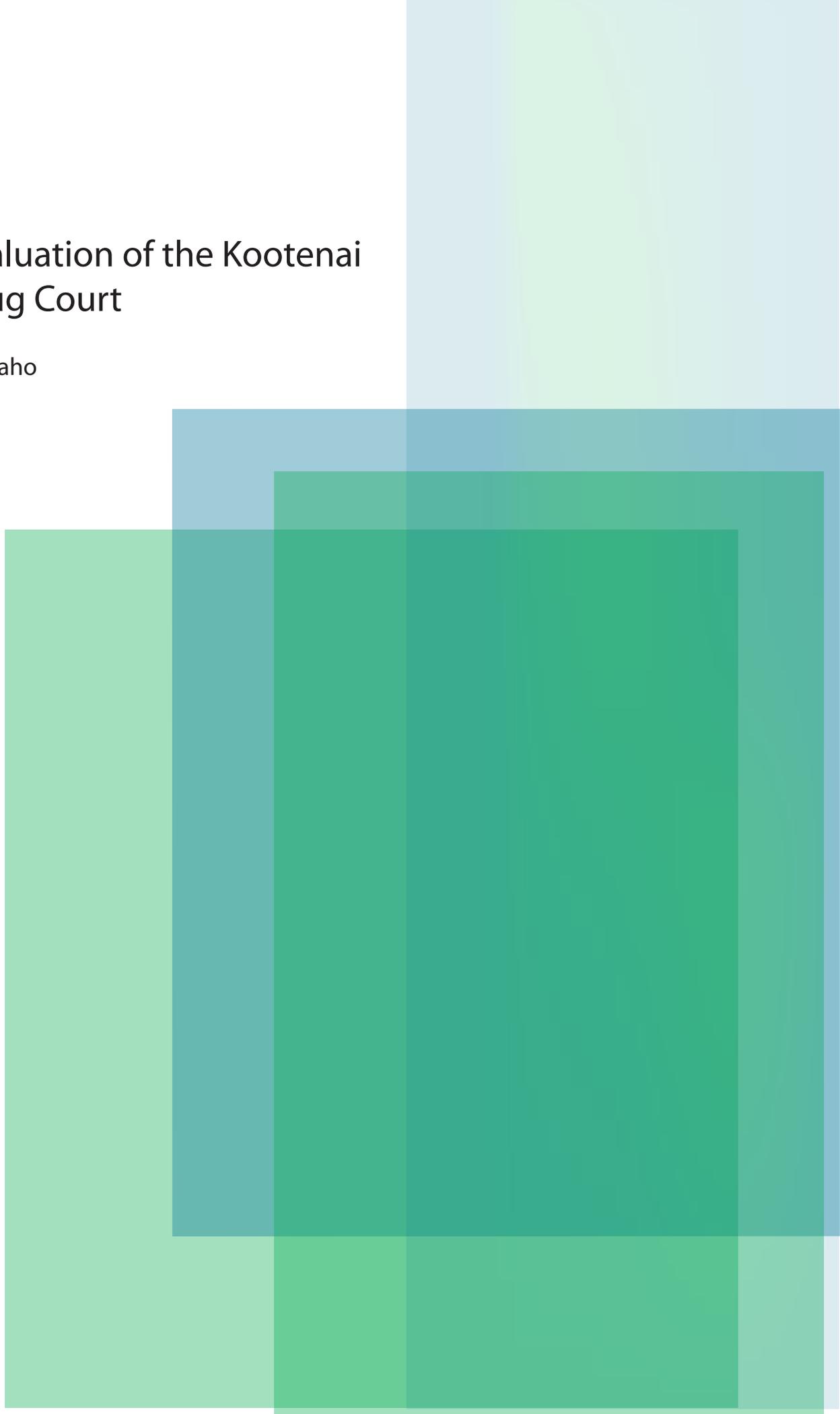


# Process Evaluation of the Kootenai County Drug Court

Coeur d'Alene Idaho



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## Introduction

This report is being submitted by the Evaluation Unit of the Planning, Grants, and Research Bureau of the Idaho State Police through the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (BJA), Edward Byrne Memorial Formula (Byrne) Grant Program. BJA preliminary research indicates drug court programs are viable and effective alternatives to traditional courts, therefore funding for the drug court evaluation was available through purpose area 19 of the Byrne formula grant, "Drug Control Evaluation programs which state and local units of government may utilize to evaluate programs and projects directed at state drug control activities."

This report focuses on the process evaluation of the Kootenai County Drug Court supported by the Byrne subgrant during federal fiscal year 1999 and 2000. Project funding will continue through federal fiscal year 2001. Byrne grant funds support drug court programs under purpose area 10, "Improving the operational effectiveness of the court process by expanding prosecutorial, defender, and judicial resources and implementing court delay reduction programs."

This process evaluation focused on a description of program design and the implementation of the drug court while including a design for a future outcome evaluation. Toward this end the evaluation encompassed the following scope:

1. To provide a process evaluation by examining the established goals of the project and assessment of accomplishment to date;
2. To provide qualitative analysis to gain insight into the development and establishment of a drug court in the community;
3. To identify general outcomes measures for analysis of a future outcome evaluation.

This report includes all data analysis, procedures, and findings necessary to discuss the project and its methodology along with recommendations. The report also covers all major organizational components of the program and evaluation.

1. Byrne Memorial Formula Grant Program Guidance, Washington, DC: Bureau of Justice Assistance, Appendix A, 1996.

## Methodology

Prior to data collection, an outline and research design were developed by the Evaluation Unit which established the goals of the evaluation. The research design was analyzed by the National Drug Court Institute during the Regional Research and Evaluation Conference. Revisions were made including the exclusion of all outcomes in relation to recidivism. This decision was made based on the relative youth and size of the drug court program.

## Data Collection

Data regarding client demographics, urinalysis, and sanctions were provided from the Kootenai County Drug Court database. The database is consistently maintained by the drug court coordinator and although it has gone through some modification since the inception of the court, those modifications were also done by the drug court coordinator. The database will be a source of useful data for future outcome evaluations. Information was also gained by review of documented Kootenai County drug court protocols, discussions held with the drug court coordinator, observations of the drug court process and staff interviews.

## Drug Court Interviews

The interviews of the staff took place at the Kootenai County Courthouse. All but two staff members were available during this time. The additional interviews were conducted via phone conference within three weeks of the original interviews. All drug court staff members were interviewed to include; the drug court coordinator, judge, prosecutor, probation and parole officer, two treatment providers, and two public defenders. Some staff members have been part of the drug court from its inception, such as the probation officer and the drug court coordinator, while others, such as one treatment provider, have been part of the staff for little more than a month at the time of evaluation. The drug court staff was given the option to contact the interviewer up to two weeks later to further discuss any questions or elaborate on any responses. No contacts were made.

The staff interview questions were designed primarily to elicit information, attitudes, opinions, and perspectives of the respondent relative to the Kootenai County Drug Court. The interview focus was on the overall quality of the drug court in relation to perceived goals while incorporating attitudes on the spirit of cooperation; how it effects change in the lives of individuals; whether it is functional, innovative, and productive; and lessons learned. The interview was designed to be indirect and open-ended.

Due to the enormous volume of information gathered during the interview process, there was a need to organize the data into a manageable state. Important observations and commentary were separated out from the casual and less relevant. An effort

was made to ensure relevant attitudes emerging from the interview process were appropriately acknowledged and incorporated into the findings. The views expressed in this report represent the opinions of the interviewees that are regularly involved with the drug court and do not represent the opinion of the Planning, Grants, and Research Bureau, nor the Evaluation Unit.

Responses to the interview questions varied depending upon the respondents position within the criminal justice system as a whole and within the drug court program. Responses also varied depending on length of time the respondent had been working with the drug court and general knowledge regarding drug court systems. Without exception, each interviewee answered all the questions posed to them and came prepared to share their knowledge and perspectives.

## Drug Court Observations

The purpose of the firsthand observation of the drug court was to better understand the context in which program activities occur and to allow for an inductive discovery-oriented approach. The experience was seen as a resource to aid in understanding and interpretation of the drug court program. An observational form was developed in order to ensure consistency from one period to the next.

## Evaluation Process

A process evaluation as defined through BJA, "... identifies the procedures undertaken and the decisions made in developing the program. It describes how the program operates, the services it delivers, and the functions it carries out."<sup>2</sup> It is especially important at this time in the development of drug courts to document the process in which one derives a target population and how services are offered. The variation in drug courts is astounding and understanding how they differ from the traditional court process is important. The documenting of process is necessary in the establishment of models for future replication of the program across the state. It also establishes a general understanding of operations useful in establishment of policies and the decision making process. The process evaluation which was conducted also revealed areas in which relationships and weakness can be improved as well as highlighting the strengths of the program to be preserved and perhaps duplicated.

Kootenai County has been in operation for approximately 24 months at the time of this evaluation, it is for this reason an outcome study is not feasible. This process evaluation establishes the foundation and documents the program prior to measuring outcomes. As the Kootenai County drug court is in the early stages of development, it can only be expected the drug court will modify and adapt to future challenges put before them.

2. Evaluation Website,  
Bureau of Justice Assistance,  
3 May 2001  
<[www.bja.evaluationwebsite.org](http://www.bja.evaluationwebsite.org)>.

## Background

In the late 1980's the first drug court emerged in Dade County, Florida to try and alleviate resources needed to prosecute more serious violent felonies and answer the call for a treatment approach with court monitored sanctions. The Florida pilot program began and others soon followed. As of June 1, 1999 there were 361 courts in operation and 220 courts in the planning process.<sup>3</sup>

## Drug Court Emergence

The drug court movement gained wide acceptance in a short period of time due to the hope it was offering in solving the "revolving door" problem in the country. It was innovative, offered treatment, monitored abstinence, and allowed for sanctions. In 1994 the Crime Act provided funding to establish and expand drug courts.

Each drug court is individual in nature given the jurisdiction in which it was created. So many variations of drug courts were emerging around the country, the National Association of Drug Court Professionals (NADCP) and the U.S. Department of Justice established key components. It was important that the individuality of the court stayed intact as that is what allowed them to be so effective in their region while allowing for some description on what a drug court entailed. The Key Components developed by The National Association of Drug Court Professionals Drug Court Standards Committee in 1997<sup>4</sup> include:

- Drug courts integrate alcohol and other drug treatment services with justice system case processing.
- Using a nonadversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
- Eligible participants are identified early and promptly placed in the drug court program.
- Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.
- Abstinence is monitored by frequent alcohol and other drug testing.
- A coordinated strategy governs drug court responses to participants' compliance.
- Ongoing judicial interaction with each drug court participant is essential.
- Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
- Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
- Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court effectiveness.

3. Drug Court Facts Page. National Drug Court Institute. September 2001 <:// www.ndci.org/courtfacts.htm>.

4 Defining Drug Courts: The Key Components, The National Association of Drug Court Professionals Drug Standards Committee, Washington, DC: 1997, U.S. Department of Justice

While these components encompass what may be the "ideal" drug court, it is essential to remember that the fundamental purpose of a drug court is to offer a response to a recognized local problem. Each of the components listed above will differ in character, as it should, according to the local need. While each drug court may learn from one another, the measure of success ultimately depends on meeting the needs and expectations at the local level.

## Branching Out

Due to the apparent success and interest in the drug court theory, a number of similar specialized courts have started appearing across the nation. Larger metropolitan cities have been experimenting and finding success in community courts which allow residents of a particular community to have open discussions with perpetrators of crimes in their local area. Also making its way into the main stream are DUI courts and Reentry Drug Courts. A reentry court can often be in conjunction with a local area drug court and focuses on an offender entering jail-based treatment. The offender may go through the same steps as a drug court client with regular judicial monitor, a team based treatment approach, rewards, sanctions and in the end is prepared to reenter the community.

## The Future of Drug Courts in Idaho

Statewide, seven drug courts are operational and seventeen are in the planning stages. During the past few years Idaho has begun an initiative to address the challenges related to substance abuse and a growing prison population. Initially, an Interagency Substance Abuse Task Force was established by Governor Dirk Kempthorne to develop strategies to maximize state resources and recognize areas of improvement needed on a statewide level. The Task Force recognized the need to further expand the drug court movement in Idaho and supported the Idaho Supreme Court in development of a statewide plan.

The 2001 Idaho Legislature appropriated funds to implement the Idaho Drug Court Act (see Appendix). The purpose of the act is to provide a statewide framework for the expansion of drug courts into all seven Idaho judicial districts. The Idaho Legislature found that:

1. Substance abuse is a contributing cause to much of the crime in Idaho, costs millions of dollars in productivity, contributes to the ever increasing jail and prison populations and adversely impacts Idaho children.
2. Drug courts, which closely supervise, monitor, test and treat substance abusers have proven effective in certain judicial districts in Idaho and in other states in reducing the incidence of drug use, drug addiction and crimes committed as a result of drug use and addiction. Successful drug courts are based on partnerships among the courts, law enforcement, corrections, and social welfare agencies.

3. It is in the best interests of the citizens of this state to expand the use of drug courts in Idaho.

The goals of the drug courts created by this law are to reduce the overcrowding of jails and prisons, to reduce the alcohol and drug abuse and dependency among criminal and juvenile offenders, to hold offenders accountable, to reduce recidivism, and promote effective interaction and use of resources among the courts, justice system personnel and community agencies.

The Idaho Drug Court Act allows the district court to establish drug courts which must include a regime of graduated sanctions and rewards, substance abuse treatment, close court monitoring and supervision of the offender's progress and education or vocational counseling as appropriate. By limiting eligibility requirements, the Drug Court Act does not interfere with Idaho's mandatory sentencing laws which primarily deal with the trafficking of controlled substances (see appendix).

The Supreme Court implements the legislature's request through the Drug Court Coordination Committee with representation for each judicial district consisting of judges, administrators, coordinators, prosecuting attorneys, public defenders, state and county probation officers, treatment providers and the representatives from the Governor's Interagency Substance Abuse Task Force. Although the committee has numerous tasks, it is their intent to aid judicial districts in the establishing of drug courts, oversee the development of a statewide drug court management module to ensure reporting consistency for evaluation efforts, develop interactive resources, and enhance on-going training and education during the next year.

The Drug Court Act also aids Idaho's Methamphetamine Initiative (see appendix) by offering treatment to methamphetamine (meth) users and reducing recidivism. The initiative is designed to accelerate efforts to develop comprehensive strategies utilizing necessary agencies in creating and maintaining partnerships to combat meth on all fronts. The partnerships extend to communities, business leaders and citizen groups. The resulting Combined Agency Methamphetamine Partnership (CAMP) initiative was launched in October of 1999.

Kootenai  
County Drug  
Court  
Timeline  
9/98 to  
Present

Sept. 98 – Judge Judd begins to screen candidates. Part-time coordinator assigned.

Oct 98 – Drug court sessions begin. Transitioning to a new deputy prosecutor takes place.

June 99 – Transition to new deputy prosecutor

July 99 – Full-time coordinator hired upon receipt of Byrne Grant funding

Sept 99 – Prosecutor attends drug court training

Oct 99 – Transition to Judge Marano

Oct 99 – Coordinator attends drug court training

Dec 99 – Began using Buffalo's Management Information System software in addition to the database created at the program's inception

Feb 00 – Judge & coordinator begin community presentations

March 00 – Judge attends drug court training

March 00 – Probation officer & coordinator go to local law enforcement agencies to give presentations

June 00 – Track II created for misdemeanor cases

Oct 00 – Began random urinalysis call-in system

Nov 00 – Two deputy public defenders attend drug court training

Feb 01 – Transition to new deputy prosecutor

April 01 – State drug court legislation approved

## Project Description

The Kootenai County Drug Court, located in Coeur d'Alene, Idaho began operation in September of 1998. The court is a nine-to-twelve month program that is designed to accommodate 30 adult felony offenders at a time. The mission of the Kootenai County Drug Court is "to combine accountability, deterrence and treatment into a successful program to break the cycle of substance abuse and the criminal activity that it facilitates".<sup>5</sup>

The Kootenai County drug court was modeled after a nearby court in the state of Washington and within a few short months was operational. The court applied for and received Edward Byrne Grant funding its second year of operation. Due to Kootenai Counties limited planning stages, there were a few stakeholders interviewed who felt they were neglected during the planning process and placed into a situation in which they were inadequately prepared to handle the large responsibility.

## Lessons Learned

Only a few of the staff currently working in the drug court were part of the implementation process, however, most of the staff has gone through the growing pains with the court and came into the process shortly after its inception. During the interview process, most drug court staff members felt they could offer some words of advice for those considering implementing a drug court. Primary areas for consideration included:

- only bring in personnel who are committed and believe in the project;
- team rapport is essential prior to the start of a drug court;
- take training together and develop a common dialogue among the group;
- bring in all the possible stakeholders in the community prior to the start of the program;
- make sure you have a treatment facility that can meet your needs;
- the education of the staff in the area of treatment and recovery is essential;
- the more staff stability, the better.

Due to the youth of the Kootenai County Drug Court it is still within the implementation stages of its program. This is not to say programs cease to grow and change with time, but it is a reflection of the fact that as Kootenai County progresses there are issues they are coping with in the organizational stages of their program.

5. Drug Court Program Standards and Practices Guide, Kootenai County Drug Court, 1998

## Eligibility

The drug court coordinator monitors arrest information for eligible drug court clients on a daily basis. Criteria for acceptance into the general program are as follows:

1. No prior felony drug convictions
- 2a. Charged with Possession of a Controlled Substance in violation of I.C. §37-2732 or 37-2732(e) and the amount of the controlled substance is less than the following:

Cocaine	5 grams
Crack Cocaine	2 grams
Methamphetamine	5 grams
Heroin	1 gram
LSD	10 Dose units
Marijuana	4oz/112 grams

- 2b. Charged with Prescription Fraud in violation of I.C. §37-2734(3)
3. Never participated in this drug court - previous program in outside jurisdiction may make the defendant ineligible
4. No hold from any other jurisdiction
5. No other felony charges from the same incident
6. No pending cases or prior convictions for sexual or violent offenses
7. No known gang affiliation
8. Other pending felony charges may make the defendant ineligible
9. Must be a Kootenai County resident
10. Initial criminal charges cannot be amended to fit above criteria.

Final determination on the admission of the defendant to the program is made by the prosecuting attorney based on recommendations from defense, law enforcement, and treatment evaluator.

After being in operation for twenty-two months, the court has implemented a Track II program. This secondary portion of the program is designed as an alternative to those coming before the judge in a regular court process who could possibly be aided with treatment instead of a lengthy jail time. Admittance into the program is determined by the judge and the clients become part of the regular drug court client population. Track II is a voluntary program for persons who may want assistance with a drug problem and but have not necessarily been arrested on a drug related charge.

Track II eligibility requirements are as follows:

1. A Kootenai County resident
2. Have been sentenced in a misdemeanor case
3. Willing to commit to the 12-month program
4. Do not have any:
  - Significant criminal history
  - Unresolved criminal charges
  - Felony convictions
  - Convictions of serious violence or firearms
  - Convictions of a sexual offense.

**Questions to be Answered regarding Eligibility**

During the drug court evaluation interview process, several of the discussions with the staff revolved around eligibility requirements . The limitations in the inpatient services appeared to limit the eligibility criteria to "steer away from those who will not make it". Thus making some of the staff feel as if they could be doing more to aid the "long term addicts". Staff members questioned if the drug court was reaching all the clients that could benefit from the intensive treatment offered at the court.

**Court Team**

Kootenai County includes a drug court team with representatives from agencies involved in the court/treatment process. The drug court team consists of a drug court judge, drug court coordinator, prosecutor, two public defenders, probation officer, and treatment providers. The entire team participates in all aspects of the drug court and decisions are made based on team discussion. Drug court sessions are held the second and fourth Tuesday of every month. Prior to every session, the team meets for updates on all clients and to make decisions regarding such things as participant's activities and record of compliance. Although the judge oversees the meeting, most decisions are left to group consensus. It is an exception to the rule if a team member is absent during the pre-hearing meeting.

Overall the court team stated what they are accomplishing in the drug court was important and effective for their clientele. They agree, for those who graduated, the program was a viable way for the client to get treatment and have a chance for permanent recovery. In general consensus the team believe their drug court can not only withstand change from internal forces, but has arrived at a point where communication within the group is streamlined and effective. They seem to agree everyone knows who they should be in communication with and during what part of a client's process. It became abundantly clear during the interview process most communication is streamlined through the drug court coordinator who then keeps

the rest of the team informed as often as needed. Communication not only occurred during staff meetings, or hearings, but some staff were in weekly, if not daily, communication with one another. In general the group also agreed the system could, and has, withstood staff changes and process changes, and in lieu of some major catastrophe, could withstand any changes necessary.

### Issues to Contend With

An area of concern among several of the staff members involved the continued involvement of the state Probation and Parole officer in the program. The probation officer was considered by many to be a major strength of the drug court. The problem lay in the continued trepidation of the probation officer's services being withdrawn at any time. The probation officer is not dedicated singularly to the drug court and has other unrelated cases. The amount of time required to service the special requirements of the drug court clients while maintaining a regular probation caseload has to be balanced. A full-time drug court probation officer dedicated 100% would alleviate staff stress, solidify probation and parole's presence in the court, and allow for better services to the clients.

### Court Process

Participants are required to appear in drug court twice a month during the first phase of the program. During the second phase only monthly appearances are required. The drug court session is held immediately after the team meeting adjourns. All of the participants are present and required to stay throughout the entire court session unless terminated or graduating. Each participant is called on to address the court at which time the Judge publicly acknowledges the client's success and failures. Sanctions, if necessary, are issued at this time. The Judge builds a rapport with the client by asking questions or commenting on recent events in the clients life. The public defender, prosecutor, and treatment provider also ask questions or make comments to each client while they are before the Judge. Most often these comments are in the form of encouragement. Also, the court encourages family to attend drug court sessions.

During the observation of the drug court, the staff and judge took an active approach to inquiring about the clients' family, friends, lifestyle, housing, transportation, and employment. Steady employment is a condition of graduation and attentive detail is paid to the daily life situation of each client. For example, the staff inquire as to the number of times a client has seen his/her children since their last meeting, they research who visited a client during a required jail stay and if that person was a good influence, they inquire as to the living arrangements even if the client is staying with family and the arrangements may or may not be a good influence. Through the subjectivity of the staff, a client's lifestyle might be required to be altered in one or more of the ways mentioned above. Not surprisingly, during the evaluation interview

process it was overwhelmingly apparent the staff believed they were accomplishing the goal of assisting clients in developing positive relationships with their families and the community. The focus on the positive as well as the negative aspects of a clients life are a priority during the drug court sessions. The consensus was that the staff was, "trying to empower" the client although at times it might be difficult for the client to cut ties or change their environment. In most instances during the interview process, the staff viewed themselves as a positive influence on the client by helping to guide them to making better choices .

## Treatment

Since its inception, the drug court program has been set-up on a three-phase treatment program. Clients move from a highly supervised treatment program in phase one, to a less intensive treatment program in phase III. The team makes recommendations regarding promotion of the client from one phase to another and the Judge informs the client of their advance in the program. The minimum program treatment breaks down as follows:

PHASE I - 54 hours of intensive outpatient with a minimum of nine hours of treatment per week. Total estimated program length would be six weeks.

PHASE II - 18 hours of treatment with a minimum of one hour counseling per week.

PHASE III - 3 hours treatment with a minimum of one hour counseling per month.

Although the program stipulates a nine to twelve-month program, nine months is the normal length with a few exceptions extended to twelve on the recommendation of the staff. At the time of this evaluation, treatment providers offer group and individual counseling as well as women's groups for participants. The treatment providers are also responsible for the initial assessment of the client, and assisting with taking urinalysis samples during the course of the program. One treatment provider has a "family" treatment program available to those who wished to take advantage of it as part of the regular treatment services of the program. The Kootenai County Drug Court offers no ancillary services outside of the treatment program or within the court structure itself.

In order for the drug court to be effective the necessary treatment services must be provided along with the general structure the drug court provides in sanctions, monitoring, and support. The Kootenai County Drug Court does have all structure oriented services in place. Like many other jurisdictions within the State of Idaho, difficulties in locating adequate treatment providers can sometimes be an issue.

Kootenai County has been able to maintain at least one full time treatment provider at all times with no interruptions in services to clients.

## Issues to Contend With

During the interview process there was a great deal of concern among the staff regarding inpatient treatment. Although, for the most part, they currently felt their treatment services were meeting the needs of the clients, there were several instances in which they believed inpatient services could have made a difference in a client's recovery. It was reported during the interview process only one inpatient program was accessible by the drug court in its area, but in order to get any space within the facility the client had to meet specific Department of Health and Welfare guidelines which very rarely occurred. Most of the staff regarded this problem as a statewide issue and believed it to be a serious, if not damaging, prospect. Along the same lines, several of the staff made comments regarding the lack of facilities to deal with the mental needs of a few of the clients. The limited treatment services available in the region for inpatient treatment and mental health needs enforced the feeling among the drug court staff that they were limited in the amount of services they could attempt to offer to clients with different needs even if more liberal eligibility requirements were in place.

### Treatment Facts:

- 76% of clients who terminated did so in Phase I of treatment
  - 48% did so for failure to comply with drug court regulations
  - 29% did so for positive UAs
- 24% of clients who terminated did so in Phase II of Treatment
- 35% of all clients made it to graduation

Also, the staff was concerned about program length. Most staff members agreed a minimum twelve-month program would be better to allow for more time in relapse and recovery resulting in a lower termination rate. However, they felt to push the extension of the program might cause problems with some of the other stakeholders, primarily the withdrawal of probation and parole from the project. Nationally, drug courts run on average from a minimum of 12 to around 24 months.

For all clients, jail time was issued as a sanction around 71% of the time while community service or community service related sanctions were issued roughly 29% of the time.

For clients who did not graduate the drug court program, jail time was given as a sanction roughly 76% of the time and community service was given around 24% of the time. The most common cause for a sanction was a positive UA which resulted in about 44% of the sanctions being given. For a positive UA clients who did not graduate were given jail time about 93% of the time.

For clients who did graduate the drug court program, jail time was given as a sanction about 65% of the time and community service roughly 35% of the time. The most common cause for a sanction was a probation violation which resulted in jail time around 53% of the time.

## Sanctions

At this time the Kootenai County Drug court has no fixed sanction algorithm but uses jail time as their primary sanction. Some of the drug court staff feel utilizing a fixed algorithm would inhibit their ability to make the best decisions on an individual basis. Clients have received various sanctions depending on their weaknesses in the program. The team tries to administer sanctions they feel reflect the inappropriateness of an action. For example, a client that is not completing community service on time may receive a sanction to complete a written report on time management. The drug court Judge may use writing projects as a type of accompanying sanction in some cases and also issue them simultaneously to all clients. Sanctions and monitoring have been in place since the inception of the drug court and as they progress the system becomes more refined.

One of the overall goals of a drug court structure is to alleviate some pressure on the over-crowded jail system while alleviating cost associated with incarcerating inmates. The majority of sanctions given at the Kootenai County Drug Court included jail time as evidenced by the chart. During the interview process several of the staff stated they believed the intent of the court was not to try and reduce incarceration of the client while at drug court, but to reduce incarceration overall during the client's lifetime. However, for the most part, the staff was split in the decision to use incarceration as a primary sanction. Some felt the amount of jail time given as a sanction was limited and well needed. Others believed jail time was used too heavily and there was a lack of creativity among the drug court's sanctions.

The time of incarceration ranged from one day to three months.

Type of Sanction	Graduated	Non-Graduated
Community Service Hours	11.5	10.6
Days in Jail	5.4	10.9

### Most Frequent Causes of Sanctions for Graduated and Non-Graduated

Positive UA	30%
Probation Violation	23%
Missed UA	11%

## Urinalysis and Program Fees

One of the fundamental portions of the program is random urinalysis (UA) testing of participants. The client is charged \$7.35 for every UA that is taken and then an additional \$7.35 if the UA is positive to cover the cost of processing. In the beginning of the program there was no set policy in the administration of UAs. They were administered primarily by the probation officer or the treatment provider while clients were in treatment, during a probation visit, or in attendance at drug court. However, 22 months into the program the staff has developed a random call in system to guarantee accountability and aid in facilitating sobriety. Each client is given a number and must call the drug court coordinator every morning to verify if they need to have a random UA. If their number is drawn they must contact their treatment provider immediately to set up a time to come in that day. At the time of this evaluation the staff are beginning to formulate set sanctions for a missed UA or call in. However, again as with a set sanction algorithm, there is some reluctance to do so and lose the individuality of the client and situation. There are no set sanctions for a positive UA and recommendations are made on a case by case basis. Some clients may also have a series of positive UAs depending on their drug of choice. For example, if the client is a marijuana user, the staff would expect a positive UA to come back for several weeks, however chemical levels are monitored to ensure use has discontinued.

## Graduation Requirements

The drug court program also imposes several requirements which must be fulfilled prior to graduation from the program. The list includes the following:

- Must be employed
- Have seven to nine months of continued sobriety
- High School Diploma or GED or receive a waiver from the judge
- All urinalysis fees paid in full
- Have a permanent residence

The program has no permanent system for assistance to participants in order to fulfill graduation requirements. No issues were raised during the interview process or court observation that this was a hinderance for drug court clients.

Graduations are allotted extra time and the judge makes a presentation with a plaque and stories about the client's time in the drug court. The prosecutor and public defenders also make comments about the client's time in the court and offer encouragement. Family members are encouraged to come and participate in the graduation and the judge has a picture taken with the client. Probably the most emotional portion of the court is when the graduating client addresses the rest of the drug court clients to relate experiences and give words of wisdom.

## For Consideration

Kootenai County does not offer any formalized type of ancillary services or after care services for clients who have graduated the drug court. Although it is not necessary to all drug courts, across the nation these types of services are considered of great value for aiding clients. Services such as interview and employment training, parenting, and graduate groups are becoming standard in some drug courts.

## Client Information

A Microsoft Access database was established at the inception of the Kootenai County Drug Court. Within the last year a conversion to the Buffalo Management Information System<sup>6</sup> has been taking place to aid in monitoring clients and keep data useful for a potential outcome evaluation. The Buffalo program was established as a base model for the drug court program and the coordinator has modified it to fit. The drug court coordinator does all data entry into the database and has included pictures of all clients when they are inducted into the program. The coordinator also issues a survey at the time of termination or graduation regarding services and enters results of the survey into the database.

The drug court coordinator has monitored the arrest records of all drug court clients on a monthly basis and per the coordinator's records no graduating clients have been rearrested for any charge. For future outcomes, an analysis of the high termination rate in regards to the length of time in the program would answer questions regarding the most beneficial program length. Included in future outcomes should be the incarceration rates used as sanctions in comparison to incarceration rates of persons who were eligible but opted not to come through the court. Also, incarceration rates and costs associated with the sanctions of the court in regards to possible incarceration costs over a lifetime.

## Client Demographics

The following is a demographic synopsis of clients participating in the program from September 1998 to June 2001.

<sup>6</sup> Buffalo Management Information System, The DCDMIS was developed by Jose Ferrer and Hank Pirowski of the Buffalo City Court and the New York State Office of Court Administration.

The table to the right compares some basic demographic variables for the Kootenai County Drug Court. Males make up the majority of the drug court clients by a 3 to 1 ratio to females.

Single clients represent most of the drug court population (approximately 80%) while married clients represent only about 10% of the population.

About 50% of all drug court clients are 25 or younger. However, within the drug court males are more likely to be younger than females with approximately 20% of the male population 20 years of age or younger. In comparison, only 4% of the female population fall into the same age group.

White, Native American, and individuals of Hispanic origin comprise the ethnic/racial makeup of the drug court. Kootenai County ethnic/racial mix represents White at 97.4%, Hispanics at 2.4%, and Native Americans at 1.4%.\*

The educational achievement level of drug court clients prior to entry is about 35% with less than a High School diploma. Comparisons between gender indicate 38% of the male population had less than a High School diploma, while only about 27% of the female population had less than a high school diploma.

More than half of the drug court clients did not have children which can be directly related to marital status.

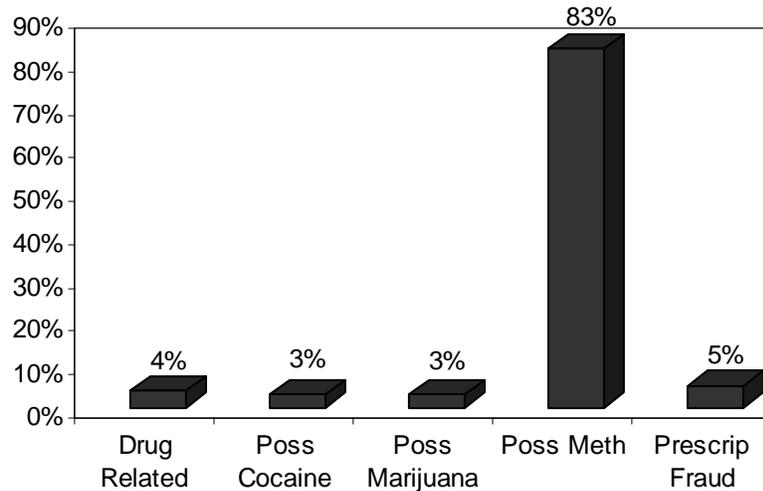
Over 60% of the clients were receiving wages when entering the court. Over 63% of the female population was employed when entering the court in comparison to about 59% of the male population.

<b>Variable</b>	<b>Percent</b>	
Gender	Male	66%
	Female	34%
Marital status	Single	80%
	Married	10%
	Living as married	6%
	Separated	4%
Age Range	25 or Younger	50%
	26-30	15%
	31-35	16%
	36-40	11%
	41 or Older	7%
Ethnicity	White	96%
	Hispanic	1%
	Native American	3%
Education Levels	Less than H.S.	35%
	H.S.	22%
	GED	17%
	More than H.S	26%
Children?	No	52%
	Yes	48%
Source of Income	Disability	1%
	None/Unknown	27%
	SSI	1%
	Unemployment	10%
	Wages	61%

\*Population figures adjusted from Census Bureau as of April 2000. As defined by the US Census Bureau.

The graph to the right is an illustration of the criminal charges for participants in the Kootenai County Drug Court. Possession of Methamphetamine had the highest percentage with roughly 83%. Prescription fraud follows with around 5%. Drug related charges were third with roughly 4%. Possession of Cocaine and possession of Marijuana tie with approximately 3% each.

Top Five Charges by Percentage



The graph to the right represents the drug court client's primary drug of choice.

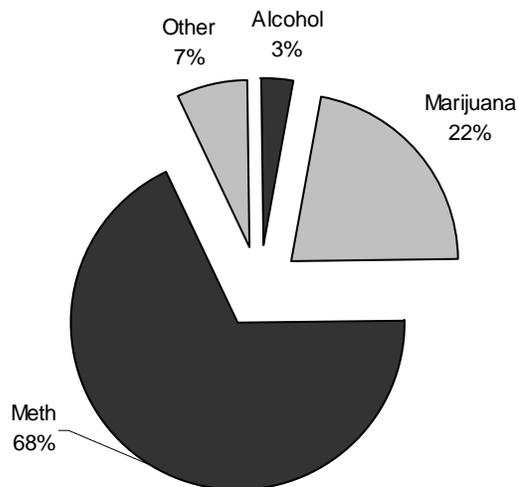
⇒ Approximately, 92% of clients whose primary drug of choice was methamphetamine were charged with possession of methamphetamine.

⇒ About 76% of marijuana users were also charged with methamphetamine possession.

⇒ Roughly 72% of clients whose primary drug of choice is methamphetamine did not graduate the drug court.

⇒ Roughly 58% of clients whose primary drug of choice was marijuana did not graduate the drug court.

Primary drug of choice



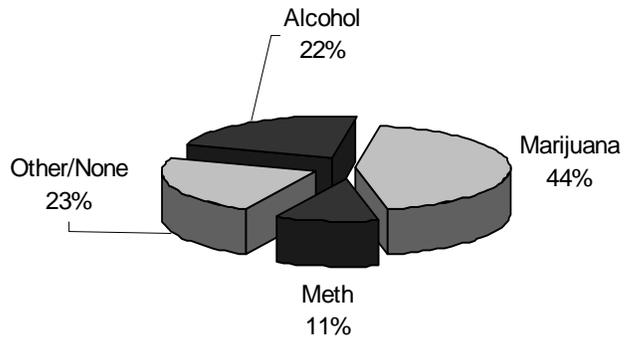
Comparisons among gender showed close to 68.8% of men preferred methamphetamine along with 66.7% of women

⇒ Roughly 68% of all clients charged with possession of methamphetamine will not graduate the drug court.

About 18% of drug court clients smoke their primary drug of choice. Roughly 12% of drug court clients who responded to the question were IV users.

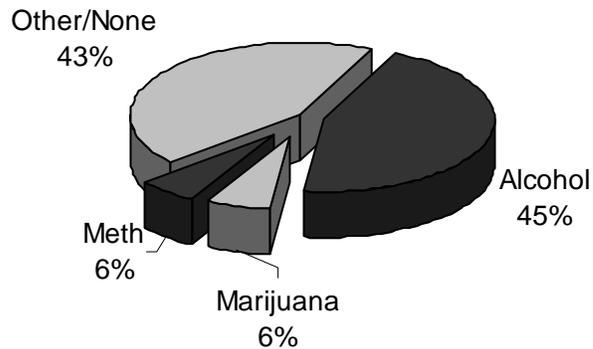
### Secondary Drug of Choice

Approximately 44% of drug court clients preferred marijuana as their secondary drug of choice. Which in comparison, validated the responses in which about 32% of clients stated they smoked their secondary drug of choice. The assumption is being made that alcohol was regarded and defined as a drug. Also, not all clients identified had a secondary drug of choice.

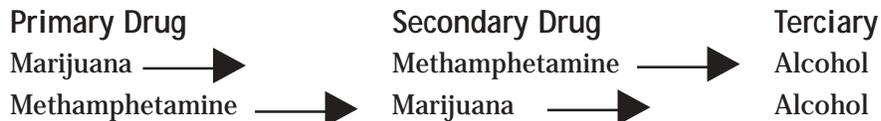


### Tertiary Drug of Choice

Approximately 45% of drug court clients preferred alcohol as their tertiary drug of choice. Again, the assumption is being made that alcohol was regarded and defined as a drug. Not all clients identified had a tertiary drug of choice.



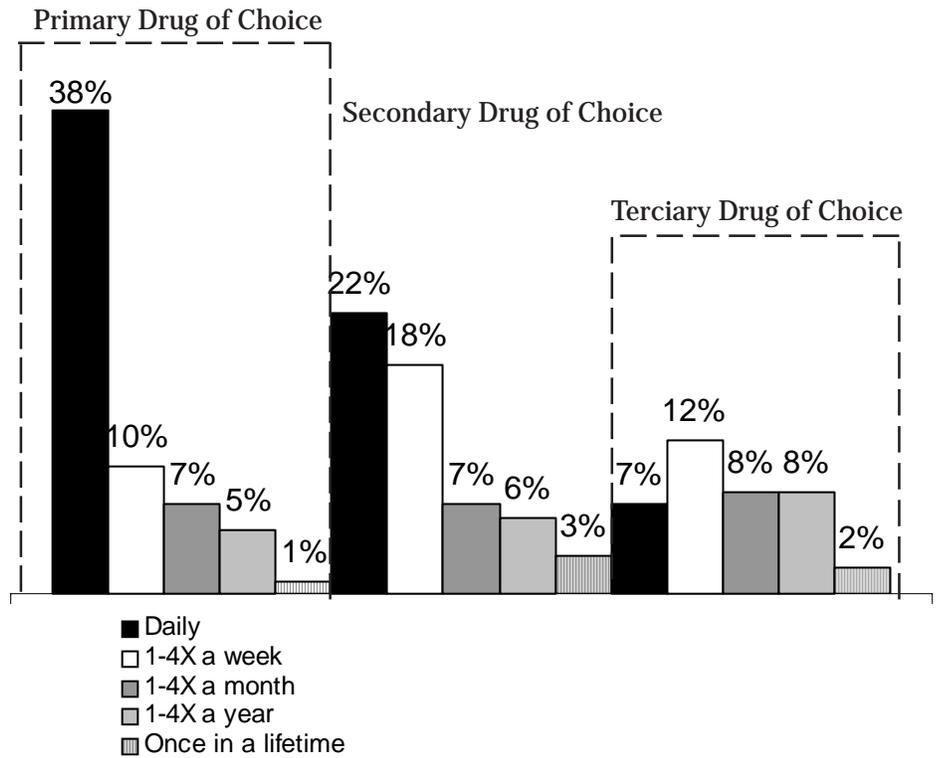
### Most common patterns of usage



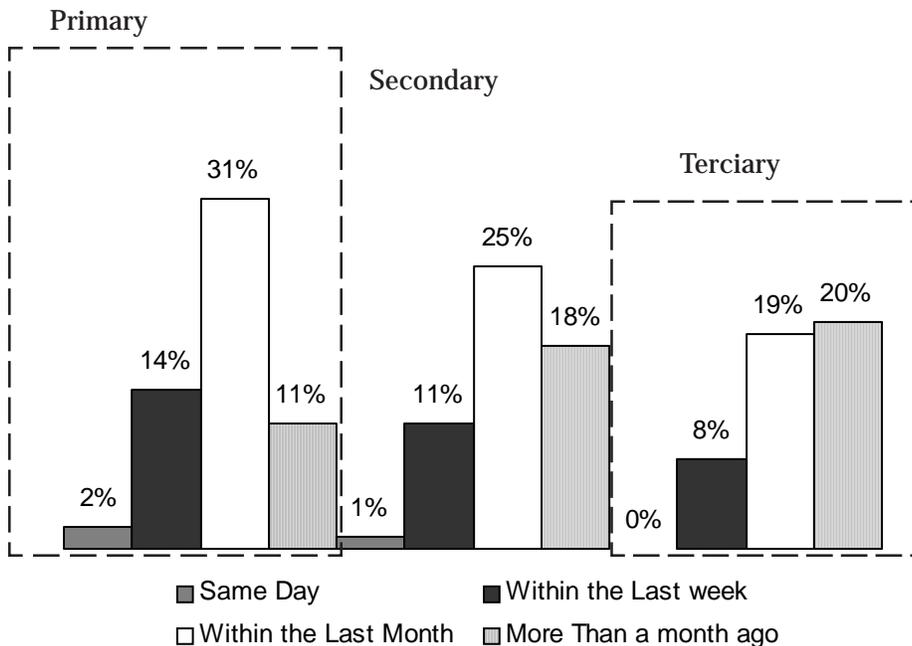
For drug court clients who did utilize more than one type of drug, the illustration above reflects the most common pattern of usage.

## Frequency of Use

About 38% of drug court clients used their primary drug of choice on daily basis. Only 15% of women used their primary drug of choice daily while in comparison roughly 50% of men did.

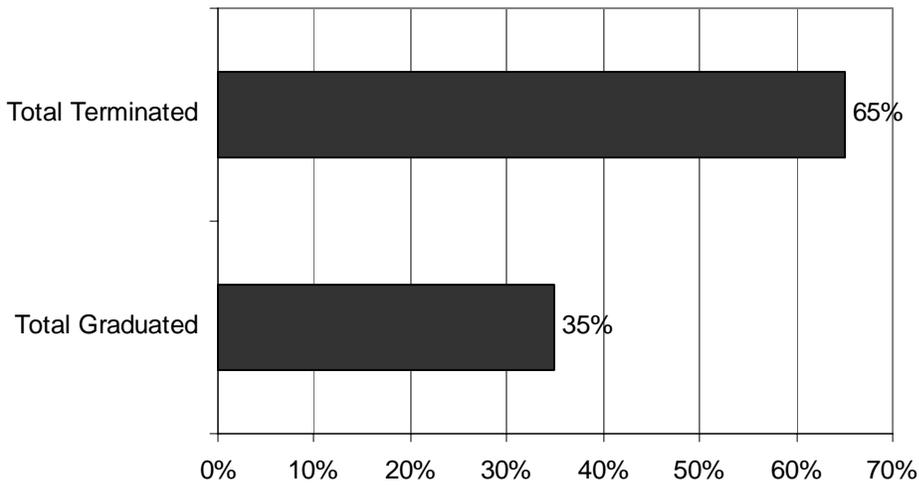


## Last Time of Use Prior to Entering Drug Court



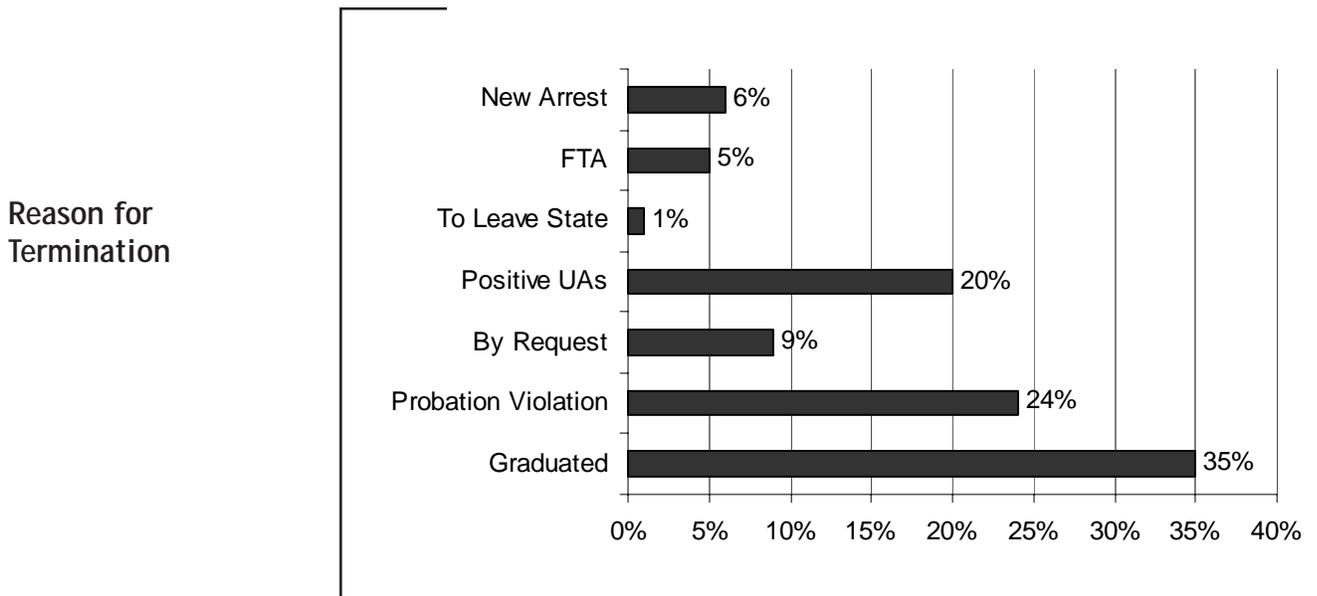
Although clients stated above they utilized their primary drug of choice on a daily basis 38% of the time, when interviewed about the last time of use, 31% stated it to be only sometime within the last month.

### Client Status



One out of every three clients graduated the drug court. When gender data was available, about 31% of graduates were males while roughly 42% of graduates were females.

The chart below depicts the most common reason for termination as a probation violation as defined by the drug court database.



## Conclusion

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The Kootenai County Drug Court was the first of its kind implemented within the state and continues to set the standard for future courts. It is considered to be viable and well designed by virtually all who come into contact with it. The court is still not over its "growing" phase and continues to adapt its procedures as the staff, community, and state become better educated about the benefits of drug courts.

### Goals

The original goals of the Kootenai County Drug Court are as follows:

- To save the taxpayers of Kootenai County money by reducing recidivism and substance abuse among non-violent offenders
- To promote awareness that drug abuse is not a victimless crime
- To hold substance abusers accountable for their decisions while providing mandatory, intensive treatment combined with drug testing and the use of graduated sanctions and rewards

What they have learned so far in obtainment of these goals :

- Only bring in personnel who are committed and believe in the project;
- A team rapport is essential prior to the start of a drug court;
- Take training together and develop a common dialogue among the group;
- Bring in all the possible stakeholders in the community prior to the start of the program;
- Make sure you have a treatment facility that can meet your needs;
- The education of the staff in the area of treatment and recovery is essential;
- The more staff stability the better;
- Limitations in inpatient treatment services affect the eligibility and composition of the court clientele.

To reduce recidivism and substance abuse among non-violent offenders thereby reducing the cost associated not only with incarceration but the general cost of crime is a primary goal among all drug courts. Although Kootenai County regularly follows up on graduates of the court by monitoring criminal histories, the true story of recidivism is yet to be told. Rearrest for any crime or a specific drug crime does not encompass the real state of usage. Naturally, recidivism rates of graduates and a comparison group would also be necessary. Establishment of a comparison, or control group, should take place as quickly as possible in order to achieve reliable outcomes. Also, establishing a follow-up system or survey instrument to gather qualitative information from clients regarding perceptions after graduation would

be helpful. The use of incarceration as the primary sanction does not alleviate costs. However, if a general cost analysis study was conducted encompassing the many factors that determine the true cost benefit of a drug court over a client's lifetime, the questions could be answered. The outcomes listed by the Evaluation Unit are certainly not inclusive of all possible outcomes which should be conducted, but are specific to the questions posed during this process evaluation in regards to obtainment of goals.

Kootenai County has established awareness regarding the drug court by conducting community presentation to various public groups regarding the process and goals of the drug court. By any standards Kootenai County Drug Court is a viable functioning drug court which does hold substance abusers accountable for their decisions while providing mandatory, intensive treatment combined with drug testing and the use of graduated sanctions and rewards. The processes which the Kootenai County Drug Court have established and which are described in this report attest to the development and implementation of the program.

### Changes Since Implementation

Major changes during the evaluation period have greatly affected the processes and record keeping of the court. Changes such as the establishment of a UA call in system will have an effect on the rate of positive UAs and terminations. Other changes such as the establishment of the Track II directly affect the personality of the court by broadening those eligible to attend. Ideally, the majority of the staff would like to see any of the following changes take place in their court, a permanent commitment from probation and parole, increase minimum program length to twelve months, increase inpatient services available, and an expanded eligibility. It is obvious they are limited in completing some items, such as increasing the inpatient services in the area, by themselves. Other items, such as expanded eligibility, can be dependent on what type of resources may become available in the future. All of the above listed items including length of program, eligibility, and sanctions will have a direct effect on future outcomes. Any future design will have to take into consideration the major changes to the program.

As with any good program, ongoing development changes the issues of importance and dynamics. This evaluation does not strive to static the program into one set policy, but in fact, tries to provide recommendations for change needed to keep a program healthy. Whether or not these recommendations are implemented the program becomes aware of issues affecting its progress and can take steps to remedy or adjust as needed.

## Appendix

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A - Kootenai County Drug Court Program Standards and Practices Guide

B - Track II Information Guide

C - Kootenai County Drug Court UA Procedures Guide

D - Idaho's Methamphetamine Initiative

E - Idaho's Court Structure and Statutes

F - Drug Court Observation Form