

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PART THREE

#	Publication Date	Bibliographic Information	System Impact/Cost Savings	Other Findings
1	2004	<i>Phase II Douglas County [Nebraska] Drug Court Evaluation Report.</i> Thomas J. Martin, Cassia C. Spohn, R.K. Piper, and Jill Robinson	Drug court results in average savings of over \$ 4,000 per felony drug-related case compared with traditional adjudication and sentencing; savings mainly attributable to reduced jail confinement, prison incarceration costs, and county and district court processing costs (e.g., police overtime costs for court testimony);	
2	September 2004	<i>Participation in Drug Treatment Court and Time to Rearrest.</i> Duren Banks and Denise C. Gottfredson. <i>Justice Quarterly</i> . Vol. 21, no. 3, September 2004. Academy of Criminal Justice Sciences	None noted	None noted
3	January 29, 2004	<i>Cost Analysis of Anne Arundel County, Maryland Drug Court.</i> <i>Prepared by: NPC Research, Inc., Portland, Oregon</i>	\$ 2,571,894 less in Drug Treatment Court criminal justice system costs than comparison group for all participants studied, or 32.4% return on investment; Average cost per participant was \$ 2,109; average savings resulting from criminal justice system savings, victimization costs and income tax payment experience of participants was \$ 3,651; savings represent a \$ 1.74 return for every dollar spent for the program.	
4	January 29, 2004	<i>Cost Analysis of Baltimore City, Maryland Drug Treatment Court: Includes Outcome Findings, Cost Analysis, and Summary and Conclusions, Only;</i> <i>Prepared by NPC Research, Inc., Portland, Oregon</i>	Average of \$ 3,393 (24.2%) per person less in criminal justice system costs per participant than comparison group (30.9% less costs for Circuit Court participants); projected for all 758 drug court participants during the study period resulted in a savings of \$ 2,721, 894 total costs for criminal justice system expenses over 3 year study period; \$ 9,817 average savings in victimization costs than for comparison group; projected for all 758 drug court participants results in \$ 7,442,044 savings in victimization costs for 3 year period; \$ 3,000 less per person in criminal justice system costs by	

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#	Publication Date	Bibliographic Information	System Impact/Cost Savings	Other Findings
			end of first year than for comparison group; \$ 3,791 saved for each participant (\$ 14,271 cost for traditional process - \$ 10,480 cost for drug court), or 136.2% "return" on investment	
5	January 2004	<i>Kalamazoo County 9th Judicial Circuit Court Office of Drug Treatment Court Programs: Statistical Report: 2003. Prepared January 2004</i>	<p>During CY 2003:</p> <p>FEMALES:</p> <ul style="list-style-type: none"> - restitution paid to victims totaled \$ 7,215.25 - urine screen fees totaled \$ 8,020 - drug treatment court fees totaled \$ 5,150 <p>MALES:</p> <ul style="list-style-type: none"> - paid restitution to victims of \$ 4,891.15 - paid urine screen fees totaling \$ 10,080 - paid drug treatment court fees totaling \$ 13,410. 	<p>Women:</p> <p>187 of 543 women successfully completed program 24 women still active in Phase I; 23 completed Phase I and in Phases 2 and 3 12 women on bench warrants; 36 women opted out of program 261 terminated for failure to perform of the 1887 who completed program, all were employed or attending school full time upon completion</p> <p>16% (29) of 187 women who completed program were rearrested on new misdemeanor or felony charge within 3 years of program completion;; 84% (158) have had no subsequent convictions within 3 years of program completion</p> <p>Male:</p> <p>160 of 506 men have successfully completed program 48 active in Phase I; 42 active in Phases 2-3 8 men on bench warrant status 33 men opted out of program 215 men terminated for failure to perform</p> <p>15% (24) of 160 men graduates convicted of new misdemeanor or felony within 3 years of program completion; 85% (136) had no subsequent convictions within 3 years of program completion.</p>
6	January 2004	<i>Oklahoma Drug Courts: Fiscal Years 2002 and 200. Prepared by The Oklahoma Criminal Justice Resource Center.</i>	<p>(1) If all 1,666 drug court participants studied would have served prison sentence, overall 4-year cost savings vs drug court vs prison was: \$ 45,552,798;</p> <p>(2) if all 1,666 drug court participants would have served standard probation sentences, 4-year costs of drug court were \$ 4,334,599 more than costs for standard probation</p>	<p>For Graduates: (1) 75.1% decrease in unemployment (reduced from 30.4% to 7.5%) (2) 50.4% increase in monthly income (from \$ 949.14 to \$ 1,426.55) (3) 13.6% decrease in percent of graduates without high school diploma (from 30.8% to 26.6%) (4) 19.1% increase in no. of graduates who had children living with them (from 120 (41.4%) to 143 (49.3%)) (5) improvement in each of 7 components of ASI: - Medical: 56.3% decrease</p>

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				<ul style="list-style-type: none"> - Employment/Support: 71.4% decrease - Alcohol: 65.5% decrease - Drug: 65.5% decrease - Legal: 73.2% decrease - Family/Social: 68.6% decrease - psychiatric; 85% decrease
7	October 2003	<i>The New York State Adult Drug Court Evaluation: Policies, Participants and Impacts.</i> Center for Court Innovation. New York, New York.	<ul style="list-style-type: none"> -Graduates significantly more likely to be employed at time of program completion -graduates in 5 of 9 programs significantly more likely to be attending school at time of program completion -some graduates of each court regained custody or visitation rights with their children; -some graduates of each court were volunteering in community at time of graduation, although no court mandated 	<p><u>General:</u></p> <ul style="list-style-type: none"> -Positive long-term impact persisted beyond period of active judicial supervision; -Drug court graduates were FAR less likely than comparison defendants to recidivate in all six courts; however drug court failures were as likely, if not more so, as comparison defendants to recidivate in four of the six courts; therefore, benefits of drug court participation largely accrue to those who successfully graduate; <p><u>Predictors of recidivism:</u></p> <ul style="list-style-type: none"> -those with prior misdemeanor convictions and of younger age generally more likely than others to recidivate; - graduation less likely if primary drug was heroin (2 of 3 courts studied); - participants with property charges somewhat more likely to recidivate than those with drug charges - immediate engagement in treatment strongly predicted graduation - drug court graduation is key predictor of success (rather than length of time in treatment, etc.) - retention rates exceed national standard of 60% for 8 of 11 drug courts <p>more than half of participants in 8 of 11 NY courts retained for at least 2 years (e.g., still participating or graduated)</p>
8	August 1, 2003	<i>Drug Court More Beneficial for Women:</i> [author not provided]	N/A	<p>Monthly income of female drug-court graduates increased 130%. Monthly income of male drug-court graduates increased 31% despite prior higher income and rate of employment. Oklahoma sends more women to prison than any other state in the nation.</p>
9	July 2003	<i>16th Judicial District of Tennessee (Rutherford Co.) Drug Court Program 2003 Process Evaluation.</i>		<ul style="list-style-type: none"> • 20% of participants who did not have GED obtained GED while in drug court • four babies born drug free • 8% of 36 graduates employed at graduation

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		<i>Dana K. Fuller, Ph.D. July 2003</i>		
10	June 1, 2003	<i>Recidivism Among Federal Probationers</i> Minor, Kevin; Wells, James; Sims, Crissy.	N/A	Individuals who were not ordered to community service or individuals who underwent mental health treatment were more likely to violate their sentences. Over 56% had 1 violation. Over 80% had no more than 2 violations.
11	May 2003	<i>Coconino County DUI/DRUG Court Evaluation.</i> Prepared by: Frederic I. Solop, Nancy A. Wonders, et. Al. Social Research Laboratory, Northern Arizona University	Average DUI drug court participant costs county approximately \$ 534/mo; average cost for traditional cjs processing is \$ 758/mo. (difference in cost primarily due to increased likelihood of control group members spending time in jail (\$80/day) or prison (\$ 53/day); total program costs were \$ 6,408 for DUI drug court (completed in 12 months) vs. \$ 22,740 for traditional process(requiring 2-3 years)	DUI Drug court participants averaged 6.7 treatment days/mo (compared with 1.2 for control group); worked more hours (32.1 hrs vs 29.8 hrs)/mo; and attended school more frequently (1.3 hrs/week vs. 0 hrs. for control group); and paid more money to the court each month (\$ 28.86vs. 7.34)
12	April 18, 2003	<i>Assessing the Efficacy of Treatment Modalities in the Context of Adult Drug Courts.</i> Donald F. Anspach, Ph.D. and Andrew S. Ferguson.	NA	<ul style="list-style-type: none"> - program completion is most consistent variable associated with post program recidivism; (both in terms of frequency of and time to rearrest); - other factors associated with post program recidivism included: treatment attendance (partics with low attendance at treatment had greater likelihood of being arrested); race/ethnicity, with race and ethnic minorities more likely than white non-Hispanics to be arrested; and age at first arrest (participants with prior arrests at younger ages more likely to be rearrested); gender (males more likely to be rearrested); [numerous other findings re non-recidivism issues]
13	April 15, 2003	<i>Bibb County Special Drug Court Program: Eight-Year Annual Report. April 15, 2003.</i> Prepared by Chief Judge Tommy Day Wilcox, Superior Courts, Macon Judicial Circuit and Jacqueline Duncan, Program Administrator	Estimated cost savings from jail time saved, both pre and post entry; other savings for law enforcement and defense (see “Cost Savings Memo”).	Other information relating to employment, and other program impacts
14	March 2003	<i>Summary Report of</i>	Program saved \$5,487,330 in avoided incarceration for	Recidivism rates for the individual drug courts are shown.

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#	Publication Date	Bibliographic Information	System Impact/Cost Savings	Other Findings
		<i>Virginia's Drug Court Programs.</i> Office of the Supreme Court of Virginia and Virginia Department of Criminal Justice Services.	303 graduates. Program saved \$33,000,000 in the birth of 44 drug-free babies. Cost benefits of individual courts are shown.	The specifics of the recidivism rates are also shown.
15	March 2003	<i>Washington State's Drug Courts for Adult Defendants: Outcome Evaluation and Cost-Benefit Analysis.</i> Washington State Institute for Public Policy	Drug courts are more expensive to operate than regular criminal courts (e.g., \$ 3,891 more per participant); overall, drug courts produce more benefits than costs..."We found that the five adult drug courts generate \$ 1.74 in benefits for each dollar of costs.	Not studied
16	February 7, 2003	<i>Judicial Council of California. Administrative Office of the Courts. Report. Collaborative Justice Courts Advisory Committee. Progress Report</i>	Avoided criminal justice costs averaged approximately \$ 200,000 annually per court for each 100 participants; with 90 adult drug courts operating statewide as of 2002, and drug court caseloads conservatively estimated at 100 participants per year, annual statewide cost savings for adult drug courts suggested by data to be \$ 18 million per year; cost offset and cost avoidance estimated at \$ 43 million predominately due to avoided jail and prison costs; with \$ 1 million in cost offset due to collection of fees/fines.	Social outcome data, compiled from 28 counties for 2,892 participants, indicated that 70% of participants were employed upon completion of drug court compared with 62% unemployed at entry; 96% of drug tests were negative; 96% of babies born to program participants (132 babies) were born drug free;
17	January 6, 2003	<i>Evaluating the Effectiveness of Drug Courts in Idaho: Report to Governor Dirk Kempthorne and the First Regular Session of the 57th Idaho Legislature.</i> Idaho Supreme Court	N/A	86% of participants gained or maintained employment 23% of graduates returned to school for GED or college average hourly wage rate increase of graduates was: \$ 4.89 average annual wage increase for graduates was: \$ 10,748.84
18	January	<i>Evaluating Treatment</i>	NA	As of September 2001, 28% of Jackson Co participants and 49% of Escambia Co.

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	2003	<i>Drug Courts in Kansas City, Missouri and Pensacola, Florida: Final Reports for Phase I and Phase II.</i> Abt Associates. Linda Truitt; Wm. Rhodes; N.G. Hoffman; Amy Maizell Seeherman; Sarah Kuck Jalbert; Michael Kane; Cassie P. Bacani; Kyla M. Carrigan; Peter Finn Carrigan; Peter Finn.		participants entering drug court between October 1999 and October 2000 had successfully completed and graduated the drug court; participants required up to 22 months to complete program but median length of stay for graduates was 13 months (Jackson Co. (and 12 months (Escambia Co); median length of stay for terminations was 7.5 months (Jackson Co.) and 8 months (Escambia Co.); 17% of participants (Jackson Co.) and 11% (Escambia Co.) absconded; median length of stay for absconders was 6 months (Jackson Co.) and 4 months (Escambia Co.); <u>Predictors of program success:</u> Jackson Co.: Probability of program success increased with age, education and employment. Males, blacks and participants who owned or rented homes more likely to be unsuccessful. Participants who injected drugs was only AOD use variable correlated with unsuccessful program completion. Participants with emotional problems or prior treatment experience had higher probability of success; participants who scored low on problem recognition factor of treatment motivation had higher probability of success; Escambia Co.: similar findings except males and participants who owned or rented homes had higher probability of success; males nearly 3 x more likely to graduate or remain active than females; participants who had previously been in detox or rehab and participants with high levels of drug dependency more likely to be unsuccessful. Three of the four treatment motivation factors (problem recognition, treatment readiness, and external pressures) associated with higher probability of successful program participation.
19	May 5, 2002	<i>From Whether to How Drug Courts Work: Retrospective Evaluation of Drug Courts in Clark County (Las Vegas) and Multnomah County (Portland), [Oregon].</i> John S. Goldkamp; Michael D. White; Jennifer B. Robinson.	NA	Extensive discussion of various possible factors, both internal and external to the drug court program that might impact recidivism rates.
20	March 2002	<i>Drug Court Partnership Act of 1998, Chapter 1007, Statutes of 1998. Final Report.</i> Prepared by	Total of 425,014 jail days avoided with an averted cost of approximately \$ 26 million; total of 227,894 prison days avoided, with an averted cost of approximately \$ 16 million; participants who completed paid almost \$ 1	Participants had long histories of drug use and multiple incarceration as well as serious social difficulties including homelessness, unemployment and limited education; more than 70% used drugs for 5 or more years with more than 40% using drugs for more than 10 years prior to entering drug court; 52% had a high

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		The California Department of Alcohol and Drug Programs and the Judicial Council of California, Administrative Office of the Courts.	<p>million in fees and fines imposed by the court</p> <p>Fourteen million dollars in DCP program funds, combined with other funds supporting the programs, allowed cost offset and avoidance of approximately \$ 43 million.</p>	<p>school diploma or its equivalent and 13% had any college education; 62% were unemployed; on average each participant had been arrested twice and had one incident of conviction and incarceration in the two years prior to entering drug court; 70% of graduates employed at graduation; 11% obtained GED/high school diploma; 8% obtained vocational certificate and 1% of graduates completed college</p> <p>12% of graduates transitioned from homelessness to housing</p> <p>20% of graduates obtained drivers licenses and car insurance; 28% of graduates retained/regained custody of their children; 7% gained child visitation rights and 8% became current in child support payments; 31% were reunited with families; 95% of all babies born while mothers participated in drug court were drug-free;</p> <p>Incarceration rates for participants who completed drug court is 83% less during two years after admission than incarceration rate of those entering program during two years prior to entry</p> <p>While in drug court, participants engaged in low levels of drug use as indicated by high rates of negative urinalysis in comparison to prior drug use histories;</p> <p>Participants who successfully completed program improved substantially in all areas, showed decreased drug use and rearrests as well as improvement in employment and education; other areas of social functioning also improved including acquisition of stable housing and increased family involvement;</p>
21	October 2001	<i>Kentucky Drug Court Outcome Evaluation: Behaviors, Costs, and Avoided Costs to Society. Prepared by TK Logan, William Hoyt and Carl Leukefeld. Center on Drug and Alcohol Research. University of Kentucky</i>	<ul style="list-style-type: none"> • Annual cost of a drug court graduate (\$ 2,642 accounting cost and \$ 4,140 accounting and opportunity (e.g., judge, police, jail, etc.) costs is much less than the annual cost of housing an individual in jail (\$ 9,600) or prison (\$ 14,691) and not much higher than the annual cost of supervising an individual on probation (\$ 1,237) in Kentucky; total avoided costs of “benefits” for graduates is estimated to be \$ 4,364,114 when earnings are considered, and \$ 2,584,562 without the earnings for a one year period... • For every dollar spent on a drug court graduate, 	Results for terminators were less pronounced than for the graduates. However, for most outcome measures, there does seem to be a gain...reductions in undesirable behavior and increases in desirable behavior, except for time in prison and child support deficits.

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			<p>there was an avoided cost savings of \$ 3.30 to \$ 5.58 per graduate in a one yea period when only accounting costs were considered, and a cost savings of \$ 2.11 to \$ 3.546 per graduate in a one yea period when opportunity costs were included.;</p> <ul style="list-style-type: none"> • When both graduates and terminators were included there is an estimated savings of \$ 6,199 per client when earnings were included, and a savings of \$3,059 in a one year period without the earnings per client using accounting costs. When the opportunity costs for Drug Court program graduates and terminators combined were used, there was an estimated savings of \$ 4,826 per participant when earnings were included, and a savings of \$ 1,686 per participant without the earnings in a one year period. • For every dollar spent on a drug court • participant (graduates and terminators) there was an avoided cost savings of \$ 2.26 to \$ 3.56 per participant in a one year period when only accounting costs were considered, and a cost savings of \$ 1.44 to \$ 2.27 per participant in a one yea period when opportunity costs were included. 	
22	October 2000	<i>Tulsa County Adult Drug Court: Phase II Analysis.</i> Wright, David. O'Connell, Paul. Clymer, Bob. Simpson, Debbie.	N/A	Re-arrest rates overestimate the actual level of criminality, while re-conviction rates underestimate the level of criminal activity.
23	May 1999	<i>Evaluation of the Hennepin County [Minneapolis] Drug Court. Minnesota Citizens Council on Crime and Justice (R. Ericson; S. Welter and Thomas L.</i>	Drug court handled 31% of all felony cases filed in 1997 in Hennepin Co, with primarily one judicial officer and various clerical staff; previously, this workload had been spread across all judges of the Court; Given the increase in case processing speed achieved by the Drug court, the increase in judicial efficiency is readily apparent	Efficiencies in case processing achieved: average number of appearances was 3 (roughly half of the previous average); treatment completion rates were higher than other clients (54.5% vs. ;47.3%);as

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		<i>Johnson</i>		
24	October 2000	<i>North Carolina Drug Treatment Court Evaluation Final Report.</i> Craddock, Amy.	N/A	Most important predictor of recidivism is DTC graduation. Most common drug used is cocaine. 98.6% of participants are chemically dependent.
25	October 2000	<i>Evaluation of Oklahoma Drug Courts, 1997-2000.</i> O'Connell, Paul. Wright, David. Clymer, Bob.	NA	Drug court participants are more likely to be successful if they are older, Caucasian, better educated, employed, and less criminally active. Drug court participants are less likely to be successful if they are relatively young, African American, less educated, unemployed, and more criminally active.
26	October 2000	<i>1998 Drug Court Recidivism Report Update.</i> Administrative Office of the Courts, Dade County (Miami), Florida	NA	Other data that supports finding that drug court reduces recidivism
27	January 2001	<i>Final Report on the Polk County Adult Drug Court: Executive Summary and Summary of Findings.</i> Iowa Dept. of Human Rights. Division of Criminal and Juvenile Justice Planning. Statistical Analysis Center.	Total correction system costs for drug court clients (\$26,021.59) was less than for comparison group(\$29,427.80) or referred group (\$ 39,776.75).; treatment costs were \$ 5,149 per client compared to \$ 3,949 for referred group;	Of the 134 drug court client sin the study, 44% graduated; graduation rate has risen during program's first 2 years to 50%; most of terminations due to noncompliance rather than new arrests; Graduation rates for white and nonwhite clients are disparate; nonwhite clients have achieved very low rates of completion of the drug court; graduation rate for methamphetamine addicts was markedly higher than for participants using marijuana or cocaine
28	July 2001	<i>NW HIDTA/DASA Washington State Drug Court Evaluation Project.</i>	n/a	Graduates show systematic and substantial increases in income, with some tail-off in the third year; graduates were only group to show this improvement; rates for using vocation services b drug courts are very low (2% in King and Pierce Cos; 4%

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		<i>G. Cox, L. Brown, C. Morgan, M. Hansten. Alcohol and Drug Abuse Institute. University of Washington, Seattle, Wash.</i>		in Spokane Co.) Graduates had highest rate of use of Medicaid;
29	December 2004	<i>Evaluation of Virginia's Drug Treatment Court Programs. Office of the Executive Secretary, Supreme Court of Virginia</i>	n/a	Virginia adult drug courts have treatment retention rate (active participants plus graduates) of 62.25%; Virginia's adult drug court participants are chronic offenders prior to drug court entry; averaging 6.8 felony arrests and 5.6 misdemeanor arrests.
30	October 2003	<i>South Central Judicial District Adult Drug Court Program (Bismarck, N.K). Process Evaluation – Final Report. October 2003. Jeffrey A. Bouffard. North Dakota State University. Department of Criminal Justice and Political Science.</i>	✓ Program decreased incarceration time for nonviolent offenders by at least 75% and may be up to 88%	✓ No difference in program completion rates for: - men vs. women - felony vs. misdemeanor participants - DUI vs. drug-related offenders - participants of different racial/ethnic groups - those who received jail as a sanction and those who did not receive any jail time as a program sanction ✓ There was no difference in rearrest rates for participants with different primary drugs of choice ✓ The program did not lower LSI (Level of Supervision Inventory risk scores of participants by 40% between time of program entry and program completion but did result in 32% declines in LSI scores for 14 program graduates by time of graduation ✓ The program maintained offenders in treatment and other maintenance programs for at least 12 months ✓ There was a large difference between average time to sentence for drug court participants (60.9 days average) vs. nonparticipants (168.8 days) ✓ Average time from arrest to program entry was not less than 42 days rather than 30 days as planned ✓ Program decreased incarceration time for nonviolent offenders by at least 75% and may be up to 88% ✓ Revocation of time for 8 terminated participants is 17% lower for drug court participants vs. average revocation rate of 32% for nondrug court participants in ND

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31	July 2002	<i>Outcome Evaluation of Ohio's Drug Court Efforts. Final Report. By Edward J. Latessa, Ph.D.; Deborah Koetzle Shaffer; Christopher Lowenkamp. Center for Criminal Justice Research. University of Cincinnati.</i>	n/a	<p>Ø Graduation:</p> <ul style="list-style-type: none"> - Common Pleas graduated 31% of participants - Municipal drug courts graduated 44% of participants overall, 40% of participants graduated
32	2001	<i>Evaluation of the Bernalillo County Metropolitan DWI/Drug Court</i>	<p>Total Cost Savings:</p> <p>Jail Days: Graduates: Jail days 914 days vs. 3,366 days = 2,451 days saved for 2,757 days saved (\$ 184,719) CCP days: 1,483 days vs. 3,103 days – 1,902 days saved (\$ 62,291; total cost savings - \$ 247,010 over 4 year period.</p> <p>Graduates spent 915 days in jail, costing \$ 61,305 in jail time (\$ 67/day); average is 5.45 days per graduate (\$ 365.15 per participant); graduates spent 1,483 days in Community Custody (\$ 32.75 per day) cost \$ 48,568 or 8.83 days average per participant or \$ 289.18 per participant.</p>	<p>Ø <u>Demographic characteristics:</u></p> <ul style="list-style-type: none"> - mean age at intake: 36.5 yrs - Ethnicity: 58.4% Hispanic; 22.7% White non-Hispanic; 16.9% Native American (Native Americans and Hispanics overrepresented in Drug Court compared with population for Bernalillo Co.) - gender: 84% males 16% females - education: 12 yrs for all clients (women have slightly less educ than men) - dependents: ½ have children - marital status: less than ¼ married at time of intake - employment status: 74.2% employed full time or part time - Primary drug: alcohol (93.8%) - prior misd convictions: 4.7 average for 304 participants; - prior DWI convictions: 2.7 mean (3.7% had no prior DWI convictions) - age at first use: 17.2 years - years of substance use: 12.7 yrs average (30% using over 15 years) - average stay: 282 days - reason for discharge: graduated: 56%; absconded: 17%; terminated: 17%; voluntarily terminated: 3.6% Other:6% - treatment and related services: graduates had average of 58.7% group sessions per client; 38 nongraduates attended an average of 33 group sessions per client; ½ graduates participated in indiv counseling (3.7 sessions each); 91.4% of clients had at least one acupuncture treatment; 63.7 urine screens average per client - sanctions: 1/3 of graduates spent time in jail during program (average 1.7 times; 1/3 of nongrads jailed average of 2.1 times

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33	February 2005	<i>Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes. U.S Government Accountability Office. February 2005</i>	Four of seven adult drug court program evaluations provided sufficient cost and benefit data to estimate net benefits. Although cost of six of the programs was greater than costs to provide criminal justice services to comparison group., all seven programs yielded positive net benefits, primarily from reductions in recidivism affecting judicial system costs and avoided costs to potential victims. Financial cost savings for the criminal justice system (taking into account recidivism reductions) were found in two of the seven programs.	<ul style="list-style-type: none"> Ø evidence about the effectiveness of adult drug courts in reducing participants' Substance use relapse limited to data from 8 drug courts; evaluations of these 8 drug courts reported mixed results on substance use relapse; drug test results generally showed significant reductions in use during participation in the program while self reported results generally showed no significant reductions in use. Ø Completion rates ranged from 27 – 66%. Other than compliance with drug \ court program procedures, no other program factor consistently predicted participants' completion
34	April 2005	<i>Evaluation of the Outcomes in Three Therapeutic Courts: Anchorage Felony Drug Court; Anchorage felony DUI Court; Bethel Therapeutic Court. Alaska Judicial Council.</i>	<p>Overall: significant cost benefits including reductions in days of incarceration to graduates compared with comparison groups; also greater family stability, better education and employment;</p> <p>Specific impact(s) reported:-16% of graduates and 6% of active participants appeared to have improved child support situations – either able to pay more support to their children or were receiving more child support;</p> <p>-one graduate and one active participant reported birth of drug/alcohol-free babies</p> <p>-6% of graduates and 3% of active participants regained custody of their children</p> <p>-81% of graduates and 32% of active in the program had more stable family situations during or after program</p> <p>-9% of graduates and 13%\$ of active participants reported reduced domestic violence after program participation</p> <p>-63% of graduates and 46% of active participants holding steady job after program participation</p> <p>-41% of graduates and 21% of active participants had</p>	<ul style="list-style-type: none"> Ø Overall, defendants who graduates from program and who were active had fewer days of incarceration, fewer remands to custody and fewer convictions after beginning program than in 2 years preceding Ø Defendants in comparison groups had significantly more mean days of incarceration after convictions for the evaluated offense than they did in the two years before Ø Graduates from each of the courts spent an average of 452 days (15 months) in court before graduating (43 hearings for graduates; and average of 29 hearings for defendants who opted out)

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			improved educational status after program participation -41% of graduates and 15% of active participants reported less debt after program participation	
35	April 2004	<i>The Kootenai and Ada County [Idaho] Drug Courts: Outcome Evaluation Findings. Final Report</i>	NA	Factors associated with recidivism: <u>Kootenai County</u> : gender ,prior record and time at risk (males with prior record and at risk longer more likely to be rearrested; graduates less likely to be arrested for felony charge; none of graduates arrested more than once during follow up period vs. 30% of nongraduates and 24% of comparison group was; <u>Ada Co</u> : gender; employment and time
36	July 2000	<i>The Hamilton County [Ohio] Drug Court: Outcome Evaluation Findings. Shelley Johnson and Edward Latessa. University of Cincinnati.</i>	NA	<ul style="list-style-type: none"> Ø Majority of drug court participants began treatment in the residential phase of the program and progressed to the outpatient phase Ø 75% of participants completed the first phase and 84% [sic] completed the second phase Ø typical offender had 3 status review hearings while in program but 30% had more than 5 Ø factors associated with recidivism were race (African Americans) prior record, age (younger) and time at risk
37	March 2005	<i>Analysis of Oklahoma Drug Courts: Fiscal Years 2002-2004. Oklahoma Department of Mental Health and Substance Abuse Services</i>	If all 2,307 offenders would have serviced their sentence in prison, overall 4-year cost savings of drug court vs. prison is \$ 64,805,293; ODMHSAS requested funding to increase drug court capacity in state from 1,575 by 3,229 to total 4,804 drug court slots and projects cumulative cost savings of \$ 314,250,347 over 4 years; [annual cost per drug court participant = \$ 2,325; annual cost for prison = \$ 16,842;	<ul style="list-style-type: none"> Ø retention rate for period was 83.1% <u>for graduates</u>, Ø reduction in unemployment of 82.4%; Ø 53.3% increase in income; Ø 23.9% decrease in number without high school diploma; Ø 20.8% increase in number of participants who had children living with them
38	July 2001	<i>The Akron Municipal Drug Court: Outcome Evaluation Findings. S. Listwam, D.K. Shaffer, and Edward J. Latessa. Center for Criminal Justice Research, University of Cincinnati</i>	n/a	<u>Completion Status:</u> <ul style="list-style-type: none"> Ø graduated: 129 (42.7%) Ø terminated: 100 (33.1%) Ø absconded: 62 (20.5%) Ø other: 10 (3.3%) Ø “expiration of term”: 1 (.3%)

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39	May 2003	<i>Coconino County DUI/Drug Court Evaluation. Frederic I. Solop, Nancy A. Wonders, K.K. Hagen, K McCarrier. Social Research Laboratory, Northern Arizona University.</i>	Average DUI drug court participant costs Coconino Co \$ 6,408 vs. \$ 22,740 for traditional cjs processing; DUI participant paid average of \$ 28.86 monthly to court vs. \$ 7.34 by control group; therefore traditional cjs process is 3.5 times more costly than Co. Dui Drug Court.	DUI drug court participants make more positive contributions to society during an average month, working more hours each week (32.1 vs. 29.8) and spending more time in school (1.3 vs. 0) than offenders processed through the traditional process
40	2005	<i>Recidivism of Violent Offenders in a Delaware Drug Court Program for Probation Violators. Christine A. Saum, Ph.D. Univ. of Delaware.</i>	n/a	n/a
41	2004	<i>Kalamazoo County 9th Judicial Circuit Court Drug Treatment Court Programs. Statistical Report. 2004</i>	Females: restitution paid to victims totaled \$ 9,023.72; urine screen fees paid totaled \$ 10,935.50; drug treatment court fees paid totaled: \$ 7,620 <u>Males:</u> restitution paid totaled \$ 10,254.15 Urine screen fees totaled \$ 24,005.75 Drug treatment court fees totaled \$ 13,74.800	<u>Females:</u> 202 (36%) of female enrollees successfully completed the program; 38 opted out of the program; 276 (49%) were discharged due to repeated noncompliance; 47 (17%) were discharged due to new charges; average length of drug use was 10.5 years; youngest initial drug use was 7 yrs; oldest initial use was 46 years; 100% of women who completed the program and physically able were employed or attending school full time at time of program completion; 52.7% (298) had never received formal treatment services prior to enrolling in the drug court <u>Males:</u> 183 (31%) successfully completed the program; 34 men opted out of the program; 259 (45%) were discharged due to repeated non-compliance with program rules; 35 (13.5%) were discharged due to new charges; 100% of men who were physically able were employed or attending school full time upon program completion; 55% (325) had never received formal substance abuse treatment prior to engaging in the drug court
42	April 2005	<i>Puerto Rico Drug Court Program: Outcome Evaluation Center for Addiction Studies, School of Medicine, Universidad Central del Caribe</i>	n/a	(1) drug court participants showed marked and statistically significant improvements found in reduction in drug use (from 86.5% to 33.5%) and participation in treatment (97.5% received treatment) and in reduction of antisocial and illegal behaviors among drug court participants; (2) percent of drug court participants considered <i>drug dependent</i> decreased from 41.4% prior to admission to 8% 12 months after admission, and, for alcohol dependence, from 9.5% to 2.5% (3) no statistically significant improvements found in other domains (employment and education, residential stability and family roles; physical and mental health

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				<u>Recommendations:</u> (1)only 40% of drug court participants studied appeared to be drug <u>dependent</u> at time of program entry –therefore need to review eligibility criteria and recruitment strategies to focus on those who are drug <u>dependent</u> (not simply drug using); (2) need to intensify efforts to assist participant in improving other domains, particularly: education; employment; familial roles; and mental health problems; 3) Need to register participants in drug court (and other diversion programs) in Department of Justice’s management information system to permit tracking of recidivism.																																																																								
43	September 2005 (interim)	<i>California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II Study Results. NPC Research, Shannon M. Carey, Michael W. Finigan, David Crumpton, Mark Waller, Francine Byrne</i>	<div>(1) Investment costs per participant not always much more than traditional court processing</div> <table><tr><th>CJ</th><th>Invstmt/DC partic</th><th>Invstmnt/nonDC</th><th>Cost Ben</th></tr><tr><td>Arrest</td><td>192.91</td><td>192.91</td><td>0</td></tr><tr><td>Booking</td><td>284.34</td><td>284.34</td><td>0</td></tr><tr><td>Court</td><td>681.54</td><td>678.50</td><td>+ \$3</td></tr><tr><td>Treatment</td><td>2,713.32</td><td>2,009.18</td><td>+704</td></tr><tr><td>Jail</td><td>1,610.89</td><td>2,782.55</td><td>-1,171</td></tr><tr><td>Probation:</td><td>513.64</td><td>1,421.84</td><td>- 908</td></tr><tr><td>Total cost</td><td>5,927.80</td><td>7,369.32</td><td>-1,442</td></tr></table> <div>(2) average net investment cost per participant: \$ 1392</div> <table><tr><th>agency</th><th>invst/per partic</th><th>range</th></tr><tr><td>sup ct</td><td>464</td><td>(79) –(898)</td></tr><tr><td>DA</td><td>235</td><td>103-(523)</td></tr><tr><td>Pub D</td><td>279</td><td>(76) –(448)</td></tr><tr><td>Prob</td><td>697</td><td>2,143-(632)</td></tr></table>	CJ	Invstmt/DC partic	Invstmnt/nonDC	Cost Ben	Arrest	192.91	192.91	0	Booking	284.34	284.34	0	Court	681.54	678.50	+ \$3	Treatment	2,713.32	2,009.18	+704	Jail	1,610.89	2,782.55	-1,171	Probation:	513.64	1,421.84	- 908	Total cost	5,927.80	7,369.32	-1,442	agency	invst/per partic	range	sup ct	464	(79) –(898)	DA	235	103-(523)	Pub D	279	(76) –(448)	Prob	697	2,143-(632)	<div><u>Promising Practices:</u> O single or overseeing treatment provider High drug court team attendance at 227staffing Court sessions start 1 every 2-3 weeks Treatment 2-3 times per eek (start) Drug tests 3 times per week (start) Judges voluntary with no fixed term (or at least 2 years) Minimum 6 months clean before graduation</div> <div><u>FTE’s</u></div> <table><tr><th></th><th>Monterey</th><th>Or Co./Laguna Nig</th><th>Or Co/Santa Ana</th><th>Stanisl. Co.</th></tr><tr><td>DA; .</td><td>28</td><td>0</td><td>1.00</td><td>.20</td></tr><tr><td>Pub Def</td><td>.08</td><td>.4</td><td>1.00</td><td>.25</td></tr><tr><td>Law Enf.: .00</td><td></td><td>.50</td><td>.00</td><td>.00</td></tr><tr><td>Prob.: 1.00</td><td></td><td>1.5</td><td>4.00</td><td>3.00</td></tr></table>		Monterey	Or Co./Laguna Nig	Or Co/Santa Ana	Stanisl. Co.	DA; .	28	0	1.00	.20	Pub Def	.08	.4	1.00	.25	Law Enf.: .00		.50	.00	.00	Prob.: 1.00		1.5	4.00	3.00
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			Treat 1918 706-3808 La Enf 44 1060-(1033) Corrs. 0 0 (2) Net outcome benefits: \$ 11,000 per participant (\$ 3200 – 15,200 range) <u>agency avg net outc benef/partic range</u> Sup. Ct (46) 342-(277) DA (12) 148-(106) Pub Def (19) 171 – (103) Prob (53) 474 – (650) Trmt 637 336- (59) Law Enf (1,525) 620 – (3,619) Corrects (3,292) (541) – (5377) - overall benefits combined for all 9 sites: 9,032,626	
44	January 2005	<i>Malheur Co. Adult [gender specific Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey and Gwen Marchand.</i>	n/a	Factors associated with success: no correlation between success and age, marital status, race or years of education; small correlation between sex and success (females slightly more likely than males to be terminated); graduates more likely to report alcohol as primary drug of choice than other drug; over 60% of terminated participants were meth users vs. 41% of graduates; higher number of drug treatment (group and individual) sessions associated with lower number of re-arrests; lower rearrest rates for males associated with treatment readiness; females rarely rearrested regardless of whether they graduated or were terminated
45	January 2005	<i>Marion Co. (Oregon), Adult Drug Court Outcome Evaluation. Final Report. NPC Research. Shannon Carey, Gwen Marchand.</i>	NA	-Program retention rate is 71% (44 graduated or currently participating vs. 18 terminated or withdrew -Predictors of Success: Factors with no correlation: age, marital status, race, insurance source, employment status, number of arrests prior to entry; years of education; significant correlation between gender and success : females much less likely to graduate than males - nearly 78% of terminated clients were meth users vs 47% of graduates - terminated clients more likely to have at least one dependent child - readiness for treatment correlated with greater likelihood of graduating and less likelihood to recidivate - small negative correlation between days spent in aftercare and rearrests, particularly drug related rearrests – longer time spent in aftercare, reduced likelihood of being rearrested

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46	July 2003	<i>A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research, Inc. Shannon Carey, Michael Finigan</i>	<ul style="list-style-type: none"> - Total investment cost per client in drug court was less (\$ 1,441.52) than investment cost per client in business as usual process. - money saved in outcome costs (\$ 2,328.89 per participant) although savings not spread equally among agencies; - total savings over 30 –month period, including victimization costs, averaged 4 4,788.88 per drug court participant 	<p>(1) does it cost more for drug court than business as usual? No: total investment in drug court averaged \$ 5,927.80 per participant compared with 7,369.32 for business as usual. Business as usual offender cost \$ 1,441.52 more than drug court</p> <p>(2) do agencies save money upfront from drug court vs businesses usual/ Yes. Law enf /corrections and public defender receive immediate savings. All agencies saved money in outcomes.</p> <p>(3) Are there cost savings in outcomes due to drug court processing? Yes. When outcomes costs for drug court participants compared with outcome costs for business as usual offenders, drug court saved an average of \$ 2,328.89 per year per participant. With victimization costs added, average savings were \$ 3,596.92 per participant</p> <p>(4) What are total cost savings (investment and outcomes) attributed to drug court process? Combining outcome cost savings with investment savings over 30-month period, drug court saved average of 4 4,788.88 per participant including victimization costs. Multiplied by 300 participants who enter each year, this is \$ 1,434,000 in cost savings for local tax payers –which is the “bottom line” difference in cost to the system of drug court participants vs cost for nondrug court participants</p>
47	March 2004	<i>State of California Department of Alcohol and Drug Programs. Comprehensive Drug Court Implementation Act of 1999: Interim Report to the Legislature. Kathryn P. Jett, Director</i>	<ul style="list-style-type: none"> - 3,563 participants completed adult drug courts avoiding a total of 948,299 prison days, resulted in an averted cost of approximately \$ 34,233,593 to the state; - ratio of prison costs averted by participants to amount invested for the counties reporting was 1.53 to 1 	<ul style="list-style-type: none"> - 618 adult criminals reported making child support payments regularly - 39% (7,790) of adult criminal participants obtained employment while in the program, thus contributing to California’s economy - 12% (966) new adult participants admitted to the program were homeless; 785 of them (81%) obtained housing during the study period - 990 adult criminal participants either enrolled or completed parenting classes - 1,358 adult criminal participants were reunified with family members - almost all participants (96%) had negative urinalysis while participating the

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				<ul style="list-style-type: none"> program - adult and juvenile drug court participants completed 42, 788 hours of community service - 93% of females who gave birth during the period of program participation gave birth to drug free babies
48	June 14, 2006	<i>Suffolk Co. (Mass) Drug Court Evaluation.</i> Abt Associates. Wm. Rhodes, Ryan Kling and M. Shiveley		<ul style="list-style-type: none"> - “the best evidence at our disposal indicates that the four drug courts in Suffolk Co. have increased the receipt of substance abuse treatment and reduced criminal recidivism for a population of otherwise recalcitrant, drug-involved offenders. ... Graduates of these drug courts are 33% less likely to be arrested than matched persons on traditional probation, have 47% fewer convictions, and are 70% less likely to be incarcerated.” - Drug court participants 24% less likely to be incarcerated; had 35% fewer incidents of incarceration; and 36% fewer suspensions and revocations - Drug court GRADUATES: were 70% less likely to be incarcerated; had 66% fewer incidents of incarceration and had 54% fewer suspensions and revocations TREATMENT: <ul style="list-style-type: none"> - participants had 35% higher probability of receiving S.A. treatment - graduates were neither more or less likely to enter treatment than nondrug court probationers
49	May 20, 2006	<i>Outcome Evaluation of the Jackson County, Florida Drug Court.</i> Williams Consulting. Silver Spring, Md.	Program Costs: (1) treatment: \$ 28,200 for 12 graduates; urinalysis was \$ 16,200; total treatment costs were \$ 44,400 for 12 graduates; comparison group: cost of 18 months incarceration was \$ 38/day x 18 months = \$ 20,710 = 248,520 == Total cost savings if comparison group was enrolled in drug court would be \$ 204,120.00 (248,520-44,400) = 204,120.	<ul style="list-style-type: none"> - Demographics of population studied: Gender: male: 73%; female: 37% Employed fulltime at entry: 38% Education: 45% HS Grads; 19% GED; 29% hs drop outs Prior treatment: 47% Children under 18: 62% (98 children of 51 parents) Medical problems: 95% none; 15% had ADHD diabetes, depression, back and neck pain, hepatitis, high blood pressure, migraines -GRADUATES: average age of 12 graduates studied was 33, all were male and employed; one was Afr. Am; the other 11 were white; 59% single; 25% divorced;; average prior arrests as 5 - NON GRADS: (16): average age was 28; 57% male;38% employed; 53% unemployed;12% AM; 88% White;; most nongrads received sentences of 10-15 years
50	Spring 2006	<i>Long-Term effects of participation in the Baltimore City drug</i>		<ul style="list-style-type: none"> - Quantity of drug treatment services received was related to lower recidivism rates - Treatment had sustained effect on recidivism reduction, even after serves were

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		<i>treatment court: Results from an experimental study.</i> Denise C. Gottfredson et al. U. of Maryland.		<p>delivered</p> <ul style="list-style-type: none"> - Recidivism lowest among participants who participate at higher levels of certified drug treatment, status hearings, and drug testing
51	April 2006	<i>California Drug Courts: A Methodology for Determining Costs and Benefits: Phase II: Testing the Methodology.</i> NPC Research. Shannon Carey, Dave Crumpton, Michael Finigan and Mark Waller. (See No. 43 for interim report)	<p>Eight of the nine sites show outcome cost benefits ranging from \$ 3,200 to over \$ 20,000 saved per participant; Monterey: showed no cost benefit over time; “actually loses money on drug court participants”.</p> <p>Stanislaus and El Monte produce very high returns on investment (1: 16 and 1:36) in part because of low investment costs. San Joaquin saves money immediately by having lower investment costs than standard court processing. Only Monterey has no positive return on investment because drug court did not produce positive outcome results, likely due to operational problems.</p> <p>Specific Findings: Average cost per participant <u>El Monte:</u> \$ 5,542.37 (\$ 2,275.50 for treatment, jail sanction next) vs \$ 5,283.51 traditional case process <u>Monterey:</u> \$ 8,173.93 (largest cost is treatment, then jail day sanctions) vs. \$ 5,340.27 <u>Orange Co.-Laguna Niguel:</u> \$ 19,799.59 (jail days pre or post DC, then case management highest costs) vs. \$ 13,195.62- every dollar invested yields \$ 1.50 return <u>Orange Co. – Santa Ana:</u> \$ 15,613.12 vs. 15,173.10; each \$ invested produced \$ 7.30 savings (in correctional costs) <u>San Joaquin Co.:</u> \$ 12,214.76 vs. 12,701.34. (72% of cost is jail days)- drug court approach produces 25% reduction in standard case processing);\$4,801,427 saved each year at rate of 307 new participants annually) Stanislaus Co.: \$ 5,455.20 (treatment is largest cost) vs. \$ 4,518.24 (court costs and jail costs); greatest savings were in probation costs (-77%), victimization costs (-63%), bookings (-44%) and jail days (-42%); every \$ spent produced savings of \$ 16.00</p>	<ol style="list-style-type: none"> 1. No two drug courts function in the same manner; each operates in a different context, serves a different population and involves multiple agencies contributing varying levels of resources; each drug court has unique practices, policies and requirements. 2. Wide range in investment between jurisdictions and counties, and within counties, both in drug court process (\$ 5,000 – 19,000) per participant and traditional court process (just under \$ 5,000 to over \$ 15,000 per participant (differences largely attributable to jail costs) 3. Promising practices identified: <ol style="list-style-type: none"> a. Those drug courts where more agency staff attended drug court meetings and court session tended to have more positive outcomes b. The courts that start participants at one court session every 2 or 3 weeks, 1 to 3 group treatment sessions per week and individual treatment sessions “as needed” appear to have the best outcomes c. Sites with either a single provider or with multiple referral options but a single overseeing provider had the most positive outcomes. d. Judges on voluntary assignment to drug court, with either no fixed term or a term of at least two years, help produce the most beneficial outcomes. e. The sites that required participants to be “clean” for at least six months had lower costs and higher net benefits. f. Drug test frequency greater than 3 x per week didn’t appear to have added benefit; however lower frequencies were associated with less positive benefits. <p>Graduation Rates: <u>Butte Co:</u> 68% (n=156) <u>Los Angeles Co. – Central:</u> 36% (n=115) <u>Los Angeles Co. El Monte:</u> 82% (n=127)- 60% overall (n=700) <u>Monterey Co.:</u> 26% (n= 213) graduation rate (resulting from required \$ 14 fee for drug tests and many terminated for failure to test (39% overall – n=721) <u>San Diego-East:</u> 65% (n=178) <u>Orange Co.-Laguna Niguel:</u> 68% (n=124) (64% overall – n=343) <u>Orange Co.: Santa Ana:</u> 45% (n=289) (overall 41% - n = 932) <u>San Joaquin Co.:</u> 29% (n=202) (31% overall – n = 2,010)</p>

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				<u>Stanislaus Co.:</u> 49% (n=399) (32% overall – n=1,320+)
52	August 2001	<i>The Philadelphia Treatment Court, Its Development and Impact: The Second Phase (1998-2000). John S. Goldkamp et al. Crime and Justice Research Institute</i>		<p>40% of defendants referred for assessment were “no shows”; 47% found to be in need of treatment</p> <p>the 383 candidates actually entering Treatment Court represented 20% of the defendants referred ;</p> <p>Race/Ethnicity: 58% were Afr.Amer; 28% Hispanic and 13% while;</p> <p>Median age we 23</p> <p>83% male</p> <p>53% unemployed</p> <p>96% charged with drug felony</p> <p>46% had prior arrests; 16 had prior court convictions</p> <p>205 had at least one arrest as a juvenile</p> <p>42% didn’t complete Phase I of treatment</p> <p>9% of enrolled terminated for noncompliance</p> <p>participants averaged 9.28 days incarcerated</p>
53	July 2005	<i>Malheur County, Oregon Adult Drug Court (S.A.F.E. Court) Cost Evaluation: Final Report</i>	<p>Relatively low cost per participant compared with other programs (\$ 6,275) – 6,102 for males; 6,585 for females) compared with recidivism costs 9165.61-arrest; 10.00-booking; and 49.20-jail bed day.</p> <p>- females show decrease in costs after starting program while males (except for grads) show increase in costs due to more time spent in jail for new offenses</p> <p>-Average costs for females 2 years prior to drug court were \$ 2,312.34 compared with \$ 1,679.30 two years following drug court entry;</p> <p>-average costs for ALL male participants two years prior to entry were lower (1,205.36 vs 2,612.84) than following program entry but mainly due to terminated participants and jail costs entailed. Costs for male graduates were reduced from \$ 643.08 2 years prior to program entry to \$ 261.80 2 years following program entry.</p>	<p>-Level of substance abuse was reduced, based on both UR results and rearrests</p> <p>-Retention rate for both men and women is better than most standard (non-criminal justice related) treatment programs</p> <p>Factors associated with fewer rearrests were (1) greater number of treatment sessions;</p> <p>-graduates tended to have fewer arrest prior to program entry; were slightly more likely to be male, were less likely to use methamphetamine, were more likely to have had treatment prior to drug court, and more likely to score high on the “readiness-for-treatment scale”.</p> <p>-terminated participants were more likely to use methamphetamine, less likely to use alcohol or marijuana, attend fewer treatment sessions and scored lower on the readiness for treatment testing.</p>
54	September 2006	<i>Kalamazoo County, Michigan Adult Drug</i>	Substantial cost savings/avoided costs resulting from fewer re-arrests, less probation time and fewer new court	- drug use decreased over a 12 month period for both females and males

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		<i>Treatment Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	cases. - combined programs saved total of \$ 593,154 over a two year period for persons entering the program during two year study period (2002-3); savings can be anticipated to accrue over additional years.	
55	September 2006	<i>Barry County, Michigan Adult Drug Court. Outcome and Cost Evaluation. Final Report. NPC Research</i>	Cost savings for drug court participants of over \$ 3,000 per participant over 2 year period as a result of fewer re-arrests, less probation time and fewer new court cases. - multiplying cost savings by 108 participants since program implementation, total savings have been \$ 353,160. For first two years since program entry. - Can expect cost savings to continue following 2 year study period.	All participants (graduates and terminated) consistently showed less drug use than comparison group; for some time period, no positive drug tests for participants during same time period when positive drug tests for comparison group were might higher.
56	March 2004	<i>The Douglas County (Nebraska) Drug Court: Characteristics of Participants, Case Outcomes and Recidivisms. Cassia Spohn and R.K. Piker. Final Report. March 2004</i>		Males significant less likely than females to graduate; Drug court success also affected by age at which offender first used drug and by number of positive drug tests during first six months of program
57	November 2001	<i>Dallas County DIVERT Court Outcome Evaluation. Monica Turley and Ashley Sibley.</i>	--	Program retention predicted by age; average age of graduates was greater than dropouts; older participants (average of 35 years) more likely to successfully complete treatment than younger participants.
58	January 2003	<i>Initial Process and Outcome Evaluation of Drug Courts in Texas. Criminal Justice Policy Council.</i>	--	Drug court graduates had 3.4% incarceration rate 3 years following program entry vs. 21.4% for noncompleters and 26.6% for comparison group; incarceration rate for all drug court participants was 12%; Frequency of positive drug tests was 9% - 11% for drug court participants compared with 50% for ADAM tested offenders. The effectiveness of drug courts in reducing recidivism merits considering strategies to expand drug courts in Texas.

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59	October 2003	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 1 Evaluation Report. ISED Solutions.</i>	--	Older participants experience lower rates of post-treatment drug use generally and fare better with respect to new arrests Participants with at least a high school education fare better than clients without in terms of being arrested after treatment Gender is not associated with differences in treatment outcomes Race/ethnicity is associated with few differences in outcomes and, where it does, differences exist for Hispanic clients who are more likely to have problems with FTA's and rearrests so may need additional services, particularly for those with limited language skills
60	December 2004	<i>Douglas County (Neb) Drug Court Targeted Capacity Expansion Grant. Year 2 Evaluation Report. ISED Solutions.</i>	-	Men and women have same treatment completion rate (60%) Caucasians fare better in treatment than African Americans (75% vs. 53% retention) Completion of residential treatment associated with significant reductions in post-treatment drug use, general arrests and failure to appear Participants who successfully complete treatment more likely to graduate than those who don't (44% vs. 8%) Older participants and those with high school education have lower risk of failing to complete program
61	March 31, 2004	<i>Cost Benefit Analysis of the Douglas County, Nebraska Drug Court. R.K.Piper and Cassia Spohn</i>	Average investment cost for drug court participants is \$ 4,803 vs \$ 9,224 for traditionally adjudicated offenders, resulting in cost benefit of \$ 4421 less for each drug court participants; Annual investment cost savings for drug court participants vs traditionally adjudicated offenders is \$ 1,326,414; greatest cost savings were for jail confinement \$ 622,098 and prison (\$1,125,642) Lesser 'up front' investment cost savings of \$ 125,703 for district Court and other agencies involved with prosecuting and processing drug offenders; additional savings of \$ 51,234 realized for County (Lower) courts and agencies at county court level;	

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			<p>Reduced misdemeanor arrests resulted in outcome savings of \$ 346,129 and fewer felony arrests resulted in savings of \$ 533,468, with total annual outcome cost savings of \$ 899,597.</p> <p>Average annual outcome cost savings per drug court participant was \$ 2,999; total annual investment and outcome savings was \$ 2,226,011.</p> <p>Victimization costs (lost wages, medical and mental health care, etc.) savings resulting from reduced recidivism was \$ 1,120,886 for violent crimes reduction and \$ 64,823 for property crimes reduction, or total victimization cost savings of \$ 1,174,809</p>	
62	February 2007	<i>Recidivism in Alaska's Felony Therapeutic Courts.</i> Alaska Judicial Council		<p>-The longer participants stayed in the program, the less likely they were to recidivate even if they did not graduate</p> <p>-54% of participants in the programs graduated</p> <p>- participants who were discharged or left voluntarily had same rate of recidivism as offenders charged with felonies in 1999 who didn't enter these programs</p> <p>- older participants less likely to be rearrested than younger participants (43% of graduates were 40+ ; 33% of terminated participants were 40+</p> <p>- participants in Anchorage Felony DUI Court less likely to be rearrested than those in Anchorage Felony Drug Court and Bethel Therapeutic Court</p> <p>- native participants responded as well to therapeutic court programs as Caucasian participants; Blacks and other ethnicities did not do as well as Caucasian participants</p>
63	October 2006	<i>The Staten Island Treatment Court Evaluation: Planning, Implementation, and Impacts.</i> Kelly O'Keefe and Michael Rempel. Center for Court Innovation.	SITC successful in reducing the between arrest and initial plea date. (2,1 mos. Vs 4,2 av.; 1.5 med mos. Vs. 2.7 moss for comparison group).	Drug court failures significantly more likely to be sentenced to jail or prison than comparison group (96% vs. 27%) and averaged significantly more time sentenced to jail or prison (208 days vs. 39 days). "Therefore, there is some legal risk involved in entering the drug court." Graduating means the complete avoidance of a criminal record since cases are dismissed; but failing involves a longer average sentence than what would have, on average, been imposed had the case been processed using conventional methods.
64	2007	<i>2005/2006 Tennessee Drug Court Annual</i>	n/a	<p>-Drug testing: 82,950 drug screens in FY 2006-2006; 2, 917 positive (3.5%)</p> <p>-overall retention rate of 56% for fiscal year (range between 31% and 82%)</p>

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		<i>Report. Office of Criminal Justice Programs. Dept. of Finance and Administration.</i>		-1,713 graduates and 1,289 participants terminated since inception of reporting programs; graduation rate is 57%.
65	2007	<i>Wyoming Drug Court Performance Measures Project. National Center for State Courts.</i>	n/a	-Drug Use Reported: Alcohol: (87.5%); marijuana (65.3%); meth (51.5%); cocaine (8.8%); hallucinogen (3.7%); prescript drug (2.7%); heroin (1%); crack (.3%) -Offenses: drug pos (43.4%); DUI (37%); prob rev (12.5%); property (9.1%); person (7.4%); drug sales (5.7%); Other (11%) -status of admissions: graduated: 48.1%; terminated 16.7%; active: 15.7%; absconded: 10.2%; withdrawn 9.3%) -retention rates: mean days in program: graduates : 402; terminated: 249 -sobriety: Percent positive drug test: 86 (2.1%) -gender: male 76%; average age: 29 years at time of admission -average days in program: 439 Caucasian; 90%) GED/HS degree: 58% Employed: 65%; Single: 4% Prior record: no more than 2 prior arrests in past year: 63%
66	April 2007	<i>Multnomah County, Oregon: The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs.</i> NPC Research	Investment costs in drug court were \$ 1,392 less than for 'business as usual' processing; savings due to reduced recidivism for drug court participants totaled more than \$ 79 million over 10 year period; - investment cost per participant was \$ 5,16 vs. \$ 6,560 for nondrug court participant -greatest cost benefit due to less use of jail days.	-drug court judges who worked longer with the drug court had better participant outcomes - judges who rotated into drug court twice had better participant outcomes the second time - drug court was effective continuously except for two "rough periods" –(1) first 2 years of the program, during initial implementation period; and (2) in 1996 when drug court moved outside of the courthouse; -during "target Cities" period, comparison group (nondrug court participants) did better than in other periods -some judges showed greater reductions in recidivism than others (range was 4% to 42%) - no difference in recidivism when single court judge or multiple judges were presiding; - early drug court judges did not have as positive outcomes as judges who came later-perhaps attributed to formalization of procedures and training
67	April 2007	<i>Indiana Drug Courts: A Summary of Evaluation Findings in Five Adult</i>	All 5 programs showed cost savings due to reduced recidivism; average cost savings for 2-year follow up period to local agencies and the state ranged between \$	-Program participant characteristics varied from program to program except for age (31-33 years) -Wide range of drugs used

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		<i>Programs. NPC Research</i>	314 and \$ 7,040 per participant, based on fewer rearrests; fewer court cases; less probation time; less jail time and less prison time; doesn't count number of drug-free babies born; decrease in health care expenses and drug court participants' taxes resulting from employment. Overall: five courts resulted in savings of over \$ 7 million for the two years. Over time, return to tax payer for investment can be up to \$ 5.35 for every \$ 1.00 invested	-similar graduation rates (50-56%) despite differences in populations
68	Fall 2005	<i>An Evaluation of Treatment in the Maine Adult Drug Courts. Faye S. Taxman, April Pattavina and Jeffrey Bouffard.</i>		58% of participants had some negative behavior resulting in a sanction; sanctions most frequently were incarceration, increased reporting or termination; few sanctions relied on treatment or intensification of treatment, written assignments, etc.; offenders given these sanctions more likely to be expelled than those who received treatment sanctions. Participants involved with DSAT program had reductions in depression, hostility and risk-taking behavior, could identify personal progress and had good relations with staff DSAT curriculum engages many of the participants and reflects a sound treatment approach Control sanctions (e.g. increased reporting, etc., can undermine the treatment program; treatment based sanctions may reinforce the drug court Judiciary should receive education in use of treatment based sanctions and value to the treatment court; Should also use different assessment tools to determine offenders that are less engaged in treatment and less committed to conformity.
69	Spring 2008	<i>Substance Use, Drug Treatment, and Crime: An Examination of Intra-Individual Variation in a Drug Court population. Denise C. Gottfredson, Brook W. Kearley, Shawn D. Bushway.</i>	NA	<ol style="list-style-type: none"> (1) persons who had any treatment last month had 11% probability of using alcohol this month compared with 17.3% for those who didn't receive treatment. (2) substance use is related to increased levels of crime but no correlation between use of alcohol and whether subsequent crime was violent or income generating
70	January 2008	<i>Strafford County [NH] Drug Treatment Court: Performance Evaluation 2. New Hampshire Center</i>	Client load of 37 individuals costs \$ 43 per client per day for treatment, case management, court and administrative services: includes: \$ 15/day for case managers/coordinators; \$ 17/day for treatment and \$ 3/day	<ol style="list-style-type: none"> (1) median days for completion of LADC assessment decreased from 37 to 28 days [goal is 14 days]; overall time from referral to lea decreased from 57 to 53 days. So further work needed in this area (2) continued work to develop standards for termination to improve

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		<i>for Public Policy Studies.</i>	for probation supervision; clients pay \$ 2 per day	<p>consistency and fairness</p> <p>(3) continued opportunity for female-only treatment groups now held on a weekly basis</p> <p>(4) other needed improvements now identified including: (a) clarifying procedures for clients who are not actively participating in group sessions, not fully prepared for treatment, or are under the influence of alcohol or drugs while in attendance; (b) enhanced use of Motivational Enhancement Therapy</p> <p>(5) 137 offenders referred to program of which 67 admitted; reasons for nonadmission most frequently were “can’t meet requirements or comply with rules (30%) or “pursing other program” (25%).</p> <p>(6) Program is 46% [sic female and 51% male; 16% had prior mental health diagnosis and treatment</p> <p>(7) 14 (21%) of all participants admitted have graduated; 13 have moved to final phase; 16 (24% have been terminated.</p> <p>(8) Now using database (enhancement of probation database) developed for program to monitor future operations; info entered by drug court coordinators and case managers and includes demographic data, treatment data and data on court proceedings</p>
71	August 1, 2006	<i>A Process and Site-Specific Outcome Evaluation of Maine’s Adult Drug Treatment Court Programs. Andrew Ferguson et. Al. Dep’t. Of Sociology., University of Southern Maine</i>	<p>(1) Adult drug court has generated net correctional savings of \$ 11,243,726 in cost savings based on incarceration costs that would have been incurred (for 169 participants)</p> <p>(2) For every dollar spent in drug court, overall net correctional savings of \$ 3.30</p>	<p>(1) number of referrals and new admissions to the five adult drug court has declined by 27 % (referrals) and 24% (new admissions)</p> <p>(2) overall graduation rates are 60^ compared with national rate of 48%</p> <p>(3) average length of time from initial referral to admission is 85 days (same as previous year)</p> <p>(4) greater consistency in sanctioning of participants with similar infractions across sites using jail sanctions; 87% of sanctions for first positive test was 7 days or less</p> <p>(5) most drug court participants (57%(able to access an array of ancillary services</p> <p>(6) observations indicated no consistency among the five drug courts in how they interact with participants in the courtroom</p>

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				<p>(7) results of analysis on DSAT clinical pre/post treatment measures indicates many significant improvements in attitudes, coping behaviors and confidence in participants in ability to refrain from drug and alcohol use</p> <p>(8) Androscoggin Co.: older participants (over 27) three times ore likely to graduate than younger ones; first time offenders more likely to graduate and participants who receive “rewards” are nearly 10 times more likely to graduate</p> <p>(9) Penobscot Col: females with no high school education 10 times less likely to graduate</p>
72	August 2007	<i>Benefit-cost calculations for three adult drug courts in Minnesota. August 2007. Paul A. Anton. Wilder Research</i>	Estimate that the rug courts in Stearns, Dodge and St. Louis Counties generated \$ 5.08 of benefit for every dollar of cost.; total benefits were 4.8 million vs costs of 1.3 million for study period; savings based on costs of initial offense; cots of subsequent arrests; and costs of subsequent convictions (used \$ 1,522 cost per case produced by Washington State Institute of Public Policy in 2006; used \$85/day average for prison costs; incarceration costs saved for each program completer are over \$ 46,000; used Washington State Institute for Public Policy study figures of \$ 5,370 arrest costs for drug offenses and other nonviolent crimes and \$ 6,438 for violent crimes	n/a
73	September 2008	<i>California Drug Courts: Costs and Benefits: Superior Court of San Francisco County. Shannon M. Carey et al. NPC Research</i>	Average cost for drug court participant: \$ 9,757; average cost per Drug court graduate: \$ 18,295; vs average cost for traditional case process per person: \$ 16,378 (also provides breakdown in average costs per agency) and differential; net savings is \$ 6,622 per participant; also provides costs per person associated with recidivism, broken down by transaction:\$ 15,647 for graduates and 24,394 for participants vs 31,967 for comparison group; provides similar information broken down by agency	(1) average time in program was 7.2 months
74	January 31, 2004	<i>Evaluation of Maine’s Statewide Adult Drug Treatment Court Program. Interim Report. Donald Anspach, Ph.D. U. of Southern Maine</i>	N/A (but see Nos. 68 and 71 for follow up studies)	<p>1.Statewide graduation rate (50%)</p> <p>2. 20% increase in new admissions over past year</p> <p>3. participants who are tested more frequently more likely to graduate</p> <p>Participants who receive jail sanction 7 times LESS likely to graduate</p> <p>Length of time between referral and final admission increased form 71 days in 2002 to 78 days in 2003</p>

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75	March 2009	<i>Strafford County (New Hampshire): Drug Treatment Court: Final Performance Evaluation. New Hamp Center for Public Policy Studies</i>	N/A	<p>-32 (54%) of participants admitted in first two years graduated from the program;</p> <p>-27 (46%) of participants admitted in first two years terminated and sentenced to incarceration (9 committed new offense while in program- shows most participants don't recidivate while in program</p> <p>-program enhancements of age-specific treatment groups; allowing clients tardy for treatment to participate, and access to transitional housing were important</p> <p>- continuing challenges: (1) length of time offenders wait to enter program (goal is 14 days for initial assessment: referral to plea is actually 2 months – further delays resulting from reduced availability of judge; (2) mental health needs of participants; data problems resulting from small number of participants; (3) smaller number of participants than planned (anticipated 60 clients; as of October 31, 2008 have 33 active participants plus 11 on second year of probation supervision; since January 2006: 221 offenders referred and 102 (46%) admitted. (34% for not being able to comply with rules or requirements)</p>
76	January 2009	<i>Vermont Drug Courts: Rutland County Adult Drug Court Cost Evaluation. Final Report. NPC Research</i>	<p>Program investment cost was \$ 19,405 per drug court participant; cost due to recidivism (rearrests, new court cases, probation, incarceration and victimizations) over 3 years was \$ 48,277 per drug court participant vs. \$ 64,251 per comparison group member, with savings of \$ 15,977 per participant.</p> <p>Total criminal justice system cost per participant during the program is \$ 5,809 less than traditional court processing (\$ 9,749 if victimizations are included)</p> <p>If the program continues to enroll a cohort of 26 new participants annually, savings per participants over 3 years will be \$ 138,441 per cohort; after 5 years, the accumulated savings will be over \$ 2,000,000.</p> <p>Summary: \$ criminal justice system cost savings of \$ 15,977'</p> <p>Criminal justice system costs 59% less during program</p>	<p>As of May 2008, 111 people entered program; 21-25 active participants at any one time; 32 graduated; 59 withdrew or were terminated, and 20 still active</p> <p>Average age of participants was 27 Years, 55% female</p> <p>95% white;</p> <p>Most common drug of choice was heroin (50%), followed by prescription drugs (23%) which reportedly increased significantly in prior year, and cocaine (11%), as well as alcohol.</p>

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			<p>participation compared with costs for nondrug court participants</p> <p>Projected 150% return on investment after 5 years;</p> <p>Projected 300% return on investment after 10 years.</p>	
77	April 2008	<p><i>To Treat or Not to Treat: Evidence on the Prospects of Expanding Treatment to Drug-Involved Offenders.</i></p> <p>Urban Institute. [Avinash Singh Bhati, John K. Roman,</p>	<p>(1) Under current policy regime (which for the most part limits access to treatment for the population we are studying to drug courts) there are about 55,000 individuals treated annually, about 32,000 are at risk of dependence, and 23,500 are at risk of drug abuse. (2) estimate that about \$ 515 million dollars is spent annually to treat those drug court clients and that this yields a reduction in offending which creates more than \$ 1 billion dollars in annual savings.</p> <p>(3) estimate that the current adult drug court treatment regime produces about \$ 2.21 in benefit for every \$ 1 in costs, for a net benefit to society of about \$ 624 million.</p> <p>(4) benefit-cost ratio is higher for those at risk of abuse (2.71) as compared to those at risk of dependence (1.84), even though the abuse group is less prevalent in the drug court population.</p> <p>(5) estimate that there are about twice as many arrestees eligible for drug court (109,922) than there are available drug court treatment slots (55,365). We simulate the effects of treating all of these currently eligible in the four treatment modalities studied by DATOS [Drug Abuse Treatment Outcome Study] and find that the costs of treating these additional clients about doubles, to slightly more than \$ 1 billion. We find that the expansion of drug treatment to this larger population remains cost-effective, although the benefit-cost ratio is fractionally reduced to 2.14 from 2.21. In total, this expansion of treatment yields a benefit to society of more than \$ 1.17 billion dollars....</p> <p>[Re potential value of expanding drug treatment courts]</p> <p>(7) estimate that expanding treatment access to those</p>	<p>(1) for those at risk of drug dependence, longterm residential reduces recidivism by 34%, short term inpatient by 19%, outpatient methadone by 20%, and outpatient drug free by 30%.</p> <p>(2) For those at risk of drug abuse, recidivism reductions are large (27%); outpatient drug free is the most effective modality, reducing recidivism by 33%; long term inpatient reduces recidivism by 27%, short term inpatient by 20% and outpatient methadone by 16.%</p> <p>(3) Small or no reductions in crime observed for the most serious crimes. .</p>

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			<p>with a pending case is cost beneficial, with about \$ 1.65 billion in total benefits. In particular, allowing those with a pending case who are at risk of drug dependence is especially beneficial, with a benefit to cost ratio of 4.13:1.</p> <p>(8) allowing participants with past violence into court supervised treatment is as cost-0beneficial as current practice, with a benefit to cost ratio of 2.15.</p> <p>(9) While the addition of those at risk of abuse with prior violence is cost beneficial (3.14:1), adding those at risk of drug dependence with prior violence is much less cost beneficial (1.38:1).</p> <p>(10) Expanding the program to include those with a history of failed treatment is also cost-beneficial (2.09:1), especially for those at risk of drug abuse (2.29:1)</p> <p>(11) Allowing those with co-occurring alcohol problems into court supervised treatment is cost –beneficial for the entire group treated (1.783:1). For those at risk of dependence, the results are better, with the newly added group estimated to have a benefit to cost ratio of 1.43:1. However, adding those with co-occurring alcohol problems who are at risk of drug dependence is not cost-effective (.70:1).</p> <p>(12) Treating all at risk arrestees would cost more than \$ 13.7 billion and return benefits of about \$ 46 billion. We find that this approach would be cost-effective, with a benefit of \$ 3.36 for every dollar in cost.....”</p>	
78	March 2008	Carey, S. M., Fuller, B. E., & Kissick, K. (Oct. 2007). <i>Michigan DUI Courts Outcome Evaluation: Final Report. NPC Research:</i>	Time enrolled in the program was higher for DUI court participants compared to time spent on probation in the comparison group also in two out of the three programs. Longer time spent in the program predicts success both in completing the program and in reducing recidivism. Overall, these results demonstrate that the DUI court is effective in reducing recidivism and reducing drug and	DUI court participants were re-arrested significantly less often than comparison group offenders who were sentenced to traditional probation. In the example from one DUI court site shown in Figure A, the comparison offenders on traditional probation were re-arrested nearly six times more often in the first year after starting probation for the DUI charge than the DUI court

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		<i>Portland, OR.</i>	alcohol use while using less criminal justice system resources to accomplish these goals.	<p>participants and were re-arrested four times more often in the second year (2) Percent of positive drug tests were measured in three month intervals for DUI court participants. The example in Figure C shows that participants in the DUI Court significantly decreased the percent of positive drug tests over time ($F = 5.340$; $p = .001$). This provides support that the DUI Court was instrumental in reducing the amount of illegal drug use during the first year participants spend in the program</p> <p>In all three DUI courts showed that the rates for DUI court graduation and retention ranged from 54% to 84%. The program retention and completion rates are comparable or higher than the rates for programs following the drug court model in the nation. For example, a study of nine drug courts in California showed an average retention rate of 56% (Carey et al., 2005).¹</p> <p>Data for all of the participants in the DUI Court program were examined to determine what characteristics predicted recidivism. Results showed that those with fewer dependents, lower numbers of previous misdemeanors and felonies, fewer days in treatment, higher number of jail days prior to program start, a higher number of sanctions and being male were more likely to be re-arrested</p>
79	April 2008	<i>Harford County, Maryland Adult District Drug Court Process Evaluation. A report to the Maryland Judiciary, Office of Problem-Solving Courts Crumpton, D., Mackin, J. R., Weller, J. M., Linhares, R., Carey, S. M., & Finigan, M. W. (July 2007).</i>	The total criminal justice system cost savings per participant after 2 years was \$2,767 per drug court participant, regardless of whether or not they graduated. When this figure is multiplied by the 4001 participants who have entered the drug court since its inception, it results in a total savings of \$1,106,800 . If savings continue for each participant at the same rate (which has been shown to occur in other studies, e.g., Finigan, Carey, & Cox, 2007), after 10 years, the savings for these 400 participants will total over \$5.5 million (\$5,534,000)	HCADC participants had consistently fewer drug-related re-arrests following entrance into drug court. HCADC program participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate

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80	March 2008	<p>Carey, S. M., Finigan, M. W., & Pukstas, K. (March 2008). <i>Exploring the Key Components of Drug Courts: A Comparative Study of 18 Adult Drug Courts on Practices, Outcomes and Costs.</i> NPC Research: Portland, OR</p>	<p>The drug court has a single treatment provider (that can make referrals to other treatment as needed). The treatment representative is expected to attend all drug court sessions. Factors that reduce costs The prosecution is expected to attend all drug court team meetings (participant progress meetings). The prosecution is expected to attend all drug court sessions. The defense attorney is expected to attend drug court team meetings (participant progress meetings). The drug court allows non-drug charges. The drug court expects 20 days or less to pass from a participant's arrest to drug court entry. The drug court maintains a caseload of less than 150 clients. The drug court program is expected to take one year or more for participants to complete. Drug court has guidelines on the frequency of group treatment sessions that a participant must receive. Drug court has guidelines on the frequency of individual treatment sessions that a participant must receive. In the first phase of drug court, tests are collected at least 2 times per week. Drug court staff generally has drug test results within 48 hours. The drug court requires participants to have greater than 90 days "clean" before graduation. The drug court decreases the frequency of future treatment sessions as a reward. Only the judge can provide clients with tangible rewards. The judge is assigned to drug court for a term greater than 2 years (or indefinitely). In the first phase of drug court, participants appear before the judge in court once every 2 weeks or less. In the final phase of drug court, the clients appear before the judge in court at least once per month.</p>	<p>Our analysis revealed that despite the availability of benchmarks through the National Association of Drug Court Professionals, drug courts still have a lot of discretion in how they implement the 10 Key Components. Under each of the 10 components, there were both similarities and differences in how drug courts were operated. Differences across drug courts are expected and should not be misinterpreted as negative findings</p>

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			<p>The drug court maintains data critical to monitoring and evaluation in an electronic database (rather than paper files).</p> <p>The drug court collects program statistics and uses them to modify drug court operations.</p> <p>The drug court uses the results of program evaluations to modify drug court operations.</p> <p>The drug court has participated in more than one evaluation conducted by an independent evaluator.</p> <p>Team members received training in preparation for the implementation of the drug court.</p> <p>All new hires to the drug court complete a formal training or orientation.</p> <p>All members of the drug court team are provided with training.</p> <p>The drug court team includes a representative from law enforcement (not including probation)</p>	
81	April 2007	<p><i>Finigan, M. W., Carey, S. M., & Cox, A. A. (2007). The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs: Final Report. NPC Research: Portland, OR.</i></p>	<p>The data from over 10 years of operation show that the Multnomah County Drug Court actually costs less to operate than the cost of “business as usual.” The investment cost per participant for the STOP Program was \$5,168 while the cost per offender for “business as usual” was \$6,560, a difference of \$1,392. These data suggest that the finding in 2003 was not simply relevant to the specific time period. Overall, this means that, independent of avoided system costs accruing from positive outcomes, the Drug Court’s operation itself saved the taxpayer more than \$9 million over the 10-year period. Sources of this investment cost savings include treatment and probation services.</p>	<p>(1)While all judges showed reductions in re-arrests, some judges showed greater reductions than Others. The reductions in re-arrests ranged from 4% to a substantial 42%, demonstrating clear Differences. This suggests that drug court results may vary depending on the judge involved</p> <p>Figure 1 Overall, for the entire population of eligible offenders, the Drug Court significantly reduced the incidence and frequency of criminal recidivism for participants compared to offenders who did not participate. Including all offenders who were eligible for the Drug Court during the total 10-year period, over 5 years from the Drug Court petition hearing, the incidence of re-arrest was reduced by nearly 30%.</p> <p>Figure 1 number of external changes from 1991 to 2001 that might have had an influence on court operations and outcomes were identified. These external changes were categorized</p>

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				as follows: criminal justice system changes, changes in the Multnomah County substance abuse treatment system, and changes in the Oregon managed care system. With one exception, these changes appeared to have no statistically significant impact on subsequent recidivism for this population (drug court and comparison group).
82	March 2007	Carey, S. M., & Waller, M. (March 2007). Guam Adult Drug Court Outcome Evaluation: Final Report. NPC Research: Portland, OR.	N/A	n/a
83	April 2007	Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Monroe County Drug Treatment Court Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for MCDTC drug court participants. The average cost for the MCDTC Program was \$20,067 per participant. This amount is on the highest end of the costs found nationally in other drug courts (\$4,000 to \$20,000) studied by NPC Research (Carey & Finigan, 2004; Carey et al., 2005) and is mainly due to a large amount of resources invested in drug court case management. However, the outcome cost savings indicate that participation in drug court offers a cost-benefit to the Indiana taxpayer due to a low number of subsequent re-arrests and associated incarceration and victimizations.	MCDTC participants consistently showed less drug use as measured by percent positive urine drug screens over 12 months. Figure B illustrates the percent of positive drug tests over time for the drug court group, which includes graduates, terminated participants, and active participants. This figure shows a smaller percentage of positive drug tests for MCDTC participants following program entry. Further, the percent of positive drug tests is extremely small (3% or less) during the course of the program. The areas in which the MCDTC may wish to implement changes to enhance their services are as follows: <ul style="list-style-type: none"> • MCDTC may wish to consider offering more flexibility in the program by adding an additional testing schedule to better accommodate work schedules and school start times. • The drug court team should consider the optimal program dosage and intensity required to maximize accountability and oversight, while promoting successful participation. • Although the MCDTC has developed partnerships with community agencies, they may wish to increase or strengthen these partnerships in order to better meet the needs of participants.

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				<ul style="list-style-type: none"> • The drug court should consider consistently having an independent judge sentence terminated MCDTC participants. • The MCDTC team may want to discuss possible ways to decrease the time interval between participant identification and entry into the drug treatment court. • The hiring of a part-time Spanish interpreter may help the MCDTC reach more of its target population.
84	November 2006	<i>Carey, S. M., Finigan, M. W., Crumpton, D., & Waller, M. S. (2006). California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II in a Statewide Study. Journal of Psychoactive Drugs, 38 (4), 345-356.</i>	Results in the nine sites showed that the majority of agencies save money in processing an offender through drug court. Overall, for these nine study sites, participation in drug court saved the state over \$9 million in criminal justice and treatment costs due to lower recidivism in drug court participants.	Overall, the results of this study demonstrate that drug courts are an effective approach to treating nonviolent drug addicted offenders. The offenders who participated in drug court programs, regardless of whether they completed the programs, had lower recidivism and produced more outcome savings over four years than similar offenders who did not participate. The net benefit, including investment and outcome costs, for the nine drug court programs in this study was over nine million dollars.
85	September 2006	<i>Marchand, G., Waller, M. S., & Carey, S. M. (Oct. 2006). Barry County Adult Drug Court Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Barry County Drug Court participants showed a cost savings of over \$3,000 per participant over a 2-year period. When this per participant savings is multiplied by the 1081 offenders who have participated in the Drug Court Program since implementation (in May 2001), the total Program cost savings (for outcomes over a 24-month period) is \$353,160 .	BCADC participants consistently showed less drug use than the comparison group. Figure 1 illustrates the percent of positive drug tests over time for the Drug Court and comparison Groups. The participant group includes graduates, terminated participants, and active participants. This figure shows a consistently smaller percentage of positive drug tests for BCADC participants following program entry. In fact, for some time periods there are no positive drug tests for BCADC participants at all while positive drug tests for comparison group members remain much higher.
86	February 2006	<i>Pukstas, K., Weller, J. M., Brekhus, J., Crumpton, D., Carey, S. M., Mackin, J. R., & Finigan, M. W. (Feb. 2006). Maryland Drug</i>	Cost analysis of juvenile drug courts and youth centers clearly illustrates the cost savings of working with this population in the community whenever possible. Juvenile drug courts offer specialized intensive services that can result in huge payoffs in terms of future quality of life for participants, their families, and their communities	Preliminary pre-post analysis of juvenile drug court participants in Maryland illustrate substantial reductions in new adjudicated charges, as well as significant reductions in the proportion of youth categorized as chronic offenders (i.e., those youth creating the most serious system and community impacts in terms of cost and public safety).

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		<i>Treatment Courts: Interim Report of the Effectiveness of Juvenile Drug Courts. NPC Research: Portland, OR.</i>		
87	July 2005	<i>Carey, S. M., & Marchand, G. (Jan. 2005). Malheur County Adult Drug Court (S.A.F.E. Court) Outcome Evaluation: Final Report. NPC Research: Portland, OR.</i>	In general, the S.A.F.E. Court is successfully keeping program costs down while decreasing overall recidivism for its participants. Re-arrests and their associated costs are lower for the majority of participants. Although jail costs increase for many men after S.A.F.E. Court entry, male graduates and all females show a decrease in this taxpayer cost as well. Subsequent evaluation on a larger sample when the S.A.F.E. Court becomes a more mature program is needed to determine the validity of these results	Figure 3 shows that there was a significant reduction in drug-related re-arrests from the pre- S.A.F.E. Court period to 24 months following program entry. Generally, although males were rearrested for drug-related crimes more often than females, both genders had fewer drug-related rearrests after entering the S.A.F.E. Court Program. Females demonstrated the most drastic and significant reduction in drug-related re-arrests. Taken together, these results indicate that participation in the S.A.F.E Court Program achieves the goal of reducing substance use as can be inferred by a reduction in drug-related recidivism
88	July 2003	<i>Carey, S. M. & Finigan, M. W. (July 2003). A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-Benefit Evaluation of the Multnomah County Drug Court. NPC Research: Portland, OR.</i>	Does it cost more for drug court than for “business as usual”? A: No. The total investment cost by the agencies involved in drug court2 averaged \$5,927.80 per participant compared to \$7,369.32 for “business as usual.” The “business-as-usual” offenders cost \$1,441.52 more than the drug court participants. Thus, the drug court approach actually saved the taxpayer money in investment costs. This was in a large part due to the use of jail and probation time for “business as-usual” processing, and is also due to significant use of treatment and court resources.	Law enforcement/corrections and the public defender’s office received an immediate savings from the drug court approach. All agencies saved money in outcomes. Data on the utility of a number of less intensive means of gathering costs data showed that in many cases a medium intensity method, generally involving the use of client level administrative data, brought reasonable results
89	February 2004	<i>Carey, S. M. (Feb. 2004). Clackamas County Juvenile Drug Court Outcome Evaluation: Final Report. NPC Research:</i>	N/A	This information, combined with the fact that the number of positive Uas was not correlated with program status (graduation vs. termination), implies that the program response to drug use is successful in guiding participants to reduce use so that they are able to graduate. That is, it is not necessary for participants to have already reduced use at the start of the program in order to graduate.

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		<i>Portland, OR.</i>		The overall trend in outcomes for the CCJDC is consistently positive. The CCJDC program appears to be impacting its youth and families in the intended manner. Further outcome evaluation as the program continues to grow (e.g., through the enhancement grant received from BJA) will allow for a larger sample size and the ability to verify the positive preliminary results achieved in the current evaluation
90	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., & Linhares, R. (April 2007). Indiana Drug Courts: Vanderburgh County Day Reporting Drug Court Evaluation: Final Report. NPC Research: Portland, OR.</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Over a 2-year period, the VCDRDC cost outcomes were \$6,656 per participant compared to \$8,044 per offender that did not participate in Drug Court. When this per participant savings is multiplied by the 203 offenders who have participated in the Drug Court Program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) is \$281,764.	Using the 10 Key Components of Drug Courts (NADCP, 1997) as a framework, NPC examined the practices of the VCDRDC program. The VCDRDC fully satisfies many of the 10 Key Components through its current policies and structure. We found that VCDRDC: <ul style="list-style-type: none"> • Integrates alcohol and other drug treatment services effectively with justice system case processing, • Does an excellent job of using a non-adversarial approach between prosecution and defense counsel, • Provides a very good continuum of treatment services, • Uses frequent alcohol/drug testing to monitor abstinence, • Has a consistent reward and sanction structure for responding to participant compliance, • Graduates participants within VCDRDC's recommended timeframe, • Has had a continuously sitting judge since program implementation, and • Excels at developing partnerships with public and private community agencies and organizations.
91	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: Vigo County Drug Court Process,</i>	Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants. Over a 2-year period, the VCDC cost outcomes were \$3,684 per participant compared to \$7,935 per offender that did not participate in drug court.	Using the <i>10 Key Components of Drug Courts</i> (NADCP, 1997) as a framework, NPC examined the practices of the VCDC program. The VCDC satisfies some of the 10 Key Components through its current policies and structures. We found that VCDC: <ul style="list-style-type: none"> • Uses frequent alcohol/drug testing to monitor abstinence, • Has a consistent reward and sanction structure for responding to participant compliance,

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		<i>Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	When this per participant savings of \$4,251 is multiplied by the 697 offenders who have participated in the drug court program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) is nearly \$3 million.	<ul style="list-style-type: none"> • Graduates participants within VCDC's recommended time-frame, • Has had a continuously sitting judge since program implementation, and • Excels at developing partnerships with public and private community agencies and organizations.
92	April 2007	<i>Wiest, K. L., Carey, S. M., Martin, S. J., Waller, M. S., Cox, A. A., Linhares, R., & Crumpton, D. (April 2007). Indiana Drug Courts: St. Joseph County Drug Court Program Process, Outcome and Cost Evaluation: Final Report. NPC Research: Portland, OR.</i>	<p>Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants.</p> <p>Over a 2-year period, the SJCDP cost outcomes were \$3,838 per participant compared to \$7,971 per offender that did not participate in drug court, resulting in a savings of \$4,133 per drug court participant. When the 2-year per participant savings is multiplied by the 465 offenders who have participated in the drug court program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) comes to nearly \$2 million</p>	<p>Using the <i>10 Key Components of Drug Courts</i> (NADCP, 1997) as a framework, NPC examined the practices of the SJCDC program. The SJCDC satisfies many of the 10 Key Components through its current policies and structure. We found that SJCDC:</p> <ul style="list-style-type: none"> • Integrates alcohol and other drug treatment services effectively with justice system case processing, • Does an excellent job of using a non-adversarial approach between prosecution and defense counsel, • Provides a very good continuum of treatment services, • Uses frequent alcohol/drug testing to monitor abstinence, • Has had a continuously sitting Judge since program implementation, • Graduates participants within a recommended time frame, and • The SJCDC program completion and retention rates are high compared to other drug court programs in the U.S. <p>SJCDC participants consistently showed less drug use than the comparison group as measured by percent positive urine drug screens over 12 months. Figure B illustrates the percent of positive drug tests over time for the drug court and comparison group. The participant group includes graduates, terminated participants, and active participants. This figure shows a consistently smaller percentage of positive drug tests for SJCDC participants relative to the comparison group. An important trend over time is the decreasing positive urine screens for the drug court participants. Although the comparison group</p>

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				participants showed a trend of decreasing positive drug tests as well, their overall percentage of positive tests was significantly higher.
93	November 2009	Analysis of the Sisseton-Wahpeton Oyate Tribal Drug Court	Average Sentence for treatment court participants is 5.2 years. Savings are described as obvious no actual hard number	Added benefits of keeping families together Allows participants to keep working and add to the tribal economy.

CICAD Survey Instrument



This publication is being drafted by the Inter-American Drug Abuse Control Commission (CICAD), Secretariat for Multidimensional Security of the Organization of American States (OAS); the Justice Programs Office, School of Public Affairs, American University; the Institute for International Research on Criminal Policy (IRCP), Universiteit Gent; the Ministerio Público of Chile (General Prosecutor's Office); and the International Association of Drug Treatment Courts (IADTC). It is being developed in the framework of *the EU-LAC Drug Treatment City Partnerships*, an initiative coordinated by CICAD/OAS and funded by the European Commission. The content of this publication does not necessarily reflect the position of the EU or the OAS.

Establishing Drug Treatment Courts: Strategies, Experiences and Preliminary Outcomes

DTC Program Survey

PART ONE: DTC BACKGROUND INFORMATION

A. Name and contact information for Individual(s) completing this survey form:

Name:

Title

Agency

Address:

Telephone:

Fax:

email:

B. Location(s) of Drug Treatment Court Program:

City:

Country:

C. Drug Court Judge(s):

Name

Court

Address:

Telephone:

Fax:

email:

D. Date DTC Program Began

E. Total Number of Participants:

1. Please provide the most current statistics on your DTC:

- a. total number who have ever enrolled in the DTC program
- b. total number who have successfully completed the program
- c. total number who were terminated unsuccessfully
- d. total number who are currently enrolled

2. Are the number of participants reported above consistent with your expectations regarding program participation when the program was planned? If not, please explain

G. Background Leading Up to Development of the DTC; Goals/Mission of the

Program:

- 1. What was the situation leading to the development of the DTC?
- 2. Were specific goals developed for the program to achieve? If so, what were they?
- 3. To what degree to you feel these goals have been achieved?

PART TWO: DTC PROGRAM DESCRIPTION

A. Summary Program Description:

1. Please briefly describe your DTC and how it differs from the traditional method of dealing with drug involved offenders.
2. Please indicate on the chart below the staff assigned to the DTC:

Position	Number	Full-time	Part-Time
Judge			
Prosecutor			
Defense Attorney			
Substance Abuse Counselor			
Mental Health Counselor			
Social Worker			
Probation Officer			
Nurse			
Psychiatrist			
Other (please describe)			

B. Target Populations; Eligibility Determination

1. What offenders (e.g, "target population") was the DTC established to serve?
2. Have there been any changes in the target population served by the DTC since the DTC began?
If so, please describe the changes and why they were made.

3. DTC Eligibility

- a. Please summarize the eligibility requirements to participate in your DTC
 - (1) Criminal justice characteristics (i.e. nature of offense, prior criminal history, etc.)
 - (2) Substance Use/Treatment needs (i.e. nature/extent, etc.)
 - (3) Other

- b. Have there been any changes in the eligibility requirements since the DTC began? If so, please describe the changes and why they were made.
4. Referral process and stage in the criminal justice process at which DTC eligibility is determined
 - (1) At what stage of the criminal justice process is DTC eligibility determined?
 - (2) How are potential DTC participants identified?
 - (3) On average, how many days after arrest is DTC eligibility determined?

C. Operational Components

1. What incentives, if any, are offered to offenders to become DTC participants?
2. What role does the DTC judge play in your DTC?
(e.g., Does the drug court judge hold periodic hearings to review the progress of TC participants? If so, how frequently? What role, if any, does the drug court judge play in coordinating the services provided to DTC participants?)
3. Monitoring and Responding to Compliance/Noncompliance with DTC requirements
 - a. What method(s) are used to monitor DTC participants' compliance with DTC program requirements?
 - b. What information do you feel is most useful in assessing compliance with DTC requirements?
 - c. What responses/sanctions are given to noncompliance with DTC requirements?
 - d. Are incentives or other positive reinforcement provided for participants who comply with DTC requirements? If so, please describe.
4. Length of the DTC program
 - a. How long is the required period of participation for your DTC?
 - b. Do you feel this period is too short? Too long?

D. Treatment Services

1. Please indicate whether the following services are available to the majority of DTC participants:

Detox

Outpatient

Residential

Acupuncture

Pharmacological interventions (e.g., methadone, suboxone, etc.)

Other (please explain)

2. Please describe generally the nature and extent of drug addiction among participants in your DTC (i.e., types of drugs used, length of drug use, associated physical and/or mental health conditions, etc.)
3. What types of agencies/organizations provide the treatment services for your DTC program participants? (e.g, NGO's, public health department, local hospital, etc.)
4. Since the inception of the DTC, have any changes been made in the nature and/or frequency of treatment services provided to DTC participants? If so, please describe the changes and the reason(s) they were made.

E. Other Program Services

1. Does your DTC provide other services to DTC participants (e.g., housing, dental/medical, employment, etc.)? If so, please summarize the services provided and the types of agenc(ies) that provide them.
2. Are there any additional services you would like to see provided to improve operations? If so, please describe them
3. Are any services provided to participants once they leave the DTC program? If so, please describe them. Are these services voluntary?

F. Legal Process

1. What changes, if any, have been made to the traditional criminal justice process in order to implement the DTC?
2. What is the legal outcome for cases of DTC participants if they:
 - (a) successfully complete the program?
 - (b) do not successfully complete the program?
3. Was special legislation needed to implement the DTC? If yes, what issues did the legislation address? Please provide a copy of the legislation.

G. Building and Maintaining Inter- and Intra-Agency Consensus and Support

1. What strategies were used to develop buy-in and support for the DTC program
 - From the judiciary?
 - From other criminal justice officials?
 - From attorneys?
 - From public health officials?
 - From community leaders?

- From others whose support was needed?
- 2. What obstacles, if any, were encountered in building support for the DTC? How were these addressed?
- 3. What strategies are used to maintain interagency support for the DTC now that it has been implemented?

H. Planning and Testing Feasibility of the DTC

- 1. Was a pilot project used to test the viability of the DTC? If yes, how was its success determined?
- 2. How much time was devoted to planning the DTC, including any pilot testing conducted?

I. Training

- 1. Has any interdisciplinary training been provided for staff involved in the DTC to enhance understanding of the program? If so, please describe the nature of training provided.
- 2. What training/continuing education do you feel is needed to sustain the DTC, particularly as personnel change?

J. Program Costs

- 1. What additional resources/costs, if any, have been required to plan, implement and operate the DTC program and provide DTC services?
- 2. What source(s) have been used to provide these resources/funds?

K. Criteria for Effectiveness

- 1. What criteria are used to measure the effectiveness of the DTC program?
- 2. Are recidivism rates among participants in the DTC noticeably different than those among offenders processed by traditional criminal justice procedures? If so, please describe.
- 3. Are the costs for sending an offender through the DTC noticeably different than those entailed with the traditional criminal justice process? If so, please describe.
- 4. Have any evaluation reports on the DTC been published? If so, please attach a copy. If they are not available, please briefly summarize the results reported.

L. Broader Impact of the DTC

1. What benefit(s), if any, do you feel the DTC provides to the community?
2. Has your city or municipality been involved with the planning and/ or implementation of the DTC? If so, please describe the involvement.

M. Unanticipated Issues That Have Developed

1. Have any unanticipated issues developed since implementing the DTC? If so, please briefly describe them and indicate how they were addressed.

Other Comments:

Please return completed survey by February 15, 2010 to:

Justice Programs Office, School of Public Affairs
American University
Email: justice@american.edu

Attention: Caroline Cooper

With an electronic copy to: Antonio Lomba at: Alomba@oas.org

Thank you for completing this survey. We will recognize each contributor's response in the publication as well as send you a draft compilation of all of the responses shortly.

THE ORGANIZATION OF AMERICAN STATES

The Organization of American States (OAS) is the world's oldest regional organization, dating back to the First International Conference of American States, held in Washington, D.C., from October 1889 to April 1890. At that meeting the establishment of the International Union of American Republics was approved. The Charter of the OAS was signed in Bogotá in 1948 and entered into force in December 1951. The Charter was subsequently amended by the Protocol of Buenos Aires, signed in 1967, which entered into force in February 1970; by the Protocol of Cartagena de Indias, signed in 1985, which entered into force in November 1988; by the Protocol of Managua, signed in 1993, which entered into force on January 29, 1996; and by the Protocol of Washington, signed in 1992, which entered into force on September 25, 1997. The OAS currently has 35 member states. In addition, the Organization has granted permanent observer status to 63 states, as well as to the European Union.

The essential purposes of the OAS are: to strengthen peace and security in the Hemisphere; to promote and consolidate representative democracy, with due respect for the principle of nonintervention; to prevent possible causes of difficulties and to ensure peaceful settlement of disputes that may arise among the member states; to provide for common action on the part of those states in the event of aggression; to seek the solution of political, juridical, and economic problems that may arise among them; to promote, by cooperative action, their economic, social, and cultural development; and to achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the member states.

The Organization of American States accomplishes its purposes by means of: the General Assembly; the Meeting of Consultation of Ministers of Foreign Affairs; the Councils (the Permanent Council and the Inter-American Council for Integral Development); the Inter-American Juridical Committee; the Inter-American Commission on Human Rights; the General Secretariat; the specialized conferences; the specialized organizations; and other entities established by the General Assembly.

The General Assembly holds a regular session once a year. Under special circumstances it meets in special session. The Meeting of Consultation is convened to consider urgent matters of common interest and to serve as Organ of Consultation under the Inter American Treaty of Reciprocal Assistance (Rio Treaty), the main instrument for joint action in the event of aggression. The Permanent Council takes cognizance of such matters as are entrusted to it by the General Assembly or the Meeting of Consultation and implements the decisions of both organs when their implementation has not been assigned to any other body; it monitors the maintenance of friendly relations among the member states and the observance of the standards governing General Secretariat operations; and it also acts provisionally as Organ of Consultation under the Rio Treaty. The General Secretariat is the central and permanent organ of the OAS. The headquarters of both the Permanent Council and the General Secretariat are in Washington, D.C.

MEMBER STATES: Antigua and Barbuda, Argentina, The Bahamas (Commonwealth of), Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica (Commonwealth of), Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, United States, Uruguay, and Venezuela.



Organization of
American States

Inter-American Drug Abuse Control Commission (CICAD)
Secretariat for Multidimensional Security (SMS)



Sari.SUOMALAINEN@ec.europa.eu
Federico.BIROCCHI@ec.europa.eu

Dear Pascal

Please find attached a copy of the **final financial, narrative, and external evaluation reports of project DRG/2006/126-777** (*Improving drug treatment, rehabilitation and harm reduction: European, Latin American and Caribbean cities in partnership*, also called *EU-LAC Drug Treatment City Partnerships*).

Three originals, including the following supporting documents, have been sent by regular mail (hard-copy and digital), addressed to Mr. Hans Stausboll, Mr Hans Stausboll, Head of Finance and Contract Unit (EuropeAid DEVCO F4).

Report and supporting documents:

1. Final Narrative Report (*also included in this email. PDF*)
2. EU-LAC Final External Evaluation (*also included in this email. PDF*)
3. EU-LAC Activities (*sent by regular mail*)
4. Final Financial Report. Including explanation of expenditures (*also included in this email. Excel and PDF*)
5. Additional Information Regarding Budget (*sent by regular mail*)
 - Approval letter contingencies
 - Request for use of contingencies
 - Details about contingencies and status report
 - Request for last payment for grant contract
 - Extension formal request
6. Visibility Annexes (*sent by regular mail*)
 - News Articles and Recent Press Releases
 - EU-LAC Web Page
 - Publications
 - Other Documents
7. EU-LAC 2011-2015 Project Proposal Archive (*sent by regular mail*)

Please do not hesitate to contact us at any time in case you have any questions regarding the reported documents. Once again, thank you for your cooperation during this process.

Best regards,

Antonio Lomba

[Antonio Lomba](#)

EU-LAC Project Manager
Institution Building Unit
Inter-American Drug Abuse Control Commission (CICAD)
Secretariat for Multidimensional Security
Organization of American States
1889 F Street, N.W.
Washington, D.C. 20006

Ph: 202-458-3130

Fax: 202-458-3658

E-mail: alomba@oas.org

www.oas.org

www.cicad.oas.org

www.eulacdrugs.org
