

Convictions for Drug Court Participants

NW HIDTA/DASA Drug Court Evaluation
Alcohol and Drug Abuse Institute
University of Washington

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Issue.

Convictions are another component of criminal justice system involvement (the others have been arrests, court filings and time incarcerated). Jointly they give a detailed picture of the patterns and seriousness of offenses for the various drug court participant outcome groups.

Conclusion.

Offenders who graduate from drug court are less likely than offenders in any other groups to be re-convicted in the three years following referral to drug court.

Drug Court Outcome Groups.

Subjects are grouped as follows:

- **Ineligibles** are persons who passed an initial legal screen and were referred to the court, but on closer examination were found to be ineligible on either legal or clinical grounds.
- **Opt Outs** are persons who met all criteria, and were offered entry to the court, but who personally declined to participate.
- **Graduates** are individuals who graduated from a drug court.
- **Did Not Finish (DNF)** are individuals who were admitted to a drug court program and either failed or dropped out.
- **Active** cases are those remaining in the drug court program at the time of data collection, but they are not included in this analysis.

Method.

Data for these analyses were obtained from the Office of the Administrator for the Courts, by way of the Washington State Institute for Public Policy. The data included the outcomes for all court filings from January, 1992 through September, 1999.

These data were analyzed to determine the per cent of each subgroup that committed a crime for which they were subsequently convicted, in each month in the three years prior to and three years following the offenders' referrals to the drug courts. The date graphed is the month in which an offense occurred that led to a conviction (i.e., not the month of the conviction). The last year of each subjects data is used *only* to allow for convictions of earlier offenses, not for identifying offenses which might lead to convictions. Thus each offender is represented in these data for one year less than the total span of their data. For example, anyone with less than one year of data following referral to drug court will only have data in the pre drug court period. This leads to the odd result that group sizes are maximized well before the drug court referral month.

This technique conforms to the definition of recidivism used by the Washington State Institute for Public Policy.

These results are presented in graphs for King, Pierce and Spokane counties. As indicated above, because offenders enter the programs at different times, the durations of pre and post referral data varies across subjects. For each county tables are included giving the numbers of subjects with data at three month intervals through the pre and post periods. Thurston, Skagit and Kitsap counties do not have enough subjects with a year or more of data to make their results reliable, however tables of their sample sizes are included following the graphs and tables for King, Pierce, and Spokane. Following these tables of sample sizes is a second set of graphs for King, Pierce and Spokane counties showing the cumulative per cent of each group convicted by each month after the point of referral.

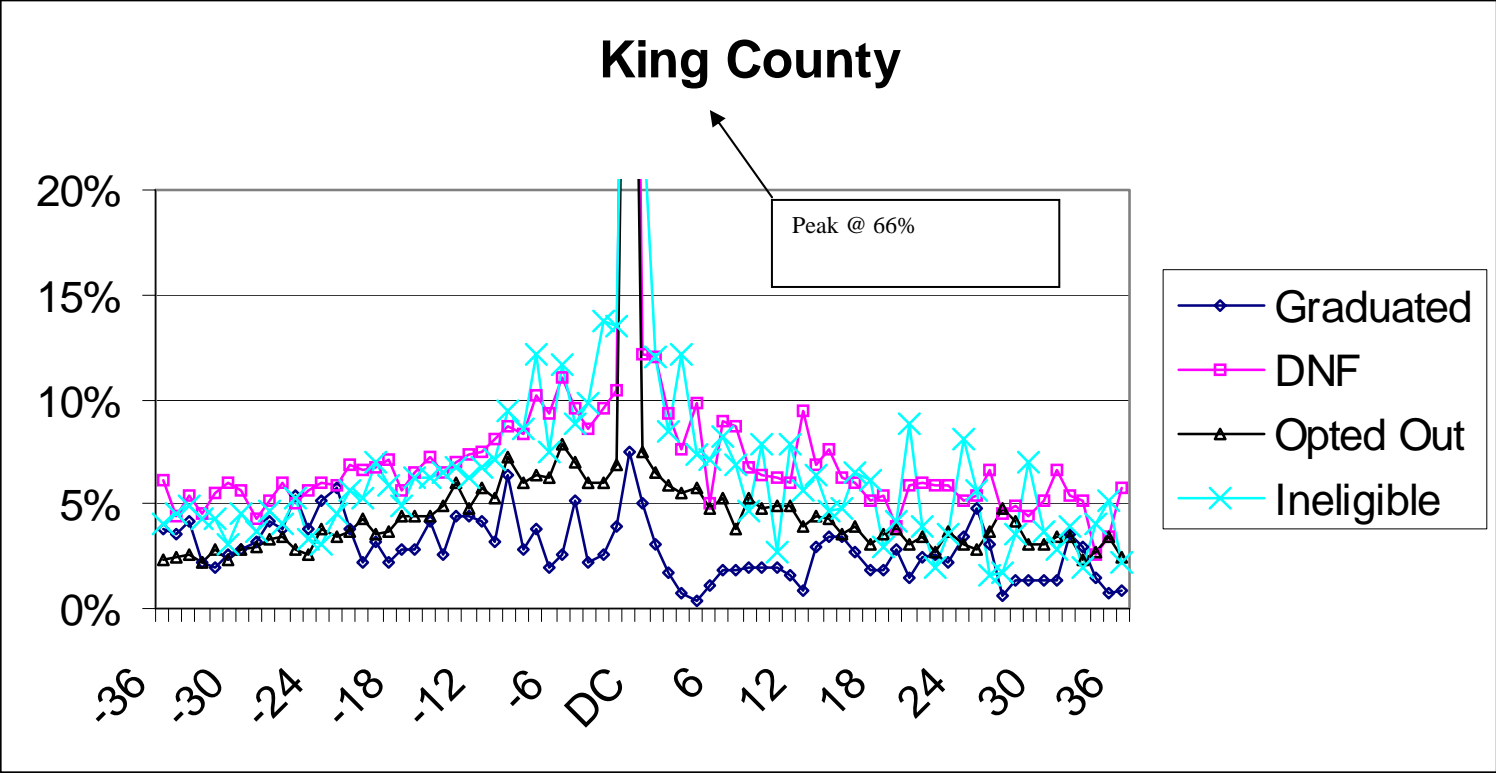
Statistical analyses were performed on the changes in the numbers of convictions before and after referral to drug court. Outcome groups within each of the three counties were compared to each other, to determine whether the Graduates were different from the other groups.

Results.

- Across King Pierce and Spokane counties, the graphical analysis shows:
 - Conviction rates for all groups except the Graduates peak sharply around the time of referral.
 - Generally the per month rates of convictions are in the range of about 3% to 10%. Exceptions to this are (1) the Graduates, whose post referral conviction rates are often in the 0% to 3% range, (2) the peak rates occurring around the time of referral, which are much higher, and (3) occasional other spikes above 10% in Pierce and Spokane counties, primarily in the DNF groups.
 - The Graduates have the lowest rates of convictions across the 6 year period, and lower in the post than in the pre period.
 - The DNFs have the highest conviction rates pre-referral, and the Ineligibles the second highest, in all three counties. Post referral, the Ineligibles have the highest conviction rates in King and Spokane counties. The DNFs have the highest rate in Pierce and the second highest in King and Spokane.
 - All groups except Graduates have higher rates of convictions post referral than pre, with the lone exception of the Ineligibles in Pierce, who showed a very slight overall decline in convictions from pre to post referral
 - Month to month, pre referral conviction rates tend to be fairly stable. In all three counties the month to month rates are more variable in the post referral period.
- Cumulative conviction graphs. One graph is presented for the data from all three counties combined, and each county has its own graph,
 - In all cases the Graduate group shows lowest rate of recidivism, the DNFs and Ineligibles highest, and the Opt Outs between the two extremes.
 - By the end of the three year follow-up period, Graduate group conviction rates are around 20% (highest in King, lowest in Spokane), DNF and Ineligible rates around 60%, and Opt Out rates around 45%.

- The statistical analysis for groups controlled for group differences in pre referral conviction rates by analyzing the amount of *change* in conviction rate between the pre and post referral periods.
 - Group means confirmed the graphical impressions that the Graduates have the lowest conviction rates both pre and post in all three counties. The DNFs are highest pre and highest or second highest post drug court referral.
 - The Graduate groups all show a decline (improvement) in conviction rates from pre referral to post referral. All other groups show an increase, except the Ineligibles in Pierce show a slight decline.
 - If data from the three counties are combined, the DNFs have the highest conviction rate post as well as pre referral, and the Ineligibles show the greatest increase in conviction rate from pre to post.
 - When the Graduates are compared with the other groups one at a time on the amount of change in conviction rates, the Graduates show a significantly better score than each of the other groups in all three counties. The Graduates also do better than the other groups when data are merged across the three counties.
- In King and Pierce Counties, the overall statistical test showed an effect size in the medium range, in Spokane the effect size was in the small range. "Effect size" is an index of the magnitude of the effectiveness of treatment independent of sample size. Medium effect sizes are generally about the best to be found in most social service programs.

These results appear to be influenced significantly by selection effects resulting from how the groups are defined. In particular, Ineligibles may be deemed ineligible because they have an offense other than the incident offense pending, and DNFs may be categorized as such because they are re-arrested for a serious crime while still in drug court. Thus the same events that are being used to define outcomes are being used, in part, to define outcome group membership, which automatically leads to significant group differences. The problem this creates has nothing to do with the desirability or appropriateness of the drug courts' admission or retention policies, which we assume are perfectly reasonable. The problem is that when outcomes among groups are biased in this way, it is extremely difficult to interpret the *evaluation* results in order to determine whether the drug court programs are effective.

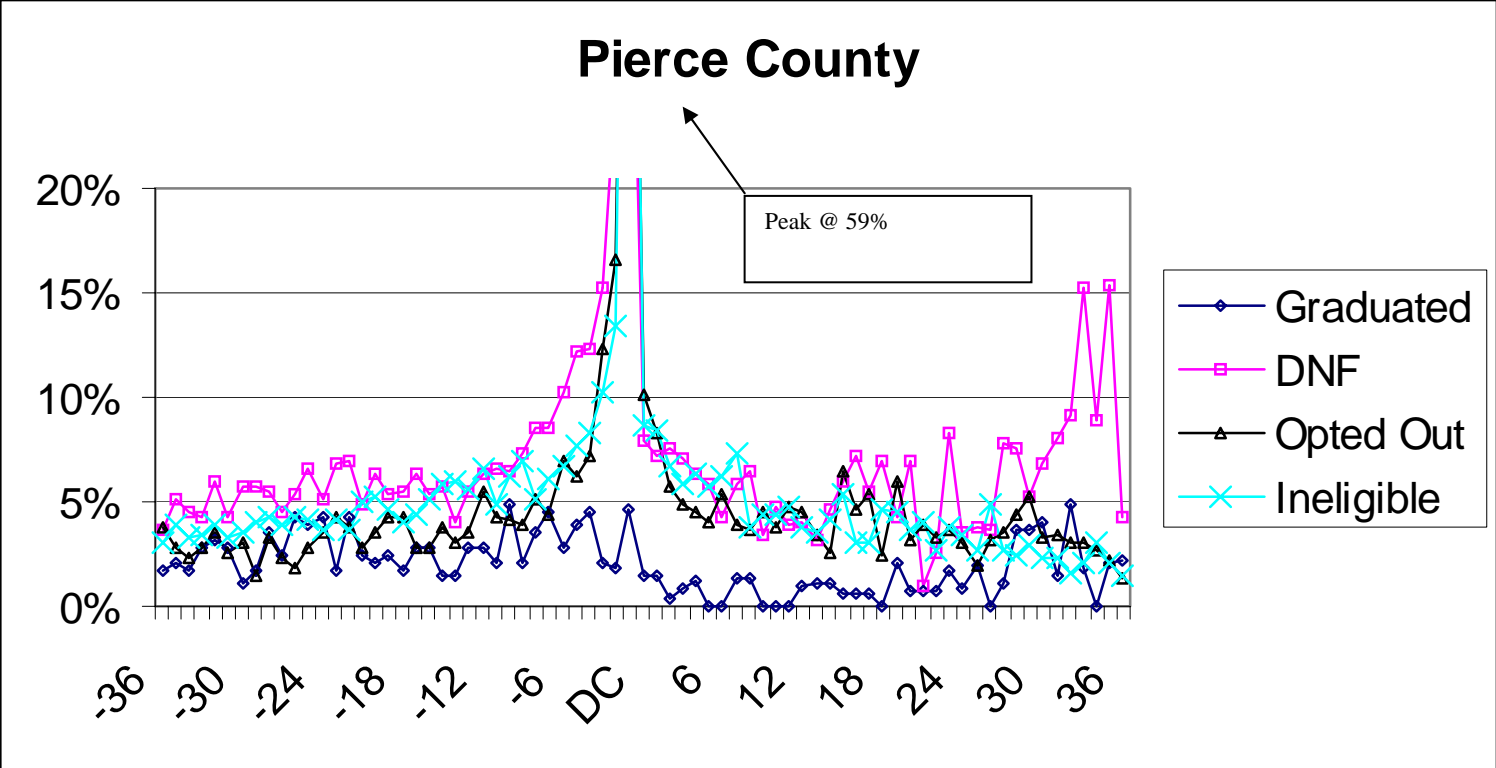


Percent of participants arrested and eventually convicted, by month, for three years before and after Drug Court referral.

King County Number of Participants With Complete Data

Months Before And After Referral to Drug Court

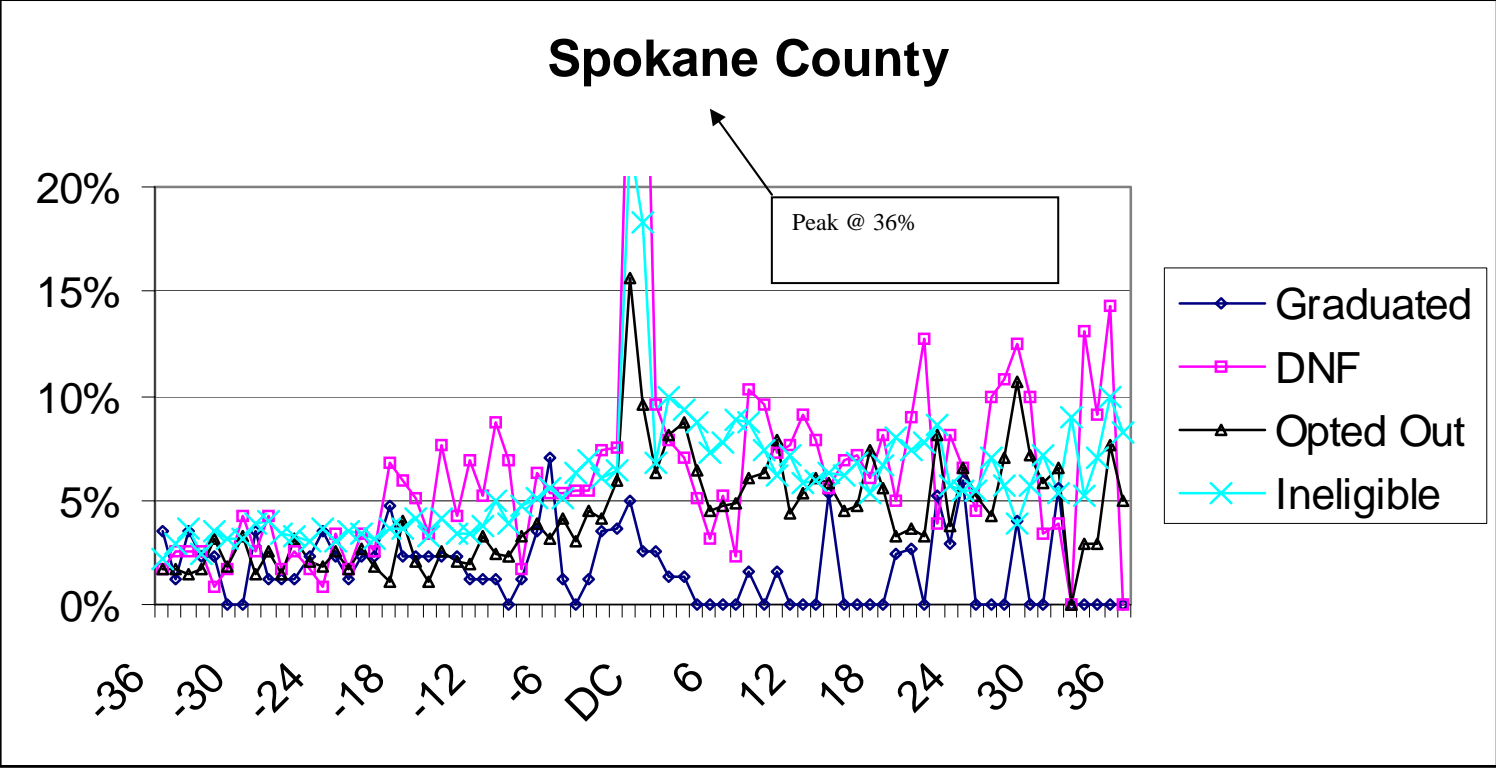
Group	-36	-33	-30	-27	-24	-21	-18	-15	-12	-9	-6	-3	0	3	6	9	12	15	18	21	24	27	30	33	36
Graduated	313	313	313	313	313	313	313	313	313	313	313	309	300	284	271	255	240	230	219	200	172	155	148	138	121
DNF	795	795	795	795	795	795	795	795	792	783	767	751	724	698	669	614	585	542	517	467	427	376	352	328	278
Opted Out	2349	2349	2349	2349	2349	2349	2349	2346	2273	2126	2041	1977	1890	1815	1735	1632	1561	1458	1393	1319	1101	952	862	784	637
Ineligible	513	513	513	513	513	513	513	510	489	441	394	356	326	280	254	230	213	188	170	152	135	117	110	102	91



Percent of participants arrested and eventually convicted, by month, for three years before and after Drug Court referral.

Pierce County Number of Participants With Complete Data

Group	Months Before And After Referral to Drug Court																								
	-36	-33	-30	-27	-24	-21	-18	-15	-12	-9	-6	-3	0	3	6	9	12	15	18	21	24	27	30	33	36
Graduated	285	285	285	285	285	285	285	285	285	285	285	282	268	251	236	215	200	171	153	132	110	87	74	55	46
DNF	471	471	471	471	471	471	471	471	471	451	432	413	403	365	348	321	296	269	244	206	169	116	88	59	47
Opted Out	426	426	426	426	426	426	426	425	423	409	402	399	394	388	372	354	333	311	292	279	267	255	243	226	223
Ineligible	868	868	868	868	868	868	868	864	857	833	817	803	784	766	751	739	723	696	683	676	665	656	639	620	600



Percent of participants arrested and eventually convicted, by month, for three years before and after Drug Court referral.

Spokane County Number of Participants With Complete Data

Group	Months Before And After Referral to Drug Court																								
	-36	-33	-30	-27	-24	-21	-18	-15	-12	-9	-6	-3	0	3	6	9	12	15	18	21	24	27	30	33	36
Graduated	85	85	85	85	85	85	85	85	85	85	85	85	79	73	69	64	61	51	43	37	34	27	21	15	8
DNF	118	118	118	118	118	118	118	118	116	114	112	108	104	99	96	84	77	72	62	55	46	37	29	23	13
Opted Out	482	482	482	482	482	482	482	476	460	425	407	363	346	319	294	271	242	198	163	124	107	85	52	35	20
Ineligible	1895	1895	1895	1895	1895	1895	1895	1847	1698	1561	1441	1291	1182	1055	947	860	764	651	558	451	370	279	223	155	85

Thurston County Number of Participants With Complete Data

Group	Months Before And After Referral to Drug Court																								
	-36	-33	-30	-27	-24	-21	-18	-15	-12	-9	-6	-3	0	3	6	9	12	15	18	21	24	27	30	33	36
Graduated	33	33	33	33	33	33	33	33	33	33	33	31	27	19	11	5	0	0	0	0	0	0	0	0	0
DNF	96	96	96	96	96	96	96	96	96	93	86	76	62	49	26	8	0	0	0	0	0	0	0	0	0
Opted Out	273	273	273	273	273	273	273	273	247	221	181	152	99	63	33	13	1	1	1	0	0	0	0	0	0
Ineligible	38	38	38	38	38	38	38	38	34	32	30	28	23	15	11	9	0	0	0	0	0	0	0	0	0

Skagit County Number of Participants With Complete Data

Group	Months Before And After Referral to Drug Court																								
	-36	-33	-30	-27	-24	-21	-18	-15	-12	-9	-6	-3	0	3	6	9	12	15	18	21	24	27	30	33	36
Graduated	31	31	31	31	31	31	31	31	31	31	31	31	27	19	16	12	9	5	0	0	0	0	0	0	0
DNF	24	24	24	24	24	24	24	24	24	24	22	20	18	15	11	9	7	4	1	1	1	1	0	0	0
Opted Out	2	2	2	2	2	2	2	2	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

Kitsap County Number of Participants With Complete Data

Group	Months Before And After Referral to Drug Court																								
	-36	-33	-30	-27	-24	-21	-18	-15	-12	-9	-6	-3	0	3	6	9	12	15	18	21	24	27	30	33	36
Graduated	6	6	6	6	6	6	6	6	6	6	6	6	3	0	0	0	0	0	0	0	0	0	0	0	0
DNF	16	16	16	16	16	16	16	16	15	11	9	7	5	1	1	0	0	0	0	0	0	0	0	0	0
Opted Out	2	2	2	2	2	2	2	2	2	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Ineligible	3	3	3	3	3	3	3	3	2	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0

