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CALIBER

RECIDIVISM RATES FOR DRUG COURT GRADUATES: NATIONALLY BASED ESTIMATES

Final Report

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ACKNOWLEDGMENTS

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RECIDIVISM RATES FOR DRUG COURT GRADUATES: NATIONALLY BASED ESTIMATES

EXECUTIVE SUMMARY

This report presents a general estimate of recidivism among a nationally representative sample of drug court graduates. The study was commissioned by the National Institute of Justice in order to assist policymakers by developing a single estimate of recidivism rates from a consistent data source. Recidivism rates reported in existing evaluations of drug courts vary widely. This variation reflects the diversity across drug courts in the characteristics of their participants (i.e., in the severity of their addiction, the types of drugs used, and their criminal history) and in how the drug courts operate (i.e., program eligibility, treatment availability and quality, and court monitoring policies).

In this study, recidivism was measured as any arrest for a serious offense resulting in the filing of a charge. A major contribution of this study is the use of a single, consistent measure of recidivism across drug courts located in many states and jurisdictions drawn from a consistent data source; the internal FBI criminal history database. The FBI database uses the Integrated Automated Fingerprint Identification System (IAFIS), through the criminal history arrest segment known as the Interstate Identification Index (III), to link individuals to their criminal justice history. The internal criminal justice history files include arrests reported to the FBI from reporting agencies. Discussions by the authors with FBI researchers suggest that at least 95 percent of police agencies consistently report data to this database.

To measure the average recidivism rate for drug court graduates, the estimates in this study are based on a sample of 2,020 graduates in 1999 and 2000 from 95 drug courts. Each of these drug courts:

- Received Federal funds from the National Drug Court Program Office (NDCPO);

- Had been in operation for at least one year; and

- Had at last 40 program graduates.

In total, the sample is designed to be representative of approximately 17,000 annual drug court graduates.

The characteristics of the drug courts attended by the sample of graduates are described in Table 1. More than a third of sample members participated in a drug court that was more than five years old, and more than half of the sample had a graduation date early in 1999. Once the

TABLE 1		
DISTRIBUTION OF SAMPLE BY DRUG COURT CHARACTERISTICS (N=95)		
	Percentage Unweighted	**Percentage Weighted**
Number of graduates (thru July 1, 2001)		
< 50	2.7%	1.1%
51-99	6.4	4.3
100-249	32.9	31.4
250-499	26.6	14.2
>499	31.3	49.0
Number of annual graduates (estimated)		
< 50	9.9%	3.1%
51-99	20.1	9.5
100-249	44.0	31.1
250-499	20.5	31.0
>499	5.6	25.3
Date Court Opened		
1989-1994	32.7%	36.8%
1995	19.1	9.4
1996	19.4	14.3
1997	24.5	32.9
1998	4.3	6.6
Date of graduation		
January–March, 1999	33.4%	39.7%
April–June, 1999	27.3	29.3
July–September, 1999	14.0	12.2
October–December, 1999	8.3	6.6
January, 2000–	17.1	12.3

sample was weighted[1] to reflect the distribution of all graduates, almost half of the sample is drawn from the largest drug courts—the drug courts with the most graduates.

The study estimates that within one year after graduation, 16.4 percent of drug court graduates had been arrested and charged with a serious offense[2]. Within two years, the percentage rises to 27.5 percent (Figure 1). These estimates represent the expected outcomes for those who succeed in drug court: one year after graduation, one out of six drug court graduates would

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[1] A stratified sample was drawn to facilitate collection of sufficiently large samples from smaller drug courts to allow for statistical analysis across a broad cross-section of drug court graduates. Weights were used to approximate the population of drug court graduates from this sample.

[2] Serious crimes were defined as any arrest and charge with a crime that carries a sentence of at least one year upon conviction. As crimes meeting this definition vary across states, the study used the FBI definition of serious crime throughout.

FIGURE 1
ESTIMATE OF POST-GRADUATION RECIDIVISM (N=2021)
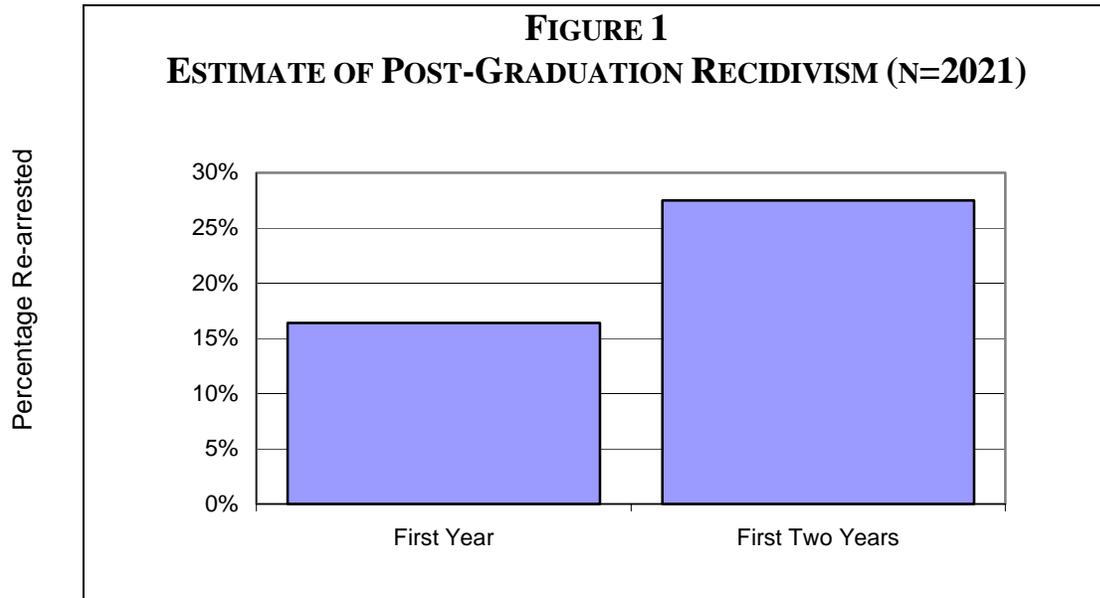
be expected to be re-arrested and charged with a serious offense. On average, it would also be expected that these rates would be lower than rates for all drug court participants.[3]

In addition to estimating the probability that any drug court graduate would be re-arrested, the study also estimated the number of serious offenses committed by drug court graduates. In the first year after graduation, drug court graduates average 0.23 serious crimes per person and 0.50 serous crimes per person in the first two years after graduation. Among those drug court graduates that do commit a crime, drug court graduates average 1.42 new serious offenses in the first year, and 1.83 serious offenses in the first two years after graduation (Figure 2).

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[3] The extant drug court literature consistently finds that participants who drop out of drug courts before graduation have higher rates of recidivism than those who graduate. For a review of the drug court literature, see Belenko, S. "Research on Drug Courts: A Critical Review 1999 Update." National Drug Court Institute Review. Vol. 2. no 2. 1-58.

FIGURE 2
ESTIMATE OF POST-GRADUATION RECIDIVISM (N=2021)
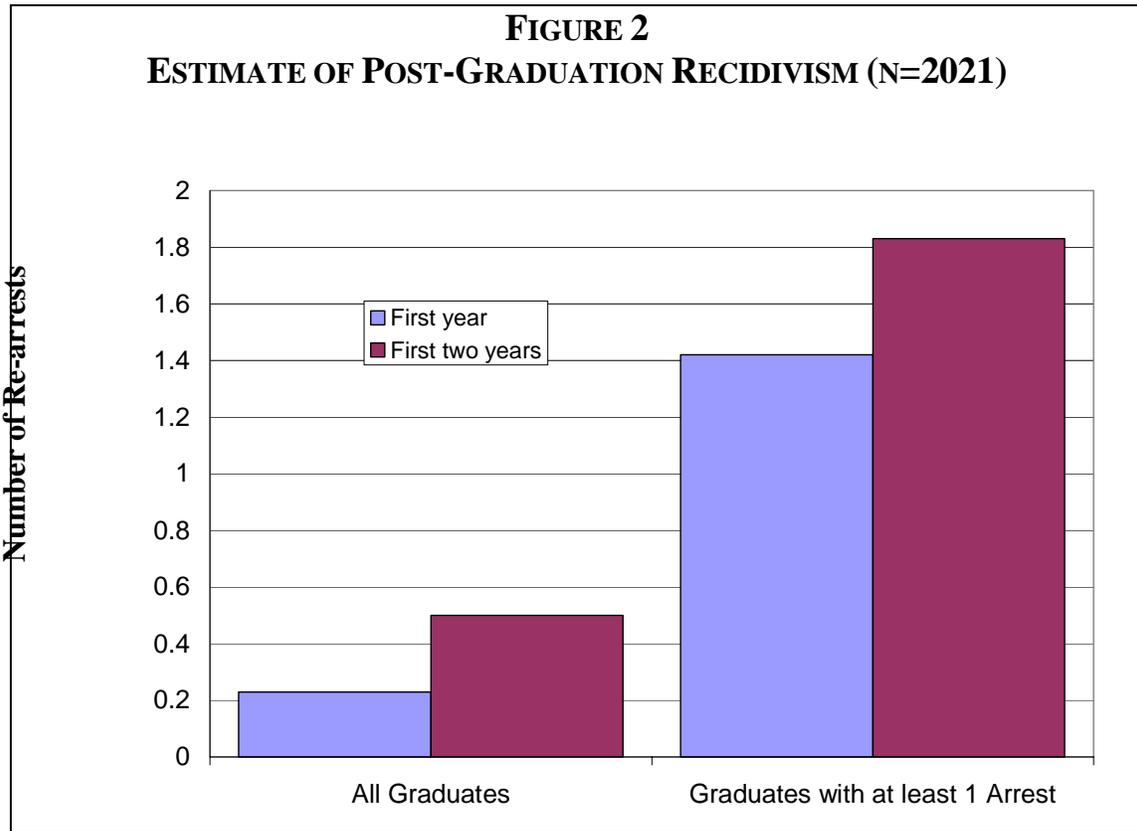
The sample of drug court graduates was selected from 95 of the 110 drug courts eligible for selection (86%). The average drug court in this sample had about 20 drug court graduates included in the sample. While samples sizes for individual drug courts are small, the study suggests wide variations in the recidivism rates of graduates from different drug courts (Figure 3).

FIGURE 3
POST-GRADUATION RECIDIVISM BY COURT(N=2021)
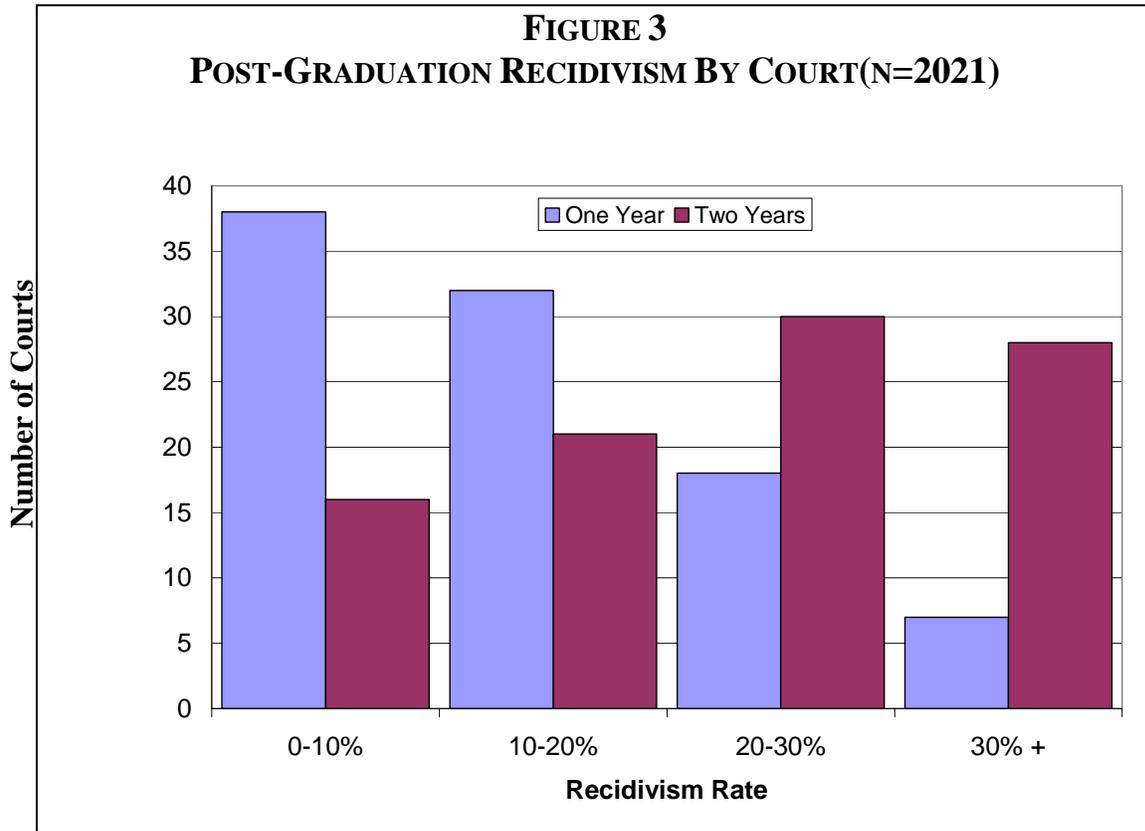
Figure 3 shows that in the first year, most drug courts have relatively low recidivism rates. For instance, 38 drug courts had an average recidivism rate under 10% for graduates in the first year after graduation. A few drug courts had much higher recidivism rates: seven drug courts had an average recidivism rate over 30% for graduates in the first year after graduation. In the first two years after graduation, there is less variation across courts. The average recidivism rate was 27.5% for the first two years after graduation, and Figure 3 suggests most drug courts had a recidivism rate relatively close to that average.

These data should not be interpreted as suggesting that drug courts that perform particularly well and drug courts that perform poorly are easy to identify. There is no reason to assume that drug courts with the highest recidivism rates are the lowest performing drug courts. Rather, it appears that most of the high recidivism rate drug courts are serving the most difficult to reach populations. Bivariate analysis comparing drug court recidivism rates to the severity of the population admitted to the court suggests that the two are correlated. The drug courts with the lowest recidivism rates tend to accept offenders with the least severe problems, including participants whose primary drug used is alcohol or marijuana, and who are classified by the drug courts as having 'minimal' drug problems. In contrast, the drug courts with the highest recidivism rates

tend to accept offenders who are primarily cocaine and heroin users, and who are classified by the drug courts as having 'moderate' or 'severe' drug problems. Therefore, it is important that these estimates be applied in the appropriate context: as a benchmark for recidivism among drug court graduates, and not as a benchmark for recidivism among drug courts.

Recidivism among drug court graduates appears to be related to the size of the drug court. The groups displayed in Figure 4 represent the 2-year recidivism rates for five groups of drug courts, divided into five equal groups by the number of drug court graduates. Recidivism was higher among graduates of largest drug courts, defined as drug courts with more than 832 total graduates, than any other group. Graduates of the largest drug court cohort had a 2-year recidivism rate of 30.8 percent, compared with 2-year recidivism rates between 22.5 percent and 24.0 percent for the other four cohorts.

FIGURE 4
RECIDIVISM RATES BY DRUG COURT SIZE (N=2021)
(TWO-YEAR RECIDIVISM)
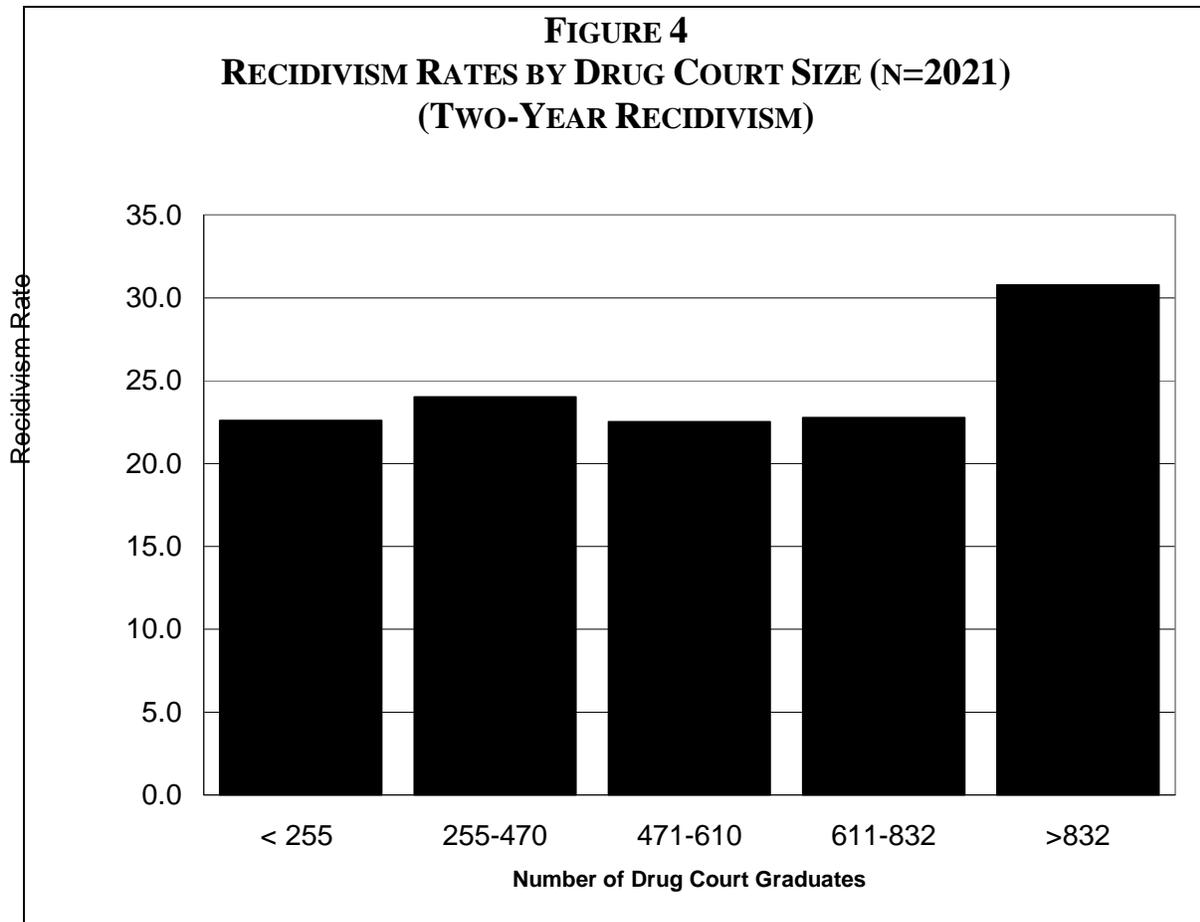
Regression analysis confirms these findings.[4] Drug court size is significantly positively related to recidivism risk: in general the largest drug courts have the highest recidivism rates. Other analysis suggests that these drug courts tend to be located in the largest metropolitan areas, and tend to accept populations with the most severe drug problems. These findings are consistent with the data that suggests that drug courts accepting a population with the most severe drug problems has the highest rates of recidivism.

Regression analysis also supports relationships between demographic characteristics and recidivism found in many other studies. Overall, women do significantly better in drug courts than men. Whites have lower rates of recidivism than non-Black minorities, and Blacks have higher recidivism rates than non-Black minorities. Younger participants do significantly worse than older participants, and the oldest participants appear to have the best outcomes. The youngest quartile of sample graduates (those 24 years old and younger) have significantly higher rates of recidivism than does the median age quintile (those 30 to 36 years old). In some models, the oldest quintile (those over the age of 42) do significantly better than the median cohort.

Comparison to Other Studies

Once a benchmark recidivism rate for drug court graduates has been established, it is natural to attempt to compare these rates to other measures of drug court outcomes. One approach would be to compare the recidivism rates for drug court graduates to results from other studies. However, these comparisons must be interpreted cautiously in light of the differences in sample characteristics noted in the Table 2. The comparisons shown in Table 2 are the best available, given that drug court eligibility rules vary widely among drug courts, and records are generally not maintained on the pool of eligible drug court candidates or even on the pool of offenders offered drug court.[5]

A sample of the most rigorous drug court evaluations conducted to date suggests the difficulties in making these comparisons. In each of the evaluations in Table 2, comparison groups were drawn from different sources and studied over varying time periods. The evaluations that show the lowest recidivism rates tend to include the period during which the treatment group was directly under the supervision of the drug court. Rates for the year after disposition (analogous to

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[4] Hierarchical linear models were used to estimate recidivism rates controlling for individual- and court-level characteristics.

[5] It was impossible to construct a nationally representative sample of eligible offenders who would have graduated from drug courts had they been offered the chance to participate. Such a sample would require uniform data to identify defendants eligible for drug courts, or those who were offered drug court but declined to participate. These data do not currently exist.

the first year after graduation) generally suggest that the recidivism rates for all drug court participants are substantially higher than the rates for graduates reported here.

TABLE 2 RECIDIVISM FINDINGS FROM SELECTED DRUG COURT EVALUATIONS			
Name of Program (Authors, Date)	**Design**	**Group Composition & Recidivism Rates**	**Follow-Up Period**
The Baltimore City (Maryland) Drug Treatment Court: Year 1 Results (Gottfredson and Exum, 2002)	Randomized Experiment	**Treatment** – Drug court (**48%** rearrested) **Comparison** – "Treatment as usual" (**64%** re-arrested.)	Follow-up for the treatment and comparison groups was **24 months** after randomization (included time spent in drug court)
Maricopa County (Arizona) First Time Drug Offender Program (Deschenes et al., 1995)	Randomized Experiment	**Treatment** – Drug court (**31%** re-arrested) **Comparison** – Standard probation, with and without drug testing (**33%** re-arrested)	Follow-up was **12 months** for the treatment and comparison groups following randomization
Chester County (Pennsylvania) Drug Court (Brewster, 2001)	Strong Quasi-Experimental	**Treatment** – Drug court (**5.4%** re-arrested) **Comparison** – Comparable offenders placed in probation prior to the inception of drug court (**21.5%** re-arrested)	The follow-up period was **12 months** following drug court entry for the comparison and treatment groups
Dade County (Florida) Drug Court (Goldkamp & Weiland, 1993)	Strong Quasi-Experimental	**Treatment** – Drug court participants (**33%** re-arrested) **Comparison** – Four comparison groups (**48**% re-arrested)	The follow-up period was **18 months** for the treatment and comparison group after drug court entry
DC Superior Drug Court Invention Program (Harrell, Cavanagh, & Roman, 1998)	Strong Quasi-Experimental	**Treatment** – Treatment docket (**26%** re-arrested); sanctions docket (**19%** re-arrested); **Comparison** – **27**% re-arrested.	Follow-up period was **12 months** for the treatment and comparison group following drug court exit

Limitations

Several caveats to this study should be noted. This study includes biases that both underestimate and overestimate the true rate of recidivism for drug court graduations. As there is no extant literature addressing these issues, the magnitude and direction of bias cannot be determined. This study *underestimates* the recidivism rates in two ways:

■ **Not all arrests are counted**. The FBI data, while the best single source of criminal history data available, do not include every arrest that occurs nationally; and,

■ **Not all participants can be matched to their FBI records**. Whenever possible, an FBI number or fingerprint data was used to match drug court graduates to the FBI's criminal history file. Not all participants can be matched to their FBI records. Where no FBI number or fingerprint was available, an algorithm based on name, date of

birth, and gender was used to identify matches. It is very likely that some drug court graduates could not be matched to their FBI file. In these cases, it was assumed that no re-arrest occurred. To the extent that re-arrests were missed due to this matching problem, recidivism rates are underestimated.

This study may *overestimate* the recidivism rate due to definitional issues. For the purpose of this analysis, recidivism was defined as any arrest (and charge) reported to the FBI, regardless of the disposition. It is therefore almost certainly the case that some proportion of the arrests reported in this analysis did not result in a conviction. Inclusion of these cases will yield a higher recidivism rate than would be the case if only arrests leading to a conviction were included.

Conclusion

This study estimates recidivism rates for the average drug court graduate which are intended to be used as benchmarks in later research. These estimates should not be considered in isolation: drug courts are complicated endeavors operating in multifaceted environments. Law enforcement policies and community attributes may make it relatively more difficult for some jurisdictions to meet these benchmarks. In addition, some drug courts will target very difficult and hard to serve populations. For these drug courts, achieving a recidivism rate that is much higher than these benchmarks may actually demonstrate a large reduction in criminal offending. Therefore, no single estimate can, or should, be used to measure whether an individual drug court is successful.

DRUG COURT RECIDIVISM RATES: NATIONAL ESTIMATES

PROJECT OVERVIEW

Estimates of drug court graduate recidivism rates were developed in response to a request by the National Institute of Justice to create a benchmark for drug court practitioners and researchers. The reported rates of recidivism from extant drug court outcome evaluations vary widely, as do those reported by individual drug courts, contributing to a debate over the effectiveness of drug courts. This study provides, for the first time, nationally representative estimates of recidivism from drug court graduates, drawn from a consistent data source and calculated in a consistent manner. This analysis is not an evaluation of drug courts, is not an evaluation of all drug court participants, and does not employ a comparison group in the analysis. Nonetheless, we believe these estimates will provide useful information for assessing one aspect of the impact of drug courts.

The approach used was to identify all drug courts funded by the Drug Court Program Office (DCPO) that had been in operation for at least one year as of January 1, 1999, and had at last 40 program graduates. Each drug court meeting this standard was asked to submit a list of program graduates, and random samples were drawn from the list provided by each drug court. Individual identifiers were submitted to the FBI for a criminal justice history check to gather data on any arrest in the first two years following graduation. The FBI reported arrests that met two conditions: 1) an arrest for a serious offense, where a serious offense was defined as an arrest for an offense with a minimum sentence upon conviction of at least one year; and 2) the arrestee was ultimately charged with a serious offense. Once these data were collected, sample data from large drug courts were weighted so that the analysis would approximate the distribution of all drug court graduates nationally.

The final sample included data about graduates from 95 of the 110 drug courts that met criteria for inclusion in the analysis (86%). The criminal justice history of 2,021 drug court graduates were analyzed to estimate the likelihood of re-arrest for all drug court graduates during the first year after graduation, and were weighted to represent all graduates of the 95 courts during this period. Within a one-year follow-up period, 16.4% of the sample had been arrested and charged with a serious offense, and within a two-year follow-up period, 27.5% of the sample had been arrested and charged with a serious offense.

These estimates may underestimate the likelihood of re-arrest in the population of drug court graduates in two ways. First, FBI data used in this analysis include only those arrests reported by individual states. To the extent that states do not report all arrests to the FBI, this

number represents an underestimate of the true recidivism rate. Second, whenever possible an FBI number or fingerprint data were used to match drug court graduates to the FBI's criminal history file. Where no FBI number or fingerprint was available, an algorithm was used to identify likely matches. In total, 86% of drug court graduates were matched to an FBI record[6]. Where no match was found, it was assumed that no arrests had occurred. It is therefore likely that some drug court graduates who could not be matched to their FBI file had an arrest during the follow-up period. To the extent that new serious arrests were missed due to this matching problem, recidivism rates are underestimated.

However, these estimates may alternatively overstate recidivism rates. For the purpose of this analysis, recidivism was defined as any arrest (and charge) reported to the FBI, regardless of the disposition. It is therefore almost certainly the case that some proportion of the arrests reported in this analysis did not result in a conviction. Inclusion of these cases will yield a higher recidivism rate than would be the case if these arrests were excluded. There is no extant literature addressing these issues, and the magnitude and direction of bias created by these apparently contradictory biases can not be determined.

We do believe that these benchmark estimates will assist in efforts to measure drug court impact. However, these estimates should not be considered in isolation: drug courts are complicated endeavors operating in multifaceted environments. Law enforcement policies and community attributes may make it relatively more difficult for some jurisdictions to meet these benchmarks. In addition, some drug courts will target very difficult and hard to serve populations. For these drug courts, achieving a recidivism rate that is much higher than the benchmark level may actually demonstrate a large reduction in criminal offending. Therefore, any single estimate can not, and should not, be used to measure whether an individual court is successful.

REPORT STRUCTURE

The remainder of this report is divided into five sections. The first section describes the theoretical framework used to identify, define and isolate drug court program effects. This theoretical framework was used both to develop the analysis, as well as to identify the limitations of our approach, which are described in the fourth section. The second section is a synopsis of the methods used to draw and analyze the sample of drug court graduates. The third section details the study's findings, which is followed by a discussion of the studies limitations. The fifth section presents a brief discussion of areas for further research.

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[6] Many drug courts expunge arrest records following successful completion of drug court. Therefore, it would be expected that some drug court graduates would have no FBI arrest record.

1.   THEORETICAL FRAMEWORK

The task of developing a benchmark recidivism estimate begins by identifying the differences in approaches to calculating recidivism rates, in the extant literature. In particular, differences in measuring recidivism arise from numerous factors including variations in criminal justice systems and community context, differences in drug court structure and operation and differences in recidivism definitions. The following sections describe issues in calculating recidivism that are associated with 1) variations in the environment in which drug courts operate and the populations that they serve, and 2) differences in defining recidivism.

1.1   Variation between Drug Courts

Drug courts are multifaceted organizations integrated into their community, treatment and social service networks, and the larger criminal justice system. Drug court graduate recidivism is at least partially a function of how the drug court is integrated into that system. In the narrowest terms, the context within which the drug court operates will affect how the drug court intervention will be structured, which will in turn affect what population is targeted. The interplay between each of these three actors will have an important affect on individual recidivism.

- **Community and Criminal Justice System.** Drug courts structure interventions in response both to the availability of local resources (such as treatment modalities and ancillary services) and to drug problems of particular concern to that community (such as methamphetamine or heroin). Policing strategies, prosecutor practices, and parole and probation policies, along with other variations across criminal justice systems, would cause different kinds of drug courts to have different rates of recidivism. The characteristics of a community can also effect likelihood of recidivism: local crime rates and drug markets, unemployment levels, housing availability, social norms, and access to diverse treatment resources and social services will all effect the behavior of program participants. These structural differences can then cause drug courts to target a particular population either because they perceive a need to serve a particular group or because they have the resources available to target a particular population. Targeting different populations due to resource availability (or constraints) or specific community problems will necessarily affect eligibility, yielding drug court participants with varying risks of recidivism.

- **Drug Court Intervention**. Variation in the policies and practices adopted by the court will affect recidivism. Variation in recidivism rates may be related to drug court characteristics, such as size, intensity of service provision, duration, and location. Drug courts may also target specific populations based on how well they are expected to do in drug court. Some drug courts serve first-time offenders only or misdemeanor cases only, while others admit those with long criminal histories and felony charges, based on different perceptions of who is likely to succeed in drug court.

Program eligibility criteria, especially individual criminal justice history/risk and the severity (and type) of substance abuse, may have a large effect on recidivism rates, especially if highest (or lowest) risk clients are systematically excluded from participation. In addition, program inclusion (or exclusion) of populations with special needs (such as co-occurring mental health disorders may effect recidivism rates.

■ **Target population**. Once a target population is identified and eligibility criteria are determined, the risk of recidivism among court participants is directly related to the characteristics its participants bring with them into the court. Criminal history, substance abuse severity, family functioning, as well as the demographic characteristics of offenders entering the court all influence recidivism. For example, it seems reasonable to assume that a drug court that admits only first- or second-time misdemeanant drug possession cases would not have the same recidivism rates as a drug court that admits clinically diagnosed felony drug offenders. These factors create variation in the expected level of recidivism of an individual participant both independent of, and in combination with, programming.

Drug courts can, therefore, be expected to have quite different recidivism rates for reasons wholly unrelated to the 'quality' of the intervention. The structural dissimilarity across drug courts necessarily yields different recidivism rates. In this study, two measures of structural dissimilarity were identified and included in the analysis: differences in the size of the court (average number of annual graduates) and drug use severity of the target population.

1.2   Recidivism Definitions

In prior studies, measurement of recidivism has not been consistently applied. Holding all else constant, if two drug courts used two distinct measurement strategies, it is quite likely that the reported recidivism rates would be different. As a result, the methodology used in evaluating a drug court may also directly affect the reported recidivism rate. An examination of reported recidivism rates suggests that studies vary across four key factors[7]:

■ **Differences in the definition of recidivism.** Recidivism is defined inconsistently: any arrest; any arrest on a specific set of charges (such as all crimes or drug charges only); or any arrest that leads to a conviction. The definition may or may not include probation violations. Recidivism rates will vary according to the definition.

■ **Criminal records.** The criminal history data used by researchers to measure the incidence and prevalence of re-offending may include varying combinations of data

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[7] The review of differences in methodological approaches was conducted as part of an ongoing review of adult drug court evaluations as part of a meta-analysis of drug court evaluations being conducted at the Urban Institute on behalf of the Campbell Collaboration Crime and Justice Review Group.

from local, state and national enforcement agencies. Such differences in record-keeping among law enforcement agencies will affect reported recidivism.

- **Variations in sample timeframe.** The period over which recidivism is measured affects estimates and drug court evaluations vary widely in selecting a timeframe. Evaluations that measure recidivism while program participants remain under the drug courts jurisdiction would be expected to have different recidivism rates than studies measuring recidivism once all sample members are out of the program.

- **Sample status.** The sample of drug court participants included in drug court recidivism research is inconsistent across studies. Sample status can include 1) all defendants who became eligible for the drug court, 2) only participants who entered treatment, 3) only participants who completed within a specific period of time allotted for evaluation, or 4) only program graduates. Some comparisons that are routinely used, such as the comparison of drug court graduates to drug court failures or eligible refusers, are inappropriate. These groups are generally not equivalent and would not be expected to have similar outcomes, with or without a drug court intervention.

There are virtually unlimited combinations of these four factors that could be used to create an estimate of recidivism. The drug court literature contains many variants. It is therefore not surprising that there is considerable confusion about drug court recidivism rates.

This study applied a consistent methodology to create recidivism estimates for drug court graduates. The estimates are based on a standard data source (criminal justice history from the FBI's research database), a consistent definition of recidivism (arrest and charge with a serious offense, as defined by the FBI), and a consistent time frame (the first two years after drug court graduation). This approach allows for a robust estimation of the prevalence rate of recidivism among the graduates of DCPO funded drug court programs. These estimates can be therefore be used by drug courts in understanding how their performance compares to similar drug courts. However, as is discussed in the limitations section, given that there are many and varied recidivism estimates in the drug court literature, these results may not be consistent with other published recidivism estimates.

2. METHODOLOGY

The estimates of recidivism in this study were developed through a five step process:

- **Sample and site selection**. Criteria were developed to identify eligible drug courts, before any data were collected. These criteria were based on the proportion of all drug court graduates represented by each drug court, the length of time the program had been operational, and the accessibility of program data. One hundred and fifteen drug courts were initially identified as eligible for study participation.

■ **Data collection**. After drug court sites had been selected, each eligible drug courts was sent a survey requesting information on a sample of each drug courts' graduates. Of the 115 drug courts initially eligible, six drug courts were found to no longer be in operation, and one court had split into two separate drug courts. One hundred of the remaining drug courts responded to the survey and provided data on drug court graduates.

■ **Sampling**. A sample of drug court graduates was randomly selected from within the pool of graduates reported by each court. Once the random sample of drug court graduates had been drawn, a request for criminal justice histories on this sample was submitted to the FBI. Data from five drug courts were determined not to include sufficient information for the FBI to be able to process. Criminal justice history records were received from the FBI on a sample of drug court participants from 95 drug courts.

■ **Univariate Analysis**. Criminal justice history data for each drug court graduate was proportionately weighted so that the full sample was representative of the distribution of graduates across all drug courts in the sample. These weighted estimates were then used to create estimates of the likelihood and frequency of recidivism rate for all drug court graduates.

■ **Multivariate Analysis**. Court level data from the 1999 Adult Drug Courts Survey, conducted by the OJP Drug Court Clearinghouse and Technical Assistance Project at American University, were collected and merged with the FBI data described above. Court level data were matched for 72 out of the 95 drug courts. A multilevel statistical analysis was conducted to isolate court and individual level effects on drug court graduate recidivism.

2.1   Sample and Site Selection

2.1.1   Sample Selection

Section 1.2 described the confusion in the drug court field that has resulted from the inconsistent status of drug court participants included in prior recidivism research. Each cohort of drug court participants (e.g. graduates, failures, all participants) are important subjects of research. Drug court graduates were selected for this study both because it is sensible to begin establishing benchmarks by focusing on the most successful drug court participants, and because this population presented the fewest methodological difficulties. Developing recidivism estimates for the full population of drug court participants would present several challenges. Foremost, given the wide range of time in program across drug courts, it is not clear when to start measuring recidivism. For example, a study beginning at twelve months post-entry would have found some sample members as active program participants and others who had long since been terminated. In general, allowing a fixed period for participation is likely to result in estimates

inflated by the effects of early dropouts, while a design using a greatly extended period of program participation may attenuate the gains of drug court graduates by not capturing their behavior during their first year out. If data could be collected that precisely identified exit and entry dates, consistent follow-up periods could be identified. However, one of two problems would remain. If the sample was identified at a concurrent entry period, then graduates would remain in the long after the program failures were on the street. Thus, the period during which recidivism was measured would be inconsistent. If the sample were identified at a concurrent exit period, than graduates would have been in drug court long before program failures entered, and might have been exposed to a drug court intervention that was quite different.

Choosing a population of graduates avoids these problems. As the data in 2.4 will show, most of the graduates exited drug court at about the same time, and were followed over generally the same period. However, by limiting research subjects to graduates, the study is likely to find lower recidivism estimates than would have been the case for a sample that included all drug court participants. As described earlier, drug court research has consistently found that drug court graduates have lower rates of recidivism than drug court failures. This is probably due both to the individual characteristics of the cohorts (drug court graduates likely have more motivation to complete drug court and to avoid future offending) and to program characteristics (the programs are designed to hold offenders accountable and therefore to identify and remove those who are at highest risk of future offending and are not able to successfully complete the program).

2.1.2 Site Selection

Site selection began by identifying drug courts which had received an enhancement, implementation, or continuation grant from DCPO. This approach was taken both to achieve administrative efficiencies (the solicitation required rapid project completion) and to improve survey response rates. Drug courts that received DCPO funding agreed to participate in national evaluation efforts as a condition of their funding, and therefore would be more likely to respond to the survey than would non-DCPO funded drug courts.

DCPO funded drug courts were identified from the OJP Drug Court Clearinghouse & Technical Assistance Project and from the National Institute of Justice (NIJ). A total of 261 drug courts were identified that had received one of the three types of DCPO funding. These drug

courts reported a total of more than 68,000 graduates, as of June, 2001.[8] The study limited eligibility for this study to drug courts that met two additional criteria:

- ■ Program operations began on or before January 1, 1998;

- ■ At least 40 program graduates between January, 1999 and September, 2000.

In selecting a start date for the sampling frame, the length of drug court participation was the primary consideration. Most drug court evaluations examining recidivism as the dependent variable, have studied participants for a period (generally 12 to 24 months after drug court entry). This approach conflates the effects of intensive drug court supervision with the persistent effects of the drug court intervention. That is, it would be expected that recidivism rates in the period when a drug court participant continued in programming would be meaningfully affected by the courts oversight. More intensive court supervision could lead to more crimes being detected (increasing recidivism rates) or to re-offending leading to fewer new charges formally being filed as new arrests came under the drug courts supervision (decreasing recidivism rates). Focusing on the period after supervision avoids this problem. It also allows the study to focus on the more interesting question of whether drug court participation leads to changes in behavior that persist after the participant has left the courts supervision.

The study selected two years as the length of the follow-up period to allow estimates of the persistent effects of drug courts. A longer follow-up period would have faced three problems: 1) more drug courts would likely have ceased operations, merged with another court, or otherwise been transformed from the original drug court structure; 2) more court would have been unable to produce data on graduates; 3) since more courts begin operations each year, a smaller proportion of courts in operation today would have been eligible for the study. A shorter follow-up period would have produced a set of findings that were more limited.

In order for two years worth of data to be collected about drug court graduates, it was necessary to work backwards from the date when data was to be submitted to the FBI, which would be the end date for any new arrest information. September 1, 2002 was selected as the end date. Therefore, to be eligible, sample members would have to have graduated by September 1, 2000, which also allowed thirty days for new arrest data to 'catch up' in the FBI database.[9]

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[8] OJP Drug Court Clearinghouse and Technical Assistance Project. The American University. *Summary Information on All Drug Court Programs and Detailed Information on Adult Drug Courts*. June 20, 2001.

[9] Subsequent discussions with researchers at the FBI suggested that the lag in reporting data to the FBI criminal justice history database was far shorter than anticipated. As a result, only a lag of a single month was used in the analysis.

In selecting the earliest date a drug court participant could graduate and be eligible for participation, the study sought to balance the tension between 1) establishing a long enough follow-up period to allow for the recruitment of a sufficient sample size and 2) the difficulties associated with the retrospective study of a sample that had graduated too long ago to provide meaningful information to current drug courts. For both pragmatic and theoretical reasons, the study therefore extended the earliest eligible graduation date back 21 months, beginning January 1, 1999. Drug court graduates were therefore eligible if they had graduated between January 1, 1999 and September 1, 2000.

The study also excluded drug courts that were very new at the time drug court graduates began participating. The drug court literature suggests that the average period of successful treatment retention (e.g. time to graduation) for a drug court client is 12 to 15 months.[10] Therefore, it would be expected that drug court participants who had graduated by September 30, 2000, would have had to have begun participating in drug court prior to July 1, 1999. A drug court participating on January 1, 1999 would likely have begun participating in drug court at the end of 1997. In order to avoid capturing the effects of start-up issues on program outcomes, the study would have required that at least one year had passed between the beginning of court operations, and the date of the first eligible graduate. Therefore, all eligible drug courts had to have begun operations by January 1, 1997. However, the number of drug courts was increasing rapidly enough at this time that such a restriction would have overly limited the population of eligible drug court graduates. Therefore, a date of January 1, 1998 was selected as the latest possible date an eligible drug court could have commenced operations.

Drug courts meeting these eligibility requirements range in size from drug courts with more than 5,000 graduates to small drug courts with fewer then five reported graduates. In order to select a sample that best represented the total population of graduates, while limiting the resource-intensive data collection process, we chose to select only those drug courts with more than 40 graduates (116 drug courts). The minimum of 40 graduates was selected through an iterative process that sought to maximize the number of eligible drug court graduates while minimizing survey resource requirements. This strategy yielded a sample of graduates which account for over 97 percent of all drug court who graduated from the 95 drug courts included in the sample.[11]

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[10] Belenko, Stephen R. (2000). Research on Drug Courts: A Critical Review 1999 Update. *National Drug Court Institute Review*. Volume II(2): 1-58.

[11] Number of graduates were missing from the AU data on 15 percent of drug courts. For these courts, we created estimates of the expected graduation rates for annual cohorts (where cohorts were defined by the age of the court on July 1, 2000). These estimated graduation rates were then multiplied by the total enrollment to create an esti-

2.2   Data Collection

The survey of eligible drug courts was designed with the intention of collecting identifying information that could be used to match drug court graduates with FBI criminal history records. As shown in Table 2, these data elements were limited strictly to characteristics that would allow for that matching process. Our past research experience suggested that other data, even basic demographic data such as employment or marital status, was not available from many drug courts.

The number of graduates for whom information was requested from each site was a function of the size of the court. Overall, the survey requested data on about 2,500 graduates. This sample size was selected to produce a narrow confidence estimate for recidivism estimates while not presenting an overly burdensome request for the FBI. Smaller drug courts were asked to provide identifying data on the first 40 graduates with a graduation date after January 1, 1999. Larger drug courts were asked to provide a sample of 80 drug court graduates. Because a very small number of drug courts have relatively large numbers of graduates, we placed an upper bound on the number of subjects from each court, to limit the data collection burden placed on larger drug courts and therefore increase survey response rates. Information from graduates of large drug courts was later weighted to reflect the true distribution of graduates across drug courts by size.

Use of this criterion (e.g., selecting the first *n* graduates in the sampling frame) introduces one potential bias, but removes another. By requiring drug courts to submit the first group of graduates in a given year, no subjective criteria were used to select the panel, and there is no *a priori* reason to expect that the sample selected is biased with respect to individual, court or community characteristics. However, because the sampling frame begins in January, the sample is disproportionately more likely to have graduated in the winter or early spring. Forty-five percent of the sample graduated in January, February, March or April of 1999. Therefore, to the extent that there are seasonal effects on offending, the estimates may be biased.

In June 2002, packets were distributed to the 115 drug courts meeting the criteria described above. They included a letter from NIJ endorsing the study, a set of instructions for completing the survey, and a copy of the survey instrument (Appendix A). Five drug courts were subsequently excluded from the sample, because: 1) the court was no longer operational, and no data were available; 2) the court did not have a sufficient number of total graduates; 3) the court did not meet minimum data requirements because they did not track their clients.

mate of the number of graduates. In addition, nine courts established as DWI or DUI courts were excluded from the sample.

These conversations also led to the discovery of an additional court that was able to respond to the survey. In total, between June and August, data were obtained from 100 of the 110 eligible drug courts.[12] The data provided for individual graduates were:[13]

<div style="border:1px solid">

TABLE 3
SURVEY DATA ELEMENTS
- Name
- Gender
- Race
- DOB
- Place of birth
- Social Security number
- Drug court entry date
- Drug court graduation date
- FBI number
- Fingerprint number
- Aliases

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Data collected from the drug courts were kept in secure files, in a secure room. The data security plan that directed the development and analysis of study data was approved by the Urban Institute Institutional Review Board.

2.3   Sampling

Once data were received, a random number generator was used to select cohorts from each court's submission. On average, the process was designed to select half of the sample submitted by each drug court. For small drug courts, the expected mean number of graduates selected was 20 out of 40, and for larger drug courts the expected mean number of graduates selected was 40 out of 80.

Data were delivered to the FBI Criminal Justice Information Services Division (CJIS) for a search of the internal criminal justice history database. The system uses the Integrated Automated Fingerprint Identification System (IAFIS) through the criminal history arrest segment, the

[12] Recidivism data from one court was obtained directly from that court. Rather than providing the researchers with identifying information for a subsequent FBI criminal history check, the site conducted the FBI criminal history check and submitted those results. A random process was used to select a sample from within the cohort.

[13] Requests for data were generally sent to the drug court administrator. Survey data are therefore assumed to be official court records, but the source of data for each graduate is not known.

Interstate Identification Index (III), to link individuals to their criminal justice history. The internal criminal justice history files include arrests reported to the FBI from reporting agencies.[14] Arrests are only included in this database if they meet a standard as a 'criterion offense.' Criterion offenses exclude any arrest for a crime that does not have a minimum sentence of at least one year. A list of offenses that are excluded from this database, and are therefore excluded from this analysis, can be found in Appendix B. In addition, a criminal history event is entered into the database only if an individual has been both arrested and charged for that offense.[15]

It is important to note that the FBI maintains two separate systems for identifying arrest information. The second database is generally referred to as NCIC, which is commonly assumed to be synonymous with 'FBI data.' It is not. This database is queried through terminals in participating police agencies, and includes data from both the FBI criminal history files described above, and a separate query of state databases. State databases may include criminal histories of arrests that would not be eligible for inclusion in the internal FBI database. Because the quality of State databases may vary widely, and the types of offenses reported therein may also vary widely, this database was *not* used in this analysis.

Hard copies of arrest records were promptly received from the FBI. For any particular graduate, it was possible to receive numerous "potential" records. Records received from the FBI included multiple matches on about fifteen percent of the sample. Researchers at Caliber Associates manually went through these records to match on the key characteristics listed above, in order of reliability of the variable used for the match: fingerprint number, FBI number followed by social security number. If a conclusive match could not be made, the individual was assumed to have had no serious arrests during the study. Drug court graduates for whom no criminal history was received were also assumed to have had no serious arrests.[16]

In total, researchers were able to match more than 85% of graduates to an FBI record.[17] The following additional data elements were collected for each graduate from the FBI data:

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[14] Discussions with FBI researchers suggest that at least 95 percent of police agencies consistently report data to this database.

[15] According to FBI researchers, this database includes disposition information for only about half of all arrests. Because there may be systematic bias in the distribution of dispositions within the database, dispositional information was not considered in this analysis.

[16] To the extent that a drug court graduate could not be conclusively matched to an FBI record detailing an arrest that did occur, the report will tend to underestimate the true recidivism rate.

[17] Given that many drug courts expunge a conviction upon graduation, and given that all sample members had graduated from a drug court, it is not surprising that no criminal history records existed for some graduates.

- Count of prior arrests (before drug court)

- Arrest date for 1st arrest date after graduation from drug court (if applicable)

- Number of charges related to arrest

- Type of charge (drug, property, violent, other)

- Total number of arrests after graduation from drug court

- Total number of charges after graduation from drug court

2.4   Univariate Analysis

The resulting sample consisted of 2,146 graduates from 100 drug courts.[18] Of these, several graduates included in the data submitted from the drug courts had graduated either earlier than January 1, 1999 or later than September 30, 2000. These records were dropped from the sample. In excluding records from outside the sampling frame, it was evident that four drug courts had provided cohorts entirely composed of records for graduates who graduated after the end of the sampling frame. Therefore, these drug courts were dropped from the analysis. This resulted in a final sample of 2021 graduates from a total of 95 drug courts.

Table 4 shows the distribution of the sample on key court characteristics. Most of the drug courts in the sample had begun operations relatively recently, with more than 60 percent having begun operations in 1996 or later. Even though many were new, they had a substantial number of graduates. More than 80 percent of the sample had at least 100 graduates by July, 2001, and almost 20 percent had more than 500. The median annual graduation was slightly above 100 graduates per year. As noted earlier, most of the sample had graduated early in the sample frame, with more than half having graduated by June 1999.

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[18] The random number generator used in defining the size of the sample to be drawn from each court cohort assigned a sample size of zero to one court. No subsequent data were analyzed from this court.

TABLE 4	
CHARACTERISTICS OF SAMPLE DRUG COURTS (N=95)	
Number of graduates (thru July 1, 2001)	
Less than 50	6.3%
51-99	13.7%
100-249	41.1%
250-499	20.0%
More than 499	19.0%
Number of annual graduates (estimated)	
Less than 50	17.9%
51-99	24.2%
100-249	39.0%
250-499	15.8%
More than 499	3.2%
Date Court Opened	
1989-1994	21.1%
1995	17.9%
1996	25.3%
1997	28.4%
1998	7.4%
Graduation Date	
January-March, 1999	33.4%
April-June, 1999	27.3%
July –September, 1999	14.0%
October-December, 1999	8.3%
January, 2000 -	17.0%

Due to the sampling process, the final sample does not represent the true population of graduates from these 95 drug courts. The sampling process described in 2.2 and 2.3 resulted in a sample that under-represents drug court graduates from small drug courts, and over-represents drug court graduates from large drug courts. To account for the over-sampling of some drug courts and under-sampling from others, we next computed weights that could be applied to sub-sequent analysis. By weighting individual records, we are able to approximate the full population of drug court graduates during the sampling frame.

The weighting procedure involved two steps. The weights were computed to represent the population of individuals graduating from the 95 relevant drug courts during the year from which the exit cohort was derived. A count of the total number of individuals graduating from a court in any given year was not available from any source. To create an estimate of the number of graduates in each year, we first computed the average monthly graduation rate since operation (i.e., number of graduates per month since the court opened) and then used this number to esti-mate the number of graduates in any given year. Data on the total number of graduates since the court opened were not available from five of the 95 drug courts. For these drug courts, the aver-

age number of graduates from drug courts that were operational for comparable periods of time were used to estimate the number of graduates.

The estimated number of graduates for all 95 drug courts resulted in a population size of 17,962 graduates for the period in the sampling frame. Weights were therefore constructed to make the available sample of 2,021 graduates represent these 17,962 graduates. The court specific counts of the population of graduates (the desired distribution) were divided by the court specific distribution of the sample of graduates (the current distribution) and the resulting ratio was used in all subsequent analysis as the weights.

The analysis examined four dependent variables:

- The likelihood a drug court graduate had any arrest (and charge) with a serious offense in the first year after graduation;

- The likelihood a drug court graduate had any arrest (and charge) with a serious offense in the first two years after graduation;

- The number of times a drug court graduate was arrested and charged with a serious offense in the first year after graduation;

- The number of times a drug court graduate was arrested and charged with a serious offense in the first two years after graduation.

These descriptive statistics were generated by standard univariate techniques, with weights, in SAS 8.0.

2.5 Multivariate Analysis

Once the final dataset had been collected and analyzed, a subsequent process was undertaken to collect and analyze court- and individual-level effects on the four dependent variables described in 2.4. Data were collected from the *1999 Adult Drug Court Survey*, conducted by the OJP Drug Court Clearinghouse & Technical Assistance Project at American University. These data provide a wealth of information about drug court-level characteristics, including participant demographics, court eligibility, and court structure. The *1999 Survey* provides particularly relevant data, as most of the drug court participants in this study were enrolled in drug courts at about the time the data in the *1999 Survey* were collected.

The study matched drug courts in the *1999 Survey* to drug courts eligible for this study. In total, 72 of 95 drug courts responded to the *1999 Survey*. Unfortunately, the data in the survey was of only limited utility. The data were designed to answer a different set of research questions

than those posed by this study, and as a result, few data items were available for analysis.[19] In addition, many respondents had missing data for some items. Given the small sample size of our court cohort, this limited further the number of items that were amenable to analysis.

However, two items of particular interest were included in this analysis. First, drug courts reported the number of drug court participants that had graduated by 1999. Combined with data about the beginning date for drug court operations, we were able to construct an annual graduation rate variable, to test whether drug courts with more graduates had differential recidivism rates. It should be noted that the mean number of annual drug court graduates is almost double the median presented in Table 5 (203) due to the presence of a few very large courts.

In addition, the *1999 Survey* did contain consistent information about the primary drug used by each drug courts participant (alcohol, marijuana, cocaine/crack, heroin, methamphetamine, poly-drug), and the severity of their drug problems (minimum, moderate, severe).[20] Although these data did not describe the proportion of drug court participants in each category, we were able to construct 18 dummy variables, one for each combination of primary drug and severity level. From these data, we constructed a simple binary measure of the severity of drug use problems among court participants. Courts were assigned a high value if they accepted participants with severe cocaine/crack and severe heroin problems or severe methamphetamine problems. All other courts were assigned a low value. As Table 5 shows, almost all courts accept participants with severe cocaine/crack problems. Therefore, any measure that simply assigns high severity of problems if any population with severe problems with a serious drug (heroin, cocaine, methamphetamine) will have almost no variation in this sample.

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[19] For instance, the *1999 Survey* asked courts to identify the primary source for eligible participants (i.e., diversion, post-adjudication, probation, etc.). We had hoped to be able to determine whether courts with different eligibility had different rates of recidivism. However, these categories were not mutually exclusive, and therefore we could not determine what proportion of participants came to the court from each source, and therefore analysis would not have yielded meaningfully findings.

[20] Significant data were missing for eight of the 72 courts.

TABLE 5	
CHARACTERISTICS OF SAMPLE DRUG COURTS (N=64)	
Median Number of annual drug court graduates (thru July 1, 2001)	113.2
Primary Drug Used by Drug Court Participants	
Alcohol (minimum)	20.3%
Alcohol (moderate)	64.6%
Alcohol (severe)	51.6%
Marijuana (minimum)	21.2%
Marijuana (moderate)	56.3%
Marijuana (severe)	64.1%
Cocaine/crack (minimum)	15.8%
Cocaine/crack (moderate)	35.9%
Cocaine/crack (severe)	81.2%
Heroin (minimum)	17.2%
Heroin (moderate)	39.1%
Heroin (severe)	51.6%
Methamphetamine (minimum)	23.4%
Methamphetamine (moderate)	28.1%
Methamphetamine (severe)	46.9%
Poly-drug (minimum)	17.2%
Poly-drug (minimum)	43.8%
Poly-drug (minimum)	51.6%
Severe Drug Use Scale (1=high)	0.55

The survey does not report individual-level data. No other source of individual level data about the drug court graduates included in this study could be identified. Therefore, data describing the drug court graduates in the sample were limited to those data elements collected from individual drug courts (age, race, gender) as described in Table 6.

TABLE 6 CHARACTERISTICS OF DRUG COURTS PARTICIPANTS	
Mean age n=2017	33.3 years
Under 24	21.6%
24-30	18.8%
30-36	19.8%
36-42	17.3%
Over 42	22.6%
Gender (1=male) n=1963	68.6%
Race n=2004	
White	30.6%
Black	55.2%
Non-Black Minority	14.2%

The analysis modeled the effects of the three individual-level independent variables (age, gender, and race categories)and the two court-level independent variables (average annual number of drug court graduates and drug use severity score) on the four dependent variables. The study used a multilevel model to account for the nested data structure. Modeling was conducted using SAS 8.0, by applying the PROC MIXED procedure and the GLIMMIX macro. The two binary dependent variables were modeled using a binomial error distribution and the two count dependent variables were modeled using a log link and a poisson error distribution.

3.   RESULTS

Within a 1-year follow up period, 16.4 percent of the sample had been rearrested and charged with a serious offense (Table 7). Without using the weights, 14.4 percent of the non-representative sample had been rearrested and charged with a serious offense within the one-year follow up period. Within a 2-year period, 27.5 percent of the sample had been re-arrested and charged with a serious offense. Without using the weights, 25.5 percent of the non-representative sample had been rearrested and charged with a serious offense within the two-year follow up period.

TABLE 7	
ESTIMATE OF RECIDIVISM RATES (N=2021)	
One Year Recidivism	
Weighted	16.4%
Un-weighted	14.4%
Two Year Recidivism	
Weighted	27.5%
Un-weighted	25.5%

Recidivism rates vary by court size, with larger drug courts tending to have higher recidivism rates. Drug courts were grouped into approximately equal quintiles based on the average annual number of graduates and recidivism rates were computed within each of these groups. The groupings were created using the un-weighted graduation class sizes, but the recidivism rates are weighted to reflect the full population of drug court graduates. The resulting group rates are presented in Figure 5. The four smallest groups had a weighted recidivism rate between 11.2 percent and 14.6 percent The largest court grouping had a one-year recidivism rate of 19.3 percent.

FIGURE 5
RECIDIVISM RATES BY COURT SIZE (N=2021)
(ONE-YEAR RECIDIVISM)
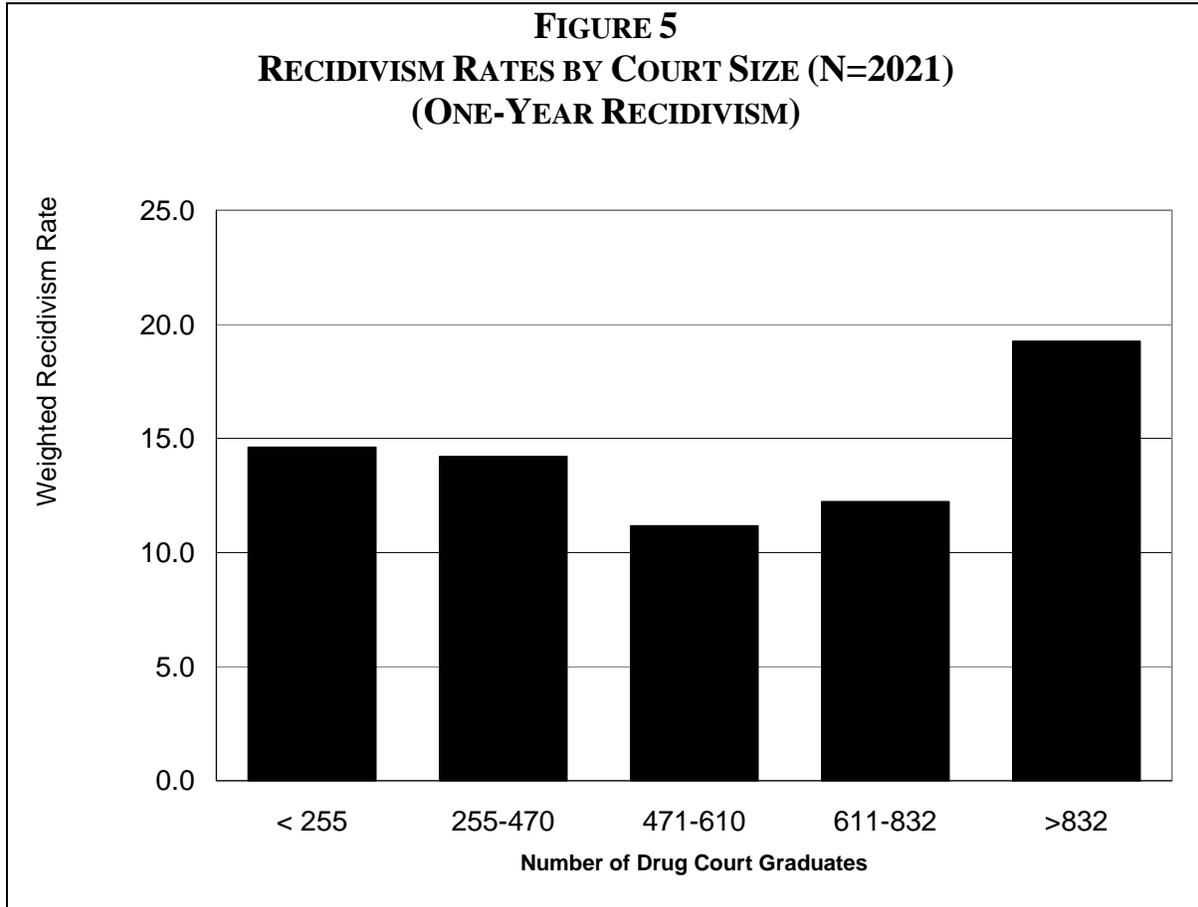
An analysis of the 2-year recidivism data (Figure 6) by the size of court produces a similar finding. Groupings of drug courts with a small or medium number of graduates had two year recidivism rates between 22.5 percent and 24.0 percent. The largest 19 drug courts had an average 2-year recidivism rate of 30.8 percent. For both sets of analyses, the drug courts with the largest number of annual drug court graduates, represented nearly half the weighted sample of drug court graduates.

FIGURE 6
RECIDIVISM RATES BY COURT SIZE (N=2021)
(TWO-YEAR RECIDIVISM)
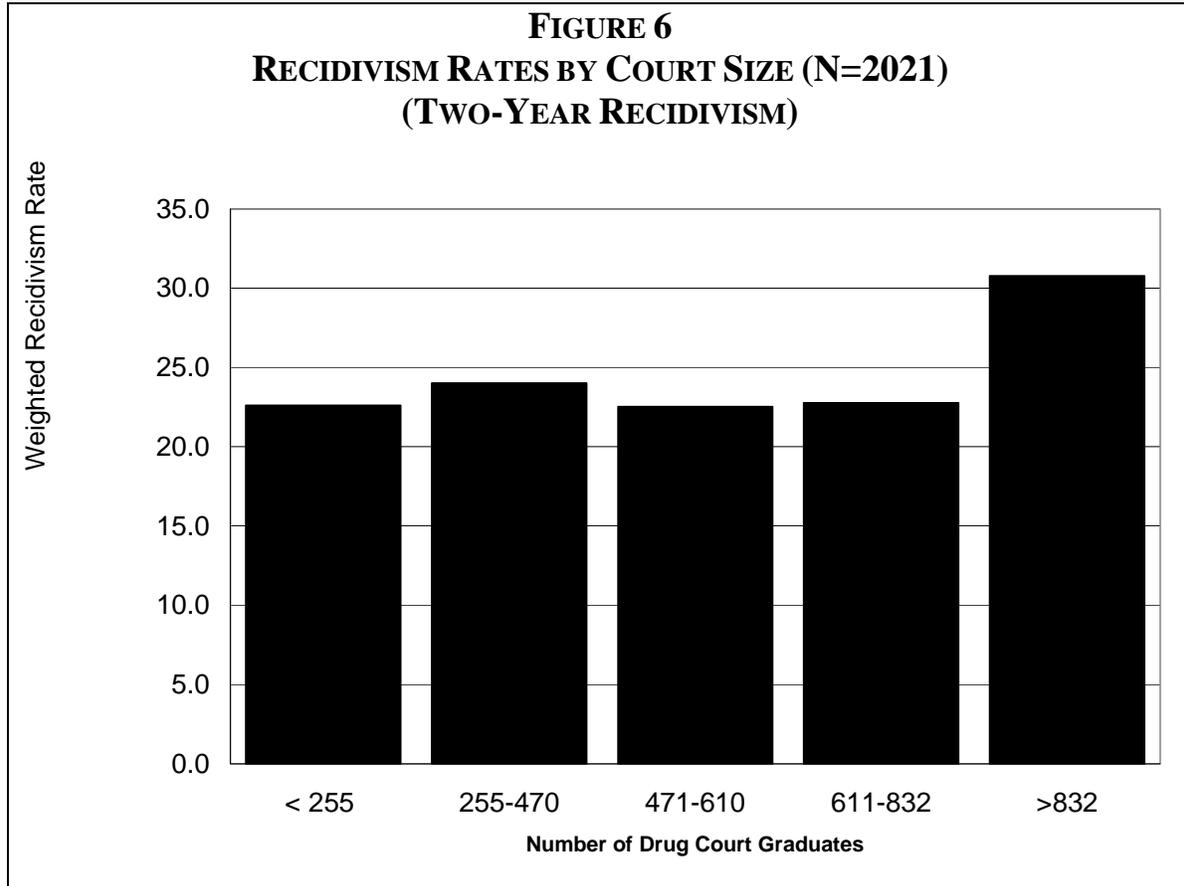
Since the recidivism rates were found to vary between court sizes, we further disaggregated the data to test whether the recidivism rates were stable across different drug courts. Clearly some drug courts have very few graduates and rates computed from such small subsamples are unreliable. We, therefore, use group wise analysis only to investigate if there are discernable skews, e.g. tendencies for the recidivism rates to be clustered around a recidivism rate with a few outliers in one direction or the other. If such skews are observed then caution should be used in presenting a single recidivism rate (for example the weighted average) to represent all drug courts.

As shown in Figure 7, the distribution of court-specific recidivism is skewed. Thirty-eight of the 95 drug courts have an average recidivism rate of drug court graduates of less than 10 percent in the first year after graduation. Only seven of the 95 drug courts have an average recidivism rate of drug court graduates of more than 30 percent in the first year after graduation.

FIGURE 7
RECIDIVISM RATES BY NUMBER OF DRUG COURTS (N=2021)
(ONE-YEAR RECIDIVISM)
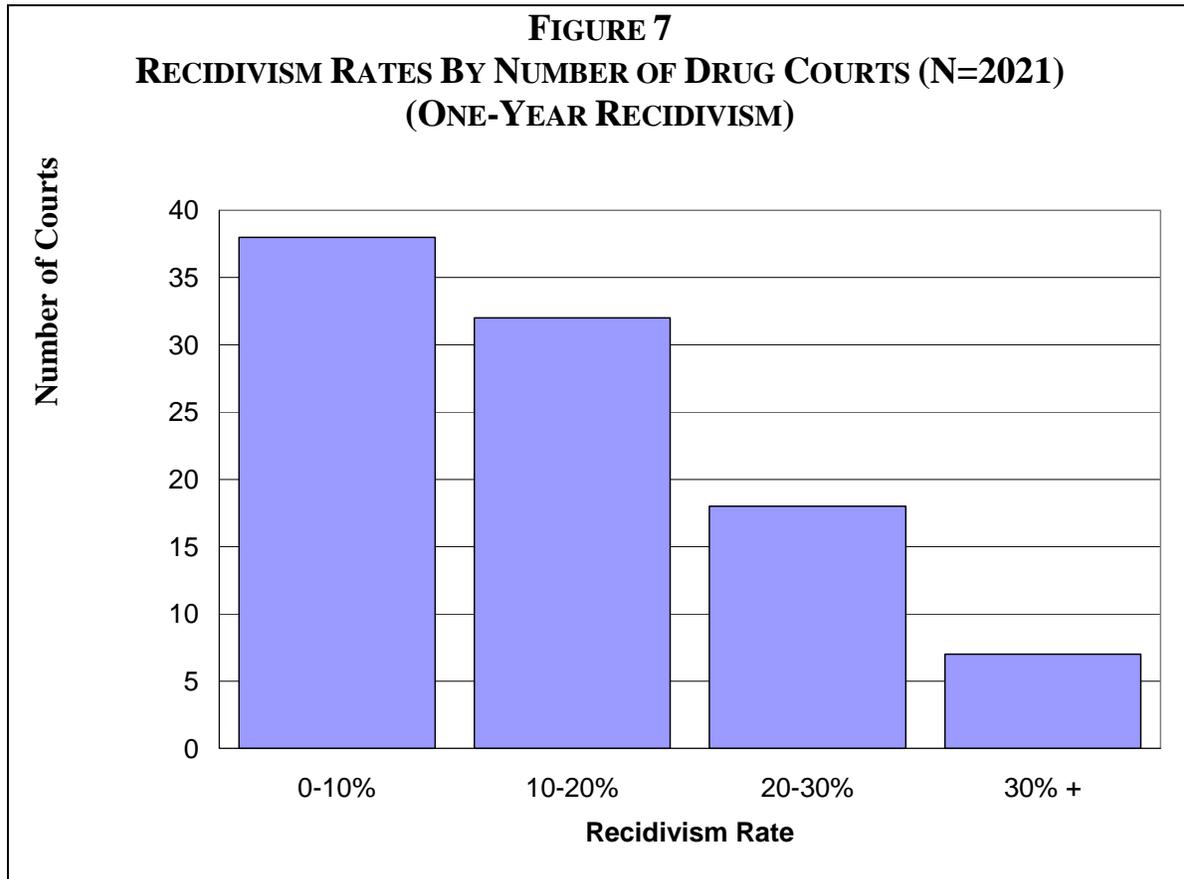
The story is somewhat different for the first two years after graduation. The mean recidivism rate for drug court graduates in the first two years after graduation is 27.5%. The pattern of recidivism rates for the average drug court graduate at the court level is much more evenly distributed after two years. While a few courts still have very low average graduate recidivism rates, most courts have an average rate that approximates the group mean.

FIGURE 8
RECIDIVISM RATES BY NUMBER OF DRUG COURTS (N=2021)
(TWO-YEAR RECIDIVISM)
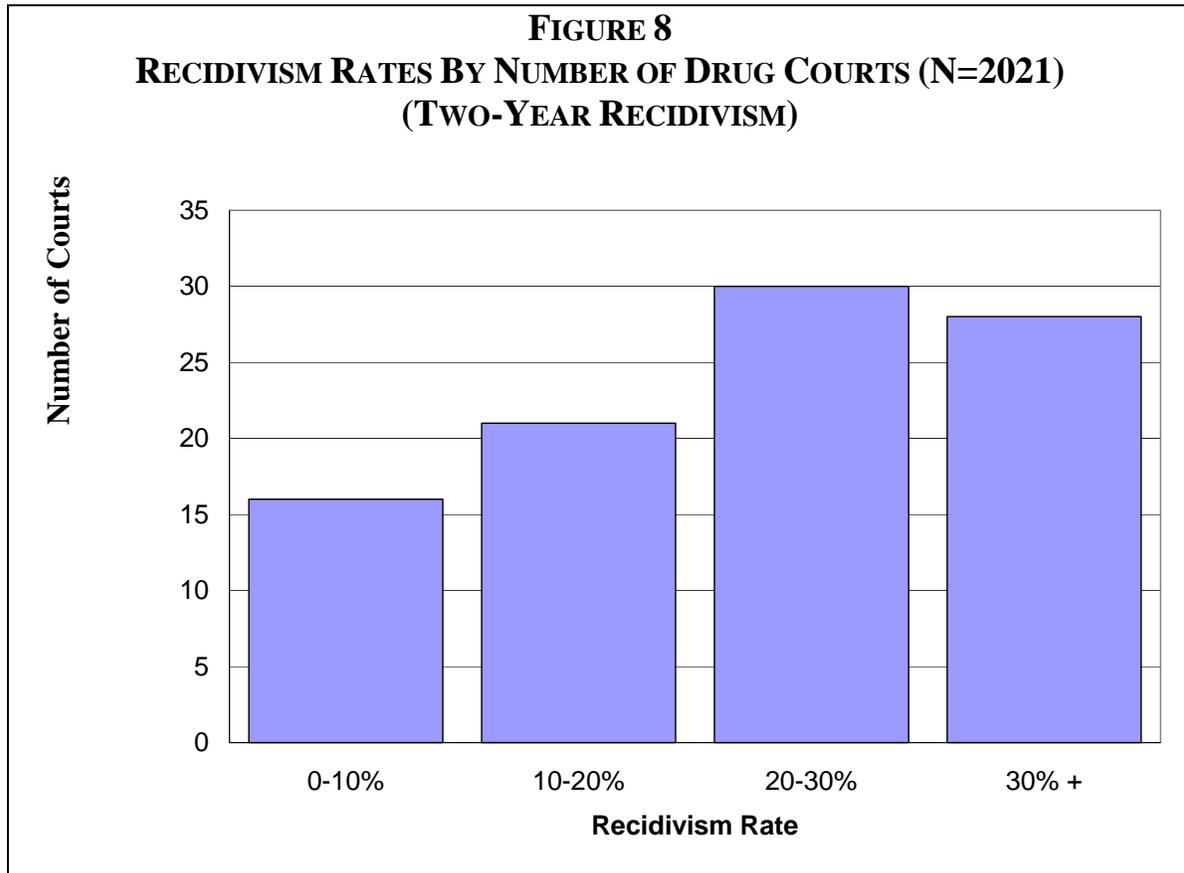
If these few drug courts with high recidivism rates had disproportionately large numbers of graduates, than these courts would tend to lead to a finding of a higher overall mean. This *does not* mean that the estimate for the overall recidivism rate for drug court graduates is incorrect. Regardless of how many or how few drug courts account for most of the drug court graduates, the mean recidivism rate for the population of drug court graduates is estimated at 16.4 percent for the first year post-graduation. These data suggest, however, that the mean one-year recidivism rate *for the average court* would tend to be less than the recidivism rate for the full population of drug court graduates. A few drug courts have very high rates, and these drug courts, as was shown in Figures 6 and 7, tend to have higher recidivism rates than other drug courts. Since these drug courts have large numbers of graduates they create most of the overall pool of graduates. Therefore, these data suggest that the average court has a lower recidivism rate than does the overall pool of drug court graduates, for the first year post program entry.

Next, to assess the stability of recidivism rates over time, we performed non-parametric survival analysis. This survival graph (Figure 5) presents the average amount of time from graduation until an arrest occurs. It is used to answer hypotheses about when graduates are most

at-risk for recidivating. For example, it has often been suggested that the period immediately af-ter graduation, when participants are first released from court oversight, is the most important period as graduates as it is perceived as the time when graduates are at the greatest risk of com-mitting new crimes. Figure 9, however, shows a fairly linear and stable downward trend, thereby indicating stable recidivism rates over time (at least over a one year follow-up period). In other words, for the 1-year follow up period, graduates that were arrested for a serious offense were arrested at a fairly constant rate. Therefore, the risk of failing at any point in time is fairly stable. The data in Figure 9 are the data for the un-weighted sample.

FIGURE 9
PROBABILITY OF A RE-ARREST IN 1ST YEAR AFTER GRADUATION
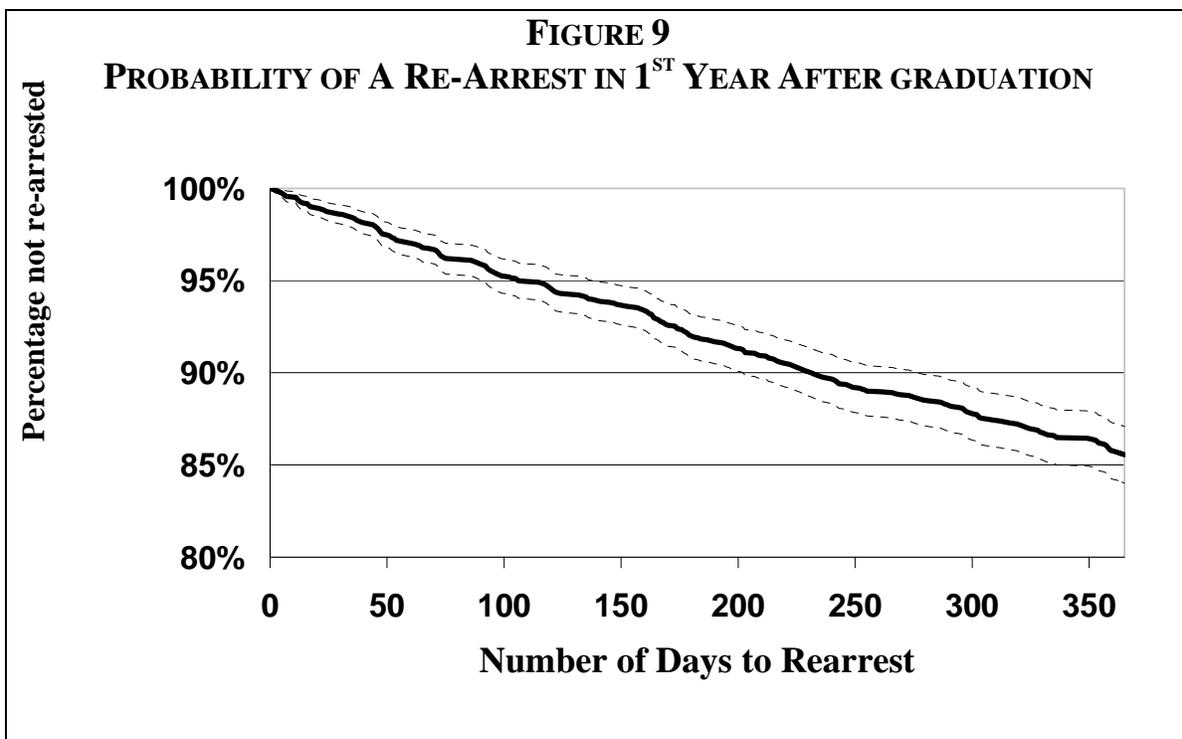
Data presented in Figure 10 show the non-parametric survival analysis for the first two years after graduation. These data also suggest that there is a linear trend in re-arrest likelihood, and that there appear to be no periods during which a drug court graduation is substantially more, or substantially less, at-risk for a new arrest.

FIGURE 10
PROBABILITY OF A RE-ARREST IN 1ST TWO YEARS AFTER GRADUATION

Percentage not re-arrested

100%
95%
90%
85%
80%
75%
70%

0   150   300   450   600

Number of Days To Re-Arrest
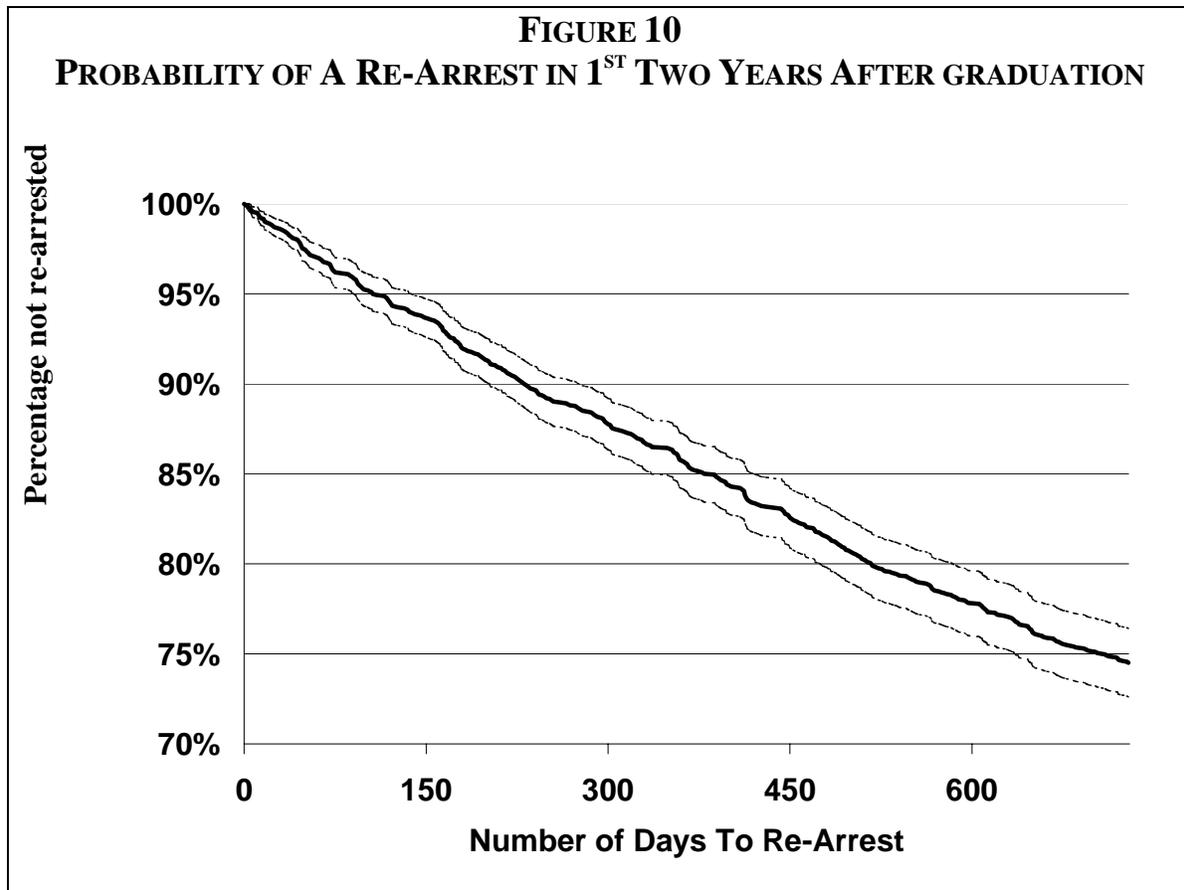
A multilevel analysis was conducted to test whether three individual level characteristics (participant age, race and gender) and two court level characteristics (size of the court as measured by the annual number of drug court graduates, and severity of the drug use problems of court participants) affected recidivism rates. The analysis examined four dependent variables:

- The likelihood a drug court graduate had any arrest (and charge) with a serious offense in the first year after graduation;

- The likelihood a drug court graduate had any arrest (and charge) with a serious offense in the first two years after graduation;

- The number of times a drug court graduate was arrested and charged with a serious offense in the first year after graduation;

- The number of times a drug court graduate was arrested and charged with a serious offense in the first two years after graduation.

The analysis used a two-level model designed to correct for the nested structure of the data (individual drug court graduates nested within drug courts). The analysis was conducted in SAS 8.0, using the PROC MIXED procedure and the GLIMMIX macro. The two binary dependent variables were modeled using a log link and a poisson error distribution (Table 10). The two count dependent variables (counts of the numbers of arrests in the first year and first two years) were modeled using a binomial error distribution (Table 11). A significance level was established where $\alpha=0.10$. While this significance level is higher than the alpha level specified in most literature, the approach taken here was a descriptive one, and was not designed as hypothesis testing.

TABLE 8				
ESTIMATES OF INDIVIDUAL AND COURT EFFECTS ON THE LIKELIHOOD OF ANY ARREST (N=2021)				
Individual			**One Year**	**Two Years**
	Age			
		Under 24	0.45** (0.19)	0.29* (0.16)
		24-30	0.19 (0.20)	0.17 (0.16)
		30-36	--	--
		36-42	0.12 (0.20)	-0.08 (0.16)
		42+	0.05 (0.21)	-0.31 * (0.17)
	Race			
		Black	0.41*** (0.15)	0.44** (0.13)
		White	-0.08 (0.21)	0.04 (0.12)
		Non-Black minority	--	--
	Gender			
		Female	-0.27* (0.14)	-0.25** (0.12)
Court				
		Annual number of graduates	0.00* (0.00)	0.00* (0.00)

*p<0.10 ** p<0.05 *** p<0.01

The results in Table 8 support findings that appear in most drug court literature. Age was negatively associated with recidivism risk in both periods, that is, older participants tended to have lower rates of recidivism. More specifically, those drug court graduates under the age of 24 were significantly more likely to be re-arrested and charged with a serious offense than the median age cohort (30-36) which was defined as the reference group. Blacks were significantly

more likely to be re-arrested and charged with a serious offense than non-Black minorities. Women were significantly less likely to be re-arrested and charged with a serious offense than were men. In general, drug courts with larger annual graduating cohorts had significantly higher re-arrest rates than smaller drug courts.

TABLE 9				
ESTIMATES OF INDIVIDUAL AND COURT EFFECTS ON THE NUMBER OF ARRESTS (N=2021)				
Individual			**One Year**	**Two Years**
	Age			
		Under 24	0.37* (0.19)	0.36** (0.14)
		24-30	0.21 (0.20)	0.11 (0.15)
		30-36		
		36-42	0.56*** (0.19)	0.16 (0.15)
		42+	0.27 (0.21)	-0.26 (0.17)
	Race			
		Black	0.21 (0.14)	0.13 (0.11)
		White	-0.37* (0.21)	-0.24 (0.16)
		Non-Black minority		
	Gender			
		Female	-0.36** (0.14)	-0.55*** (0.12)
Court				
		Annual number of graduates	0.00** (0.00)	0.00 (0.00)

* p<0.10 ** p<0.05 *** p<0.01

With respect to the number of re-arrests in Table 9, the results generally follow the results from Table 8. The youngest cohort was significantly more likely to be re-arrested with a serious offense more times than the reference group in both follow-up periods. Women were re-arrested with a serious offense significantly fewer times in both follow-up periods. However, in terms of the number of re-arrests, Blacks were not more likely to be re-arrested more times than non-Black minorities with a serious offense. Whites were re-arrested significantly fewer time with serious offenses than non-Black minorities in the first year after graduation. The size of the annual graduating drug court cohort was associated with significantly more arrests with a serious offense only in the first year after graduation. Finally, it is interesting to note than the cohort of

graduates aged 36-42 were arrested with a serious offense significantly fewer times in the first year after graduation.

Other models were run using data collected from the *1999 Adult Drug Court Survey* conducted by the OJP Drug Court Clearinghouse & Technical Assistance Project. Seventy-two of 95 drug courts were matched to this survey and included in this analysis. Six drug courts were missing data on the primary drug used indicator, and were not included in this analysis. The total weighted sample of drug court graduates included in this analysis was 1,056. Repeated models did not converge, and no estimates could be generated from these model specifications.

4.   LIMITATIONS

The goal of this project was to develop an estimate of the average recidivism rate for drug court graduations. These estimates are therefore not intended to develop an estimate of the average recidivism rate of a *drug court*. A study with that goal would likely have employed a very different sampling strategy, focusing on collecting data on a representative sample of drug courts, rather than collecting data on a representative sample of drug court graduates, as was the approach in this study. Therefore, it is important that these recidivism estimates be applied in the appropriate context: as a benchmark for recidivism among drug court graduates, and not as a benchmark for recidivism among drug courts.

Drug court graduates have many characteristics that differentiate them from other drug court participants. Some of these differences can be identified at the time these individuals enter a drug court; some of them can not. As a result, estimates of drug court graduates recidivism is likely to be very different than would be the recidivism rates for all drug courts participants. Using these benchmark estimates as a standard with which to compare the recidivism rates of all drug court participants is equally inappropriate. Just as a drug court evaluation that compares graduates to failures is not making an appropriate comparison, comparing recidivism rates for drug court graduates to other (sub)groups of drug court participants will lead to inaccurate conclusions.

Many factors contribute to these recidivism rates. Developing any estimate of the outcomes for a single group at a single point in time creates an opportunity for those data to be misused. In this case, it would be easy to use these estimates to conclude that drug courts work, or to conclude that drug courts do not work. Neither conclusion can be drawn from these data. Without a comparison group drawn who are comparable to drug court graduates along multiple di-

mensions, no conclusions about how effective or ineffective drug courts are should be drawn from these estimates.

5.   FURTHER ANALYSIS

This analysis could be augmented in several ways that will provide the opportunity to seek answers to several policy relevant questions.

Variation in Drug Court Type. The drug courts included in this study can be divided in several different ways to test whether different drug court models are associated with differential outcomes. For example, pre- and post- adjudicatory models are hypothesized to result in variations in leverage over clients. Drug courts may also be of varying intensity which can be instrumented by the program's graduation rate.

Variation in Community Context (Direct). The drug courts in this study are situated in distinct cities and hence the graduates are being released to different structural and socio-economic environments. An important policy question is to assess the impacts that these characteristics may have on the recidivism rates of the graduates released therein.

Variation in Community Context (Indirect). The impacts of the characteristics of the community may be indirect (mediated through drug court types and/or demographic characteristics). For example, the unemployment rate may be an important correlate of recidivism rates only for males and not for females. Or, the poverty level may be an important correlate of recidivism only under certain policy regimes (where drug courts with less intensive protocols may graduate participants who are particularly at-risk given the relative disadvantages of their community).

APPENDIX A:
SURVEY MATERIALS

June 7, 2002

Memorandum

TO: Past and Present Drug Courts Program Office Grant Recipients

FR: Marilyn M. Roberts, Director, Drug Courts Program Office

RE: Survey of Drug Courts to Produce a National Estimate of Drug Court Recidivism Rates

I am writing to ask that you participate in an important study designed to provide estimates of recidivism among drug court graduates. As a DCPO grant recipient, your court has been selected to be part of a national sample of courts. As part of the study sample, you are being asked to provide a list of graduates during specific years with identifying information to be used to match to arrest records.

The study is being conducted by Caliber Associates and their subcontractor, the Urban Institute, with funds from the Drug Courts Program Office (DCPO) through the National Institute of Justice. The data you provide will be protected under a data security plan approved by a certified Institutional Review Board and no data identifying individuals will be released by the research team. Results will not be presented for individual courts.

I hope you will agree with me that a national recidivism estimate will benefit the entire drug court field. The study will take approximately six months to complete and the results will be available relatively soon to assist you in your efforts to demonstrate drug court effectiveness. For the study to succeed in drawing a nationally representative sample, all DCPO courts will need to remember their agreement to participate in national evaluation efforts. Caliber Associates will be contacting your drug court for basic information about your program graduates. I encourage you to make every effort to be responsive when contacted by Caliber Associates.

Thank you in advance for your contribution to this important effort. It should not be long before you see the results of your participation.

June 7, 2002

Honorable Judge:

Over the next six months Caliber Associates and the Urban Institute will be conducting a study of drug court recidivism for the National Institute of Justice with funds from the Drug Court Program Office. The goal of this project is to generate estimates of recidivism for drug court graduates and for selected subgroups of graduates during the first (and subsequent) year(s) after graduation. As you are well aware, reported rates of recidivism from individual drug courts vary widely, and this has contributed to an ongoing debate over the effectiveness of drug courts. The estimates from this project will provide a benchmark for assessing the impact of drug courts and understanding how recidivism varies by drug court practices and by the types of individuals participating in different courts.

The sampling plan calls for selecting drug courts that meet certain criteria and then selecting graduates from these courts. The sample includes all courts that received a drug court implementation, continuation or enhancement grant from the Drug Court Programs (DCPO) office, were in operation as of January, 1998, and had at least 40 graduates between January, 1999 and June, 2001, as certified by the General Accounting Office and DCPO. Each of these courts is being asked to provide information on graduates to be used to collect recidivism data from the FBI's NCIC database. We will make every attempt to minimize the burden on your staff from this data collection effort.

As a sampled court, we are asking you to provide information for the first [forty] drug court graduates, whose graduation date was on or after January 1, 1999, regardless of their entry date, and regardless of their subsequent disposition, even if that includes a return to your court at a later date. Using the attached form, please provide as much identifying information on each graduate as possible. The items requested include full name, date of birth, gender, race, social security number, place of birth and alias name(s) that will be used to match these individuals to FBI data. To enhance the accuracy of the match to NCIC records, we are asking that you provide the fingerprint number (a ten (10) two-digit alphanumeric code), and/or an FBI number (generally a nine digit alphanumeric code) if at all possible. The FBI number (and fingerprint data) will be available if your jurisdiction has previously requested a criminal history check from the FBI. When you complete the list, please provide a name and phone number of the person we can contact if any follow up questions should arise (at the top of page 1 of the list). Please fax the completed forms to (703) 279-4671 (this is a dedicated fax machine for this project and is housed in a secured office). If you would prefer to mail this back, please use the enclosed self-addressed envelope.

As you may be aware, the effectiveness of drug courts has been subject to more intense scrutiny of late and the need for recidivism estimates is urgent. In order for this study to be completed in a timely manner, we ask that you complete the survey by July 8, 2002. You can be assured that no data identifying individual graduates or courts will be released by the research team. Information collected for this research is protected under a data security plan approved by a certified Institutional Review Board.

Wendy Townsend of Caliber Associates is directing the data collection. She can be reached at (703) 219-4329. A member of the Caliber team will be contacting you shortly to discuss the survey and answer any questions you may have. Please do not hesitate to contact us if you have any questions or concerns about the attached survey.

Thank you in advance for your assistance with this very important project.

Wendy Townsend   John Roman
Caliber Associates   The Urban Institute

CC: Marilyn Roberts
       [COURT COORDINATOR]

Drug Court Graduates: First 40 after January 1, 1999

Drug Court Contact Person and Phone # _____

Name: _____ Sex M F   Race: _____   DOB: _____/_____/_____
First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry _____/____   Graduation _____/_____/_____
City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __
10 characters, 2 digits each

Alias: : _____ Alias: : _____
First, Middle initial or name, Last   First, Middle initial or name, Last

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Name: _____ Sex M F   Race: _____   DOB: _____/_____/_____
First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry _____/____   Graduation _____/_____/_____
City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __
10 characters, 2 digits each

Alias: : _____ Alias: : _____
First, Middle initial or name, Last   First, Middle initial or name, Last

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Name: _____ Sex M F   Race: _____   DOB: _____/_____/_____
First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry _____/____   Graduation _____/_____/_____
City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __
10 characters, 2 digits each

Alias: : _____ Alias: : _____
First, Middle initial or name, Last   First, Middle initial or name, Last

Drug Court Graduates: First 40 after January 1, 1999

Name: _____ Sex   M   F   Race: _____   DOB: _____/_____/_____
      First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth _____ SS# _____   Drug court: entry _____/_____   Graduation _____/_____/_____
      City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # __
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Alias: : _____ Alias: : _____
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Name: _____ Sex   M   F   Race: _____   DOB: _____/_____/_____
      First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth _____ SS# _____   Drug court: entry _____/_____   Graduation _____/_____/_____
      City/state or country if not USA   Month/year   Month/day/year

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Alias: : _____ Alias: : _____
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Name: _____ Sex   M   F   Race: _____   DOB: _____/_____/_____
      First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth _____ SS# _____   Drug court: entry _____/_____   Graduation _____/_____/_____
      City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # __
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Alias: : _____ Alias: . _____
      First, Middle initial or name, Last   First, Middle initial or name, Last

Drug Court Graduates: First 40 after January 1, 1999

Name: _____ Sex M F   Race: _____   DOB: _____/_____/_____
    First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court. entry _____/____   Graduation _____/_____/_____
    City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __
                                             10 characters, 2 digits each

Alias: : _____ Alias: . _____
    First, Middle initial or name, Last   First, Middle initial or name, Last

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Name: _____ Sex M F   Race: _____   DOB: _____/_____/_____
    First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry _____/____   Graduation _____/_____/_____
    City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __
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Name: _____ Sex M F   Race: _____   DOB: _____/_____/_____
    First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry _____/____   Graduation _____/_____/_____
    City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __
                                             10 characters, 2 digits each

Alias: : _____ Alias: : _____
    First, Middle initial or name, Last   First, Middle initial or name, Last

Drug Court Graduates: First 40 after January 1, 1999

Name: _____ Sex M F   Race: _____   DOB: _____ / _____ / _____
First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry _____ / _____   Graduation _____ / _____ / _____
City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # ___ ___ ___ ___ ___ ___ ___ ___ ___ ___
                                                              10 characters, 2 digits each

Alias: : _____ Alias: : _____
First, Middle initial or name, Last   First, Middle initial or name, Last

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Name: _____ Sex M F   Race: _____   DOB: _____ / _____ / _____
First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry _____ / _____   Graduation _____ / _____ / _____
City/state or country if not USA   Month/year   Month/day/year

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First, Middle initial or name, Last   First, Middle initial or name, Last

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Name: _____ Sex M F   Race: _____   DOB: _____ / _____ / _____
First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry _____ / _____   Graduation _____ / _____ / _____
City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # ___ ___ ___ ___ ___ ___ ___ ___ ___ ___
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Alias: : _____ Alias: : _____
First, Middle initial or name, Last   First, Middle initial or name, Last

Drug Court Graduates: First 40 after January 1, 1999

Name: _____ Sex   M   F   Race: _____   DOB: _____/_____/_____
         First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry _____/_____   Graduation ____/____/____
         City/state or country if not USA   Month/year   Month/day/year

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         First, Middle initial or name, Last   First, Middle initial or name, Last

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Name: _____ Sex   M   F   Race: _____   DOB: _____/_____/_____
         First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry _____/_____   Graduation ____/____/____
         City/state or country if not USA   Month/year   Month/day/year

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Alias: : _____ Alias: : _____
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Name: _____ Sex   M   F   Race: _____   DOB: _____/_____/_____
         First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry _____/_____   Graduation ____/____/____
         City/state or country if not USA   Month/year   Month/day/year

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Alias. . _____ Alias: : _____
         First, Middle initial or name, Last   First, Middle initial or name, Last

Drug Court Graduates: First 40 after January 1, 1999

Name: _____ Sex M F   Race: _____   DOB: _____/_____/_____
First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry _____/_____   Graduation _____/_____/_____
City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __
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Alias: : _____ Alias: : _____
First, Middle initial or name, Last   First, Middle initial or name, Last

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Name: _____ Sex M F   Race: _____   DOB: _____/_____/_____
First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry _____/_____   Graduation _____/_____/_____
City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __
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Alias: _____ Alias: _____
First, Middle initial or name, Last   First, Middle initial or name, Last

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Name: _____ Sex M F   Race: _____   DOB: _____/_____/_____
First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry _____/_____   Graduation _____/_____/_____
City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __
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Alias: : _____ Alias: : _____
First, Middle initial or name, Last   First, Middle initial or name, Last

Drug Court Graduates: First 40 after January 1, 1999

Name: _____ Sex M F Race: _____ DOB: ____/____/____
      First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____ Drug court: entry ____/____   Graduation ____/____/____
      City/state or country if not USA   Month/year   Month/day/year

FBI# _____ Fingerprint # __
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Alias: : _____ Alias: : _____
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Name: _____ Sex M F Race: _____ DOB: ____/____/____
      First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____ Drug court: entry ____/____   Graduation ____/____/____
      City/state or country if not USA   Month/year   Month/day/year

FBI# _____ Fingerprint # __
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Alias: : _____ Alias: : _____
      First, Middle initial or name, Last   First, Middle initial or name, Last

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Name: _____ Sex M F Race: _____ DOB: ____/____/____
      First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____ Drug court: entry ____/____   Graduation ____/____/____
      City/state or country if not USA   Month/year   Month/day/year

FBI# _____ Fingerprint # __
                                        10 characters, 2 digits each

Alias: : _____ Alias : : _____
      First, Middle initial or name, Last   First, Middle initial or name, Last

Drug Court Graduates: First 40 after January 1, 1999

Name: _____ Sex M F   Race: _____   DOB: ____/____/____
     First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry ____/____   Graduation ____/____/____
    City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __
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Alias: : _____ Alias: : _____
    First, Middle initial or name, Last   First, Middle initial or name, Last

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Name: _____ Sex M F   Race: _____   DOB: ____/____/____
     First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry ____/____   Graduation ____/____/____
    City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __
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Alias: : _____ Alias: : _____
    First, Middle initial or name, Last   First, Middle initial or name, Last

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Name: _____ Sex M F   Race: _____   DOB: ____/____/____
     First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____   Drug court: entry ____/____   Graduation ____/____/____
    City/state or country if not USA   Month/year   Month/day/year

FBI# _____   Fingerprint # __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __
                                            10 characters, 2 digits each
Alias: : _____ Alias: : _____
    First, Middle initial or name, Last   First, Middle initial or name, Last

Drug Court Graduates: First 40 after January 1, 1999

Name: _____ Sex M F Race: _____ DOB: _____/_____/_____
     First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____ Drug court: entry _____/_____ Graduation _____/_____/_____
     City/state or country if not USA   Month/year   Month/day/year

FBI# _____ Fingerprint # __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __
                                     10 characters, 2 digits each

Alias: : _____ Alias: : _____
     First, Middle initial or name, Last   First, Middle initial or name, Last

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Name. _____ Sex M F Race: _____ DOB: _____/_____/_____
     First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____ Drug court: entry _____/_____ Graduation _____/_____/_____
     City/state or country if not USA   Month/year   Month/day/year

FBI# _____ Fingerprint # __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __
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Alias: : _____ Alias: : _____
     First, Middle initial or name, Last   First, Middle initial or name. Last

Name: _____ Sex M F Race: _____ DOB: _____/_____/_____
     First, Middle initial or name, Last   (circle one)   Month/day/year

Place of Birth_____ SS# _____ Drug court: entry _____/_____ Graduation _____/_____/_____
     City/state or country if not USA   Month/year   Month/day/year

FBI# _____ Fingerprint # __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __
                                     10 characters, 2 digits each

Alias: : _____ Alias: ‾ _____
     First, Middle initial or name, Last   First, Middle initial or name, Last

APPENDIX B:
DRUG COURTS PARTICIPATING IN STUDY

DRUG COURTS PARTICIPATING IN STUDY				
Court Name	City	State	Date Implemented	Graduates
Thirteenth Judicial Circuit Court	Mobile	Alabama	2/1/1993	470
Jefferson County District Court	Birmingham	Alabama	1/1/1996	667
Superior Court of Pima County	Tucson	Arizona	1/1/1997	164
Maricopa County Superior Court of Arizona	Phoenix	Arizona	4/1/1992	610
Mt. Sanhedrin Municipal Courts	Ukiah & Fort Bragg	California	8/1/1996	53
Santa Barbera Superior Court (Santa Maria)	Santa Maria	California	3/1/1996	77
Pasadena Municipal Court	Pasadena	California	5/1/1995	84
Los Angeles Municipal Court (Van Nuys)	Van Nuys	California	6/1/1997	98
El Cajon Superior Court (East County)	El Cajon	California	8/1/1997	120
Fairfield Municipal/Superior Court	Fairfield	California	3/14/1997	144
San Diego County Superior Court (Southern County)	Chula Vista	California	10/1/1997	146
Redlands Municipal/Superior Court	Redlands	California	4/1/1997	172
San Diego Superior Court (North County)	Vista	California	1/1/1997	180
Riverside Superior Court	Riverside	California	9/27/1995	197
Sacramento Municipal and Superior Courts	Sacramento	California	5/1/1996	213
Sonoma County Municipal and Superior Courts	Santa Rosa	California	3/1/1996	233
Butte County Superior Court	Chico	California	6/1/1995	259
Orange County Superior Court (Central)	Santa Ana	California	3/1/1995	269
Modesto Municipal/Stanislaus Superior Court	Modesto	California	6/1/1995	282
San Francisco Superior Court	San Francisco	California	11/1/1995	298
San Joaquin County Superior Court	Stockton	California	7/3/1995	343
Placer County Drug Court	Auburn	California	9/1/1995	348

DRUG COURTS PARTICIPATING IN STUDY (CONT.)

Court Name	City	State	Date Implemented	Graduates
San Bernardino County Superior Court (Central)	San Bernardino	California	11/1/1994	506
Los Angeles Municipal Court (Downtown)	Los Angeles	California	5/20/1994	516
Santa Clara County Municipal and Superior Court	San Jose	California	9/1/1995	617
Alameda County Superior Court (Pre-Plea/Felony, Oakland)	Oakland	California	1/1/1991	2,724
San Diego County Superior Court (Central Division)	San Diego	California	3/1/1997	--
Santa Barbara Superior	Santa Barbara	California	3/1/1995	--
Bridgeport Superior Court	Bridgeport	Connecticut	11/1/1997	60
Sussex County Superior Court	Georgetown	Delaware	5/1/1996	758
New Castle County Superior Court	Wilmington	Delaware	4/1/1994	908
Superior Court of D.C.	Washington	District of Columbia	12/1/1993	832
Fourteenth Judicial District Court	Panama City	Florida	1/1/1997	84
Volusia County Adult Drug Court	Daytona/De Land	Florida	7/1/1997	125
Twelfth Judicial Circuit Court	Sarasota	Florida	1/1/1997	148
Sixteenth Judicial Circuit Court	Key West	Florida	10/1/1993	217
First Judicial Circuit Court	Pensacola	Florida	10/1/1993	326
Fourth Judicial Circuit Court	Jacksonville	Florida	9/1/1994	398
Eleventh Judicial Circuit Court	Miami	Florida	9/1/1989	6308
Seventeenth Judicial Circuit Court	Fort Lauderdale	Florida	7/1/1991	2,724
Thirteenth Judicial Circuit Court, Tampa Pretrial Intervention	Tampa	Florida	1/1/1994	--
Fulton County Superior Court	Atlanta	Georgia	3/1/1997	125
First Circuit Court	Honolulu	Hawaii	12/1/1995	187
Twenty-First Judicial Circuit Court Kankakee County	Kankakee	Illinois	2/1/1997	50
Sixth Judicial Circuit Court	Markham	Illinois	3/1/1995	113
Seventeenth Judicial Circuit Court	Rockford	Illinois	10/1/1996	203

DRUG COURTS PARTICIPATING IN STUDY (CONT.)				
Court Name	City	State	Date Implemented	Graduates
Vigo County Superior Court	Terre Haute	Indiana	9/1/1996	95
Gary City Court	Gary	Indiana	9/16/1997	197
Nineteenth Judicial District Court	Baton Rouge	Louisiana	1/1/1998	48
Sixteenth Judicial District Court	New Iberia	Louisiana	1/1/1998	88
Twenty-Second Judicial District Court	Covington	Louisiana	1/1/1998	111
Sixteenth Judicial District Court	Franklin	Louisiana	1/1/1997	133
New Orleans Criminal District Court	New Orleans	Louisiana	1/1/1998	212
Twenty-Fourth Judicial District Court	Gretna	Louisiana	8/1/1997	197
Baltimore District Court	Baltimore	Maryland	3/1/1994	755
Franklin County District Court	Greenfield/Orange	Massachusetts	1/1/1997	59
Kalamazoo County District Court	Kalamazoo	Michigan	2/1/1992	254
Hennepin County District Court	Minneapolis	Minnesota	1/1/1997	1423
Twenty-Second Judicial Circuit Court	St. Louis	Missouri	4/1/1997	278
Jackson County Circuit Court	Kansas City	Missouri	10/1/1993	1717
Fourth Judicial District Court	Omaha	Nebraska	4/1/1997	245
Clark County District Court	Las Vegas	Nevada	10/1/1992	1859
Municipal Court of Santa Fe	Santa Fe	New Mexico	4/1/1996	113
Third Judicial District Court	Las Cruces	New Mexico	2/1/1997	277
Second Judicial District Court	Albuquerque	New Mexico	9/1/1995	--
Ithaca City Drug Court	Ithaca	New York	1/1/1998	50
Syracuse City Court	Syracuse	New York	1/1/1997	109
Lackawanna City Court	Lackawanna	New York	1/1/1996	119
Buffalo City Court	Buffalo	New York	12/1/1995	164
Niagara Falls City Drug Court	Niagara Falls	New York	1/1/1998	207
Suffolk County District Court	Central Islip	New York	9/9/1996	242
Amherst Town Court	Amherst	New York	9/9/1996	308
Rochester City Drug Court	Rochester	New York	1/30/1995	484
Brooklyn Treatment Court	Brooklyn	New York	6/1/1996	613

DRUG COURTS PARTICIPATING IN STUDY (CONT.)				
Court Name	City	State	Date Implemented	Graduates
Twenty-First District Court	Winston Salem	North Carolina	6/1/1996	40
Wake County Superior Court	Raleigh	North Carolina	5/1/1996	43
Mecklenburg County District Court	Charlotte	North Carolina	2/1/1995	175
Montgomery County Court of Common Pleas	Dayton	Ohio	1/1/1996	274
Akron Municipal Court	Akron	Ohio	9/1/1995	392
Butler County Court of Common Pleas	Hamilton	Ohio	9/1/1996	661
Payne County District Court	Stillwater	Oklahoma	5/1/1995	154
Twenty-Fourth District Court	Bristow/Sapulpa	Oklahoma	6/1/1996	169
Klamath Falls Circuit Court	Klamath Falls	Oregon	3/1/1996	63
Douglas County Circuit Court	Roseburg	Oregon	1/1/1996	123
Josephine County Circuit Court	Grants Pass	Oregon	3/1/1996	182
Lane County Circuit Court	Eugene	Oregon	9/1/1994	383
Multnomah County Circuit Court (STOP Drug Court)	Portland	Oregon	8/1/1991	2724
Chester County Court of Common Pleas	West Chester	Pennsylvania	10/1/1997	174
First Judicial District of Pennsylvania, Philadelphia Municipal Court	Philadelphia	Pennsylvania	1/1/1997	263
District Court	San Juan	Puerto Rico	4/1/1996	49
Lexington County Circuit Court	Lexington	South Carolina	7/25/1996	68
Davidson County District Court	Nashville	Tennessee	5/1/1997	106
Dallas County District Court	Dallas	Texas	11/1/1997	139
Salt Lake County Felony Drug Court	Salt Lake City	Utah	6/15/1996	264
Twenty-Third Judicial Drug Treatment Court	Roanoke	Virginia	9/1/1995	211
Thurston County Superior Court	Olympia	Washington	1/1/1998	46
Spokane County Adult Felony Superior Drug Court	Spokane	Washington	1/1/1996	97
King County Superior Court	Seattle	Washington	10/1/1994	386

DRUG COURTS PARTICIPATING IN STUDY (CONT.)				
Court Name	City	State	Date Implemented	Graduates
Twenty-First District Court	Winston Salem	North Carolina	6/1/1996	40
Wake County Superior Court	Raleigh	North Carolina	5/1/1996	43
Mecklenburg County District Court	Charlotte	North Carolina	2/1/1995	175
Montgomery County Court of Common Pleas	Dayton	Ohio	1/1/1996	274
Akron Municipal Court	Akron	Ohio	9/1/1995	392
Butler County Court of Common Pleas	Hamilton	Ohio	9/1/1996	661
Payne County District Court	Stillwater	Oklahoma	5/1/1995	154
Twenty-Fourth District Court	Bristow/Sapulpa	Oklahoma	6/1/1996	169
Klamath Falls Circuit Court	Klamath Falls	Oregon	3/1/1996	63
Douglas County Circuit Court	Roseburg	Oregon	1/1/1996	123
Josephine County Circuit Court	Grants Pass	Oregon	3/1/1996	182
Lane County Circuit Court	Eugene	Oregon	9/1/1994	383
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Spokane County Adult Felony Superior Drug Court	Spokane	Washington	1/1/1996	97
King County Superior Court	Seattle	Washington	10/1/1994	386

DRUG COURTS PARTICIPATING IN STUDY (CONT.)				
Court Name	City	State	Date Implemented	Graduates
Circuit Court of Dane County	Madison	Wisconsin	6/1/1996	157
Uinta County Drug Court	Evanston	Wyoming	11/1/1997	71

APPENDIX C:
OFFENSES EXCLUDED FROM THE FBI
CRIMINAL HISTORY FILE

OFFENSES EXCLUDED FROM THE FBI CRIMINAL HISTORY FILE

Abusive Language	Mandatory Appearance
Alms Solicitation	Material Witness
Amnesia	Medical Treatment
Begging	Mental
Breach of Peace	Minor in Bar
Card Game Playing	Minor in Consumption
Careless or Reckless Driving (as long as driving under influence of drugs or liquor, hit and run, vehicular manslaughter, involuntary manslaughter NOT involved).	Minor in Gambling House
	Minor in Alcohol Possession
	Misrepresenting Age (Liquor)
Civil Commitment	Mooching
Criminal Registration	Narcotics Registration
Curfew Violation	Negligent Driving
Detention Only	No Driver's License (Note: Operating Auto with Altered License Considered as Serious Charge)
Detoxification	
Dice Game Playing	No Inspection Sticker or Expired Sticker
Disregarding Traffic Signals	No Visible Means
Disturbance	Obstructing Traffic
Disturbing Public Worship	Operating Auto Without License
Disturbing the Peace	Panhandling
Dog Laws	Parking Warrants
Drag Racing	Patient (Note: Unless print pertains to MAJOR Charge, e.g., murder, rape, etc.)
Driving while License Suspended or Revoked	
Drunk (not traffic charges)	Peace Bond
Drunk in or about Auto	Peace Warrant
Drunk in Public Restroom or Restaurant	Possession of Lottery Tickets, Policy Slips, or Numbers
Drunk on Highway	
Ex-Con Registration	Possession of Open Bottle or Container
Failure to Give Good Account	Probation or Parole Check
Failure to Identify	Profane Language
Failure to Operate in a Prudent Manner (auto)	Public Intoxication
Failure to Register in Hotel or Register in Hotel with Someone Other than Husband or Wife	Public Nuisance
	Purchasing Liquor as a Minor
Failure to Yield for Emergency Vehicle, Blue Light, or Siren	Rebooked on Suspicion
	Runaway
False Fire Alarm	Safekeeping, Skusm, Sak
Felony Registration	Sleeper
Fireworks	Sleeping in a Subway
Fishing Without a License	Sleeper

OFFENSES EXCLUDED FROM THE FBI CRIMINAL HISTORY FILE (CONT.)

For Identification Purposes

General Principles

Going Through a Red Light

Hitchhiking

Illegal Consumption of Beer

Illegal Possession of Beer

Inadequate Brakes

Inquiry (unaccompanied by criterion charge)

Interview

Intoxication

Investigation (unaccompanied by criterion charge)

Investigation Mental

Jaywalking

Juvenile Charge**

Juvenile Commitment**

Juvenile Offender**

Late Hours

Loafer

Lodger

Loitering

Lottery Playing

Lunacy (unless pertains to a major charge)

Speeding

State Work Furlough

Suspect

Suspicion (unaccompanied by a criterion charge)

Suspicious Person

Traffic Violations (minor traffic, vehicle, and licensing charges)

Train-riding (hobo)

Tramp

Transient

Truancy

Trusty Commitment

Urinating in Public

Uninsured Motor Vehicle

Unlawful Blood Alcohol Content or Count (alone only-NOT with driving charges)

Vagabond or Rogue

Vagrancy

Venereal Control Registration

Visiting a Common Nuisance

Voluntary Commitment

Walking on Highway

Wayward

* This list is not all inclusive-other charges similar in nature may not appear in the list.

** Juvenile Arrests (charge) will be accepted as long as the offense for which the juvenile is charged or detained is clearly stated, e.g., "JUVENILE ARREST-BURGLARY."

Note: A state can make an offense serious based on particular statues.