

Drug Courts May Reap Big Savings For Corrections and Taxpayers

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By Doris Wells and Janice Munsterman

Authors' Note: Points of view expressed in this article do not represent the official position or policies of the U.S. Department of Justice.

Offenders who participated in the Multnomah County Drug Court in Oregon were rearrested less frequently than offenders going through traditional court, according to a National Institute of Justice study. The study, *A Detailed Cost Analysis in a Mature Drug Court Setting: A Cost-benefit Evaluation of the Multnomah County Drug Court*¹ indicates that the drug court participants also cost local taxpayers \$5,071 less on average over a 30-month period than those processed through traditional court. Researchers attributed a large portion of the savings to reductions in jail time. These findings show promise for drug courts as a way of containing corrections costs while also achieving effective treatment for drug-abusing offenders.

Processing Offenders: Drug vs. Traditional Court

Drug courts use a team approach. The judge, defense attorney, district attorney and treatment program personnel work together to draft personalized plans offenders can use to help themselves stop or reduce drug abuse and criminal activity. Typical plans might include:

- **Status hearings** — Offenders must appear before the judge weekly or biweekly to review their progress in treatment, address problems, and receive sanctions or rewards.
- **Sanctions and rewards** — The judge applies graduated sanctions for failures or rewards for accomplishments.
- **Drug testing** — Participants are tested for illicit drug use, unlike in traditional court.

- **Treatment** — Drug court participants are required to participate in an alcohol or drug dependency treatment program.

Receiving sanctions or rewards consistently and immediately during court hearings is one of the main motivations for offender compliance.

Traditional court processing in Multnomah County includes a grand jury

Table 1. Sources of Savings to the County, Per Participant

Types of Costs	Drug Court Participants	Traditional Court Participants	Difference: Drug Court Savings
A. Investment Costs	\$5,928	\$ 7,370	\$1,442
B. Court and Law Enforcement Costs	\$8,983	\$11,311	\$2,328
C. Victimization Costs	\$6,676	\$ 7,977	\$1,301
Total Savings (A+B+C)			\$5,071

Source: Shannon and Finigan

Table 2. Difference in Investment Costs: Drug Court vs. Traditional Court Processing, by Transaction

Transaction	Cost per Drug Court Participant (n = 594)	Cost per Traditional Court Participant (n = 573)	Cost Difference: Drug Court Savings
Arrest	\$ 193	\$ 193	\$ 0
Booking	284	284	0
Court time	682	679	-3
Treatment	2,644	2,009	- 635
Jail time	1,611	2,783	1,172
Probation time	514	1,422	908
Total Cost	\$5,928	\$7,370	\$1,442

Source: Shannon and Finigan

Table 3. Average Number of Transactions for Each Group After the Eligible Arrest

Outcome Transactions (Mean Number)	Drug Court Participant Outcomes	Traditional Court Participant Outcomes
Arrests*	2.7	3.3
Bookings**	3.2	3.7
Court time*	757 seconds	925 seconds
Treatment	51 days	67 days
Jail time**	36 days	46 days
Probation time	301 days	307 days

*These outcomes were significantly different between the two groups (p<0.05).

**These outcomes were significantly different between the two groups (p<0.01).

Source: Shannon and Finigan

hearing and hearings during a variety of court appearances that could include assignment call, drug call, motion to suppress hearings, preplea hearings and plea hearings. Trial defendants and many court and law enforcement personnel are expected to attend most hearings. If trial defendants fail to appear, a warrant is issued for their arrest.

Determining Cost Savings

Researchers examined the records of 1,167 nonviolent drug abuse offenders in Multnomah County. About half were assigned to drug court and the rest to traditional court. Costs for each person were determined by adding the costs of every transaction between the offender and components of the criminal justice system during 30 months such as: arrest, booking, arraignment, various orientations, physical and psychological exams, court hearings, drug treatment sessions, drug testing, jail time, trials, sentencing and graduation.

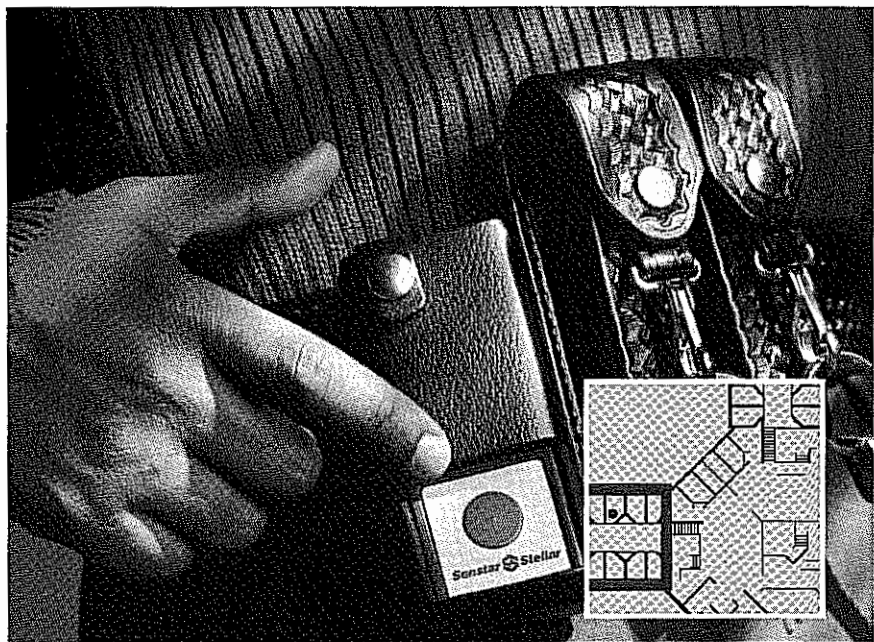
Types of Costs

To calculate savings, researchers counted types of costs. Investment costs were expenses actually incurred for the use of public resources such as drug tests and time spent by judges, attorneys and law enforcement officers. Court and law enforcement costs from rearrests were costs incurred as a result of rearrests such as bookings and jail time. And victimization costs were expenses victims had to bear such as lost income, medical care, property loss and mental health care.

The total savings per drug court participant in Multnomah County was approximately \$1,442 for investment costs, \$2,328 for court and law enforcement costs, and \$1,301 for victimization costs (see Table 1).

Treatment Outcomes

Drug court participants were rearrested less frequently than participants in traditional court. For example, in the 30-month time period after the eligible arrest, the drug court participants averaged 2.7 rearrests, while the traditional court participants averaged 3.3 rearrests. For the same time period, drug court participants also averaged



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staff on the Response to Non-Compliance form that it has elected to select the particular standard/expected practice(s) as a "discretionary compliance." In such instances, the agency need only to: provide the rationale for identifying the standard/expected practice as discretionary (i.e., one of five reasons identified above); and describe the condition generating the request and how noncompliance will not adversely affect, in a significant manner, the life, health and safety of staff, inmates, residents, offenders, clients or, to any degree, the constitutional operation of the facility or program.

The election of discretionary compliance use may be exercised at the facility's judgement. However, the following conditions are applicable whenever the discretion is applied:

- A facility may designate up to 2 percent of the applicable, non-mandatory, noncompliant, standards/expected practices as discretionary. However, the per-

centile of applicable, compliant, nonmandatory standards/expected practices must be at or above 95 percent.

- If the amount of applicable, compliant, nonmandatory, standards/expected practices is at or below 94.99 percent, the facility may designate only 1 percent of the applicable, nonmandatory, non-compliant, standards/expected practices as discretionary.

Policy Implementation

At the panel hearings, after the acceptance of the discretionary compliance request, a dialogue may occur between agency representatives and panel members relating to encouraging the agency to consider a plan of action in the future. The panel may also offer suggestions on how to achieve compliance should the agency decide to reconsider the discretionary designation at the panel hearing or at some point in the future.

Agencies may designate a standard/expected practice as discretionary to ACA staff and the auditors and change that designation to a plan of action after discussion with the panel. Once an agency designates a standard/expected practice as discretionary during one accreditation cycle, it may elect to change to a plan of action or, of course, comply with the standard/expected practice in the course of a subsequent cycle.

The implementation of this new policy promises to be one of the largest accomplishments for the Commission on Accreditation for Corrections in its constant attempt to improve the accreditation process. Its adoption and use solidifies the commission's continuous goal to achieve excellence and maintain integrity in the field of corrections. If you have any questions, please contact your regional manager.

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3.2 bookings compared with 3.7 for traditional court participants, and 36 days jail time versus 46 for traditional court participants. See Table 3 for other differences between the groups.

Sources of Savings: Drug Vs. Traditional Court

The investment costs for a drug court participant averaged \$5,928. For a traditional court participant, it averaged \$7,370. The biggest expense for drug court participants was treatment at \$2,644 per participant. The biggest expense for traditional court participants was jail time at \$2,783 per participant (see Table 1).

Court time was expected to be much higher for the drug court because there are more hearings, but the costs were almost the same, possibly because drug court hearings take less time and require less preparation by the attorneys and the judge than for traditional court. The total savings for the drug court was \$1,442 per participant due mainly to the high costs of jail and probation time for those processed through

the traditional court, which on average cost \$2,080 more per participant (see Tables 1 and 2).

The fewer rearrests for drug court participants produced significant savings in law enforcement and correctional costs (arrests, bookings, jail time, etc.), court costs and victimization costs (lost income, medical services, etc.). The savings from fewer rearrests totaled \$3,629 per participant over the 30-month period (see Table 1). The biggest savings stemmed from less jail time and law enforcement processing — about \$1,900 per drug court participant, according to the study. Savings for other agencies such as the court (\$7) and probation (\$240) per participant were nominal in comparison.

Overall, the drug courts saved Multnomah County more than \$1.5 million per year or approximately \$5,000 on average for each of the program participants in the study. The study's findings show that taxpayers may realize significant savings when drug courts are used as an alternative to incarceration for drug-involved offenders. Jurisdictions can expect the biggest savings to accrue from reduced jail and probation time. Although drug court treatment costs may be higher than traditional court

treatment costs, in the end, the savings for law enforcement and corrections can more than compensate for this expense.

Further research is recommended, but these findings indicate that drug courts may be a promising solution to reducing law enforcement and correctional costs. Law enforcement and correctional agencies realize that though expensive, drug treatment is necessary and that ignoring or inadequately addressing it could produce serious consequences. The researchers of the NIJ study agree that "untreated substance abuse is very costly to the individual, his family and friends, and to the taxpayers who must, in one way or another, fund the consequences of the negative social behaviors that result from substance abuse."

ENDNOTES

¹ The full report is available at www.ncjrs.org/pdffiles1/nij/grants/203558.pdf.

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