



NDCI
NATIONAL DRUG
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Building Foundations

Overview of Treatment Court Best Practices Research

Developed by:
National Drug Court Institute

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Practices related to positive outcomes

Recidivism and outcome costs

Important issues





ADULT DRUG COURT BEST PRACTICE STANDARDS VOLUME I & II

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WHY STANDARDS?

- ✓ **Put null findings in context (8 - 16%)**
- ✓ **Disown harmful programs (6 - 9%)**
- ✓ **Prevent regression to old habits (model drift)**
- ✓ **Protect “brand name” from incursions**
- ✓ **Define standard of care for ourselves**
 - ✓ Limit appellate review to conformance with standards rather than creating standards
 - ✓ Congressional committees, agencies, etc.



WHY STANDARDS?

- ✓ **Reduce legal & constitutional errors**
 - ✓ Procedural due process requires standards, rational basis, and notice of rights being waived
- ✓ **Reduce disparate impacts (violations of Equal Protection)**
- ✓ **Provide support and political cover for needed services and expenditures**
- ✓ **Demonstrate maturity of our profession**
- ✓ **Because we care about getting it right!**



VOLUME I



VOLUME I

Twenty out of twenty-five states (80%) responding to a national survey indicated they have adopted the Standards for purposes of credentialing, funding, or training new and existing Drug courts in their jurisdictions.



VOLUME I

- I. Target Population**
- II. Equity and Inclusion in Drug Courts**
- III. Roles & Responsibilities of the Judge**
- IV. Incentives, Sanctions, & Therapeutic Adjustments**
- V. Substance Use Disorder Treatment**



TARGET POPULATION

- ✓ **Eligibility & Exclusion Criteria are Based on Empirical Evidence**
- ✓ **Assessment Process is Evidence-Based**
 - A. Objective Eligibility Criteria
 - B. High-Risk & High-Need Participants
 - C. Validated Eligibility Assessments
 - D. Criminal History Disqualification
 - ✓ “Barring legal prohibitions...”
 - E. Clinical Disqualifications



TARGET POPULATION

**Don't Treat or House
High Risk and Low
Risk Together**

WARNING



CLIENT SELECTION

Treatment court allows nondrug charges

Recidivism reduction* ↑ 95%, cost savings ↑ 30%

The time between arrest and program entry is 50 days or less

Recidivism reduction* ↑ 63%

Accept high-risk and high-need offenders

Recidivism reduction* ↑ 50%

Treatment court excludes offenders with serious mental health issues

Recidivism reduction* ↑ 16%

Cost savings* ↓ 50%

Program caseload is less than 125

Recidivism reduction* ↑ 567%

Cost savings ↑ 35%

*Recidivism reduction and cost savings relative to treatment courts that do not follow these practices.



EQUITY AND INCLUSION IN DRUG COURTS

Equivalent Opportunities to Participate and Succeed in Drug Court

- A. Equivalent Access (*intent & impact*)
- B. Equivalent Retention
- C. Equivalent Incentives & Sanctions
- D. Equivalent Legal Disposition
- E. Team Training (*remedial measures*)



ROLES OF THE JUDGE

Contemporary Knowledge; Active Engagement; Professional Demeanor; Leader Among Equals

- A. Professional Training
- B. Length of Term
- C. Consistent Docket
- D. Pre-Court Staff Meetings
- E. Frequency of Status Hearings
- F. Length of Court Interactions
- G. Judicial Demeanor
- H. Judicial Decision-Making



JUDICIAL

The judge spends an average of 3 minutes or more per participant during status review hearings

Recidivism reduction* ↑ 153%

Cost savings* ↑ 36%

The judge's term is indefinite

Recidivism reduction* ↑ 35%

Cost savings* ↑ 17%

The judge was assigned to treatment court on a voluntary basis

Recidivism reduction* ↑ 84%

Cost savings* ↑ 4%

*Recidivism reduction and cost savings relative to treatment courts that do not follow these practices.



INCENTIVES & SANCTIONS

Predictable, Consistent, Fair, and Evidence-Based

- A. Advance Notice
- B. Opportunity to be Heard
- C. Equivalent Consequences
- D. Professional Demeanor
- E. Progressive Sanctions
- F. Licit Substances



INCENTIVES & SANCTIONS

Predictable, Consistent, Fair, and Evidence-Based

- G. Therapeutic Adjustments
- H. Incentivizing Productivity
- I. Phase Promotion
- J. Jail Sanctions
- K. Termination
- L. Consequences of Graduation and Termination
(leverage)



INCENTIVES & SANCTIONS

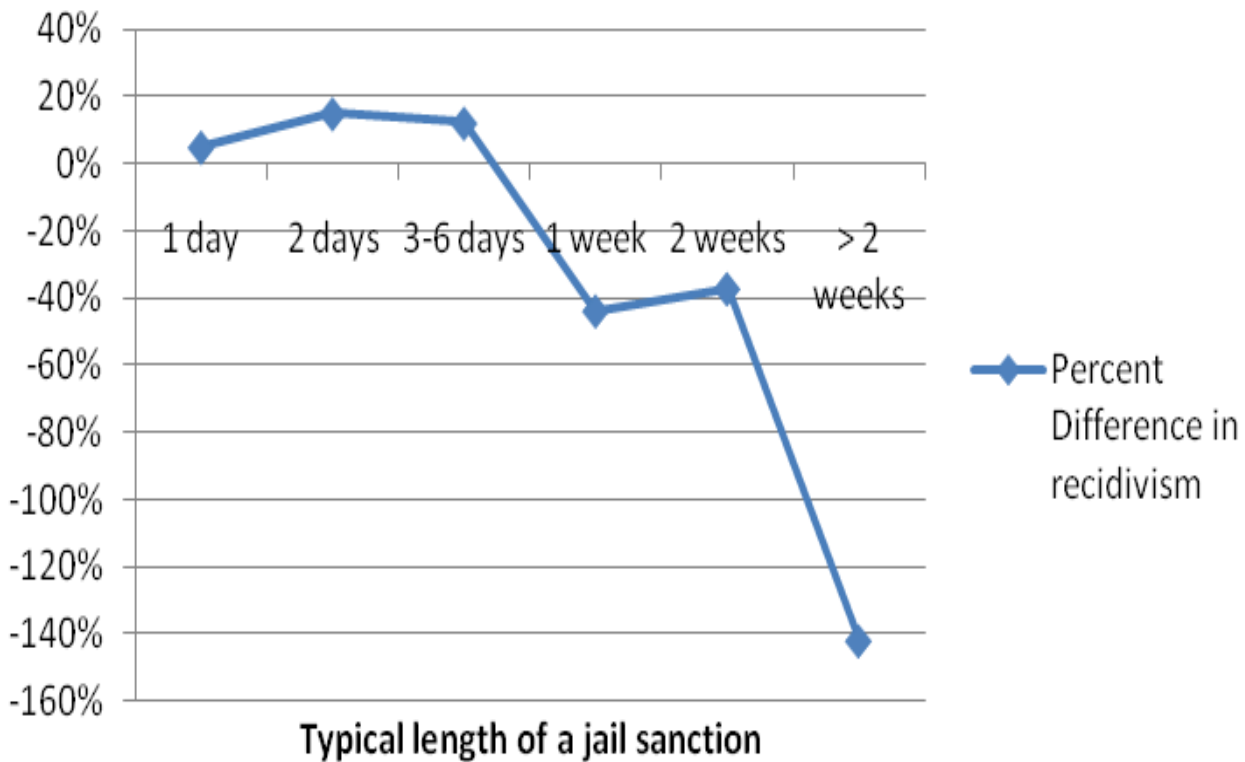
NADCP

ALL
RISE



Welcomes
You

Percent decrease in recidivism between courts that use differing amounts of jail sanction time



PROMISING PRACTICES RELATED TO POSITIVE OUTCOMES IN TREATMENT COURTS

Responses to Participant Behavior

Require clients to pay program fees.

Require clients to complete
community service.



INCENTIVES AND SANCTIONS

**Sanctions are imposed immediately
after noncompliant behavior**

Recidivism reduction* ↑ 32%

Cost savings* ↑ 100%

**Team members are given a copy
of the guidelines for sanctions**

Recidivism reduction* ↑ 55%

Cost savings* ↑ 72%

*Recidivism reduction and cost savings
relative to treatment courts that do not
follow these practices.





SUBSTANCE USE DISORDER TREATMENT

Based on Treatment Needs and Evidence-Based

- A. Continuum of Care
“if adequate care is unavailable...”
- B. In-Custody Treatment
- C. Team Representation
- D. Treatment Dosage and Duration
- E. Treatment Modalities

SUBSTANCE USE DISORDER TREATMENT

Based on Treatment Needs and Evidence-Based

- F. Evidence-Based Treatments
- G. Medications
- H. Provider Training and Credentials
- I. Continuing Care



TREATMENT

Treatment communicates with court via email

Recidivism reduction* ↑ 119%, cost savings* ↑ 39%

Treatment court works with two or fewer treatment agencies

Recidivism reduction* ↑ 74%

Cost savings* ↑ 19%

Treatment court has guidelines on frequency of individual treatment sessions a participant receives

Recidivism reduction* ↑ 52%

Treatment court offers gender-specific services

Recidivism reduction* ↑ 20%

Treatment court offers mental health treatment

Recidivism reduction* ↑ 80%

Cost savings* ↑ 12%

*Recidivism reduction and cost savings relative to treatment courts that do not follow these practices.





VOLUME II

VOLUME II

VI. Complementary Treatment & Social Services

VII. Drug and Alcohol Testing

VIII. Multidisciplinary Team

IX. Census and Caseloads

X. Monitoring and Evaluation



COMPLEMENTARY TREATMENT

Participants receive complementary treatment and social services for conditions that co-occur with substance use disorder and are likely to interfere with their compliance in Treatment court, increase criminal recidivism, or diminish treatment gains.



COMPLEMENTARY TREATMENT

- ✓ **Scope of Services**
- ✓ **Sequence and Timing of Services**
- ✓ **Clinical Case Management**
- ✓ **Housing Assistance**
- ✓ **Mental Health Treatment**
- ✓ **Trauma-Informed Services**



COMPLEMENTARY TREATMENT

- ✓ **Criminal Thinking Interventions**
- ✓ **Family & Interpersonal Counseling**
- ✓ **Vocational & Educational Services**
- ✓ **Medical & Dental Treatment**
- ✓ **Prevention of High-Risk Behaviors**
- ✓ **Overdose Prevention & Reversal**



COMPLEMENTARY TREATMENT

- 1. Do not begin criminal thinking interventions during Phase 1**
- 2. Enlist at least one reliable prosocial family member, friend, or daily acquaintance to provide feedback to staff and assist participant**

TAKE AWAY



PROMISING PRACTICES RELATED TO POSITIVE OUTCOMES IN TREATMENT COURTS

Wraparound Services

Participants need additional support services such as anger management, educational assistance, and relapse prevention.



Education and distribution of overdose reversal medication

Housing assistance

Family therapy

Trauma services

Communication skills

Relapse prevention

Criminal thinking programs

WRAPAROUND SERVICES

Clinical case management

Programming to resolve interpersonal conflict

Medical and dental services

Vocational intervention



TIMING MATTERS

NADCP

ALL
RISE



Welcomes
You



Responsivity
Needs

Early



Criminogenic
Needs

Middle



Maintenance
Needs

Late

DRUG & ALCOHOL TESTING

Drug and alcohol testing provides an accurate, timely, and comprehensive assessment of unauthorized substance use throughout participants' enrollment in the Treatment court.



DRUG & ALCOHOL TESTING

- ✓ **Frequent Testing**
- ✓ **Random Testing**
- ✓ **Duration of Testing**
- ✓ **Breadth of Testing**
- ✓ **Witnessed Collection**



DRUG & ALCOHOL TESTING

- ✓ **Valid Specimens**
- ✓ **Accurate & Reliable Testing Procedures**
- ✓ **Rapid Results**
- ✓ **Participant Contract**



DRUG TESTING

Drug test results are back in 2 days or less

Recidivism reduction* ↑ 73%, cost savings* ↑ 68%

In the first phase, drug tests are collected at least 2 times a week

Recidivism reduction* ↑ 38%

Cost savings* ↑ 61%

Participants are expected to have more than 90 days sober before graduation

Recidivism reduction* ↑ 164%

Cost savings* ↑ 50%

*Recidivism reduction and cost savings relative to treatment courts that do not follow these practices.



DRUG & ALCOHOL TESTING

1. Randomly test at least twice per week, including weekends and holidays and require participants to report within 8 hours of notification.
2. Continue testing randomly at least twice per week until participant is preparing for graduation in the final phase.

TAKE AWAY



AVOID RESPITES FROM DETECTION

- ✓ A participant should have an equal chance of being called on any day of the week
- ✓ Avoid randomizing in weekly blocks
- ✓ Test routinely for all drugs commonly used by population

TAKE AWAY



MULTIDISCIPLINARY TEAM

A dedicated multidisciplinary team of professionals manages the day-to-day operations of the Treatment court, including reviewing participant progress during pre-court staff meetings and status hearings, contributing observations and recommendations within team members' respective areas of expertise, and delivering or overseeing the delivery of legal, treatment and supervision services.





MULTIDISCIPLINARY TEAM

Composition & Training

Pre-Court Staff Meetings & Status Hearings

Team

Sharing Information

Communication & Decision Making

MULTIDISCIPLINARY TEAM

1. Judge considers perspectives of all team members before making decisions that impact participants' welfare or liberty interests.
2. Defense attorneys inform participants and team members whether they will share confidential information concerning participants with other team members.

TAKE AWAY



PROMISING PRACTICES RELATED TO POSITIVE OUTCOMES IN TREATMENT COURTS

Team Engagement

All team members should attend case staffings and court sessions.

*Judge, prosecutor, defense,
coordinator, supervision,
treatment, law enforcement*



STAFFING

Treatment attends staffing
Recidivism reduction* ↑ 105%

**Judge, prosecutor, defense attorney, treatment,
program coordinator, and probation attend staffing**
Recidivism reduction* ↑ 50%, cost savings* ↑ 20%

Defense attorney attends staffing

Recidivism reduction* ↑ 21%
Cost savings* ↑ 93%

Law enforcement is a member of the team

Recidivism reduction* ↑ 87%
Cost savings* ↑ 44%

Coordinator attends staffing

Recidivism reduction* ↑ 58%
Cost savings* ↑ 41%

Law enforcement attends staffing

Recidivism reduction* ↑ 67%
Cost savings* ↑ 42%

*Recidivism reduction and cost savings relative to treatment courts that do not follow these practices.

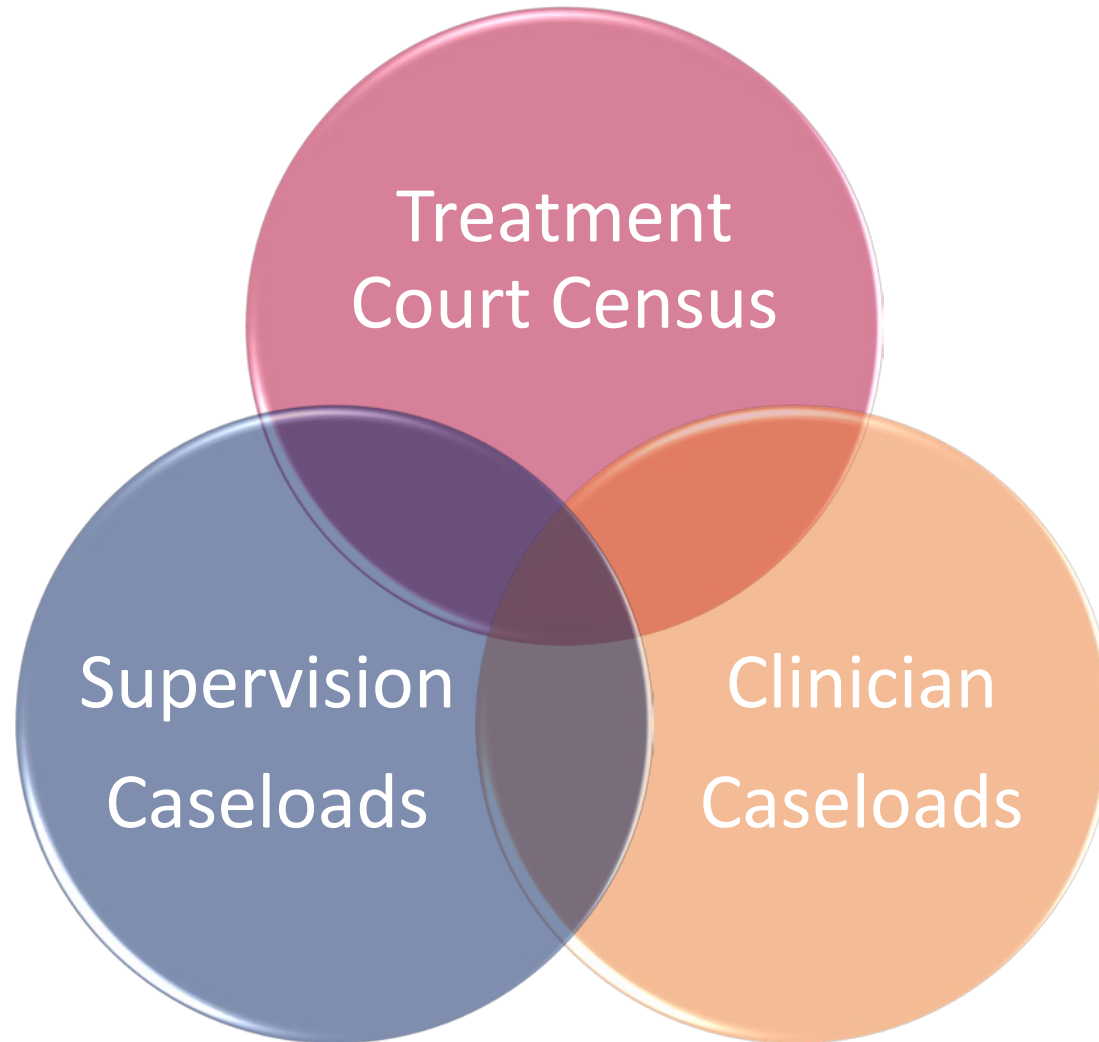


CENSUS AND CASELOADS

The Treatment court serves as many eligible individuals as practicable while maintain continuous fidelity to best practice standards



CENSUS AND CASELOADS



CENSUS AND CASELOADS



| | High Risk | Low Risk |
|-----------|--|--|
| High Need | 30 to 1 (or less) | Probation: 50 to 1 Treatment: 30: 1 |
| Low Need | Probation: 30 to 1 Treatment: 50: 1 | 200:1 Don't Belong in Drug Court |

MONITORING & EVALUATION

The Treatment court routinely monitors its adherence to best practice standards and employs scientifically valid and reliable procedures to evaluate its effectiveness.



MONITORING & EVALUATION

- ✓ **Adherence to Best Practices**
- ✓ **In-Program Outcomes**
- ✓ **Criminal Recidivism**
- ✓ **Independent Evaluations**
- ✓ **Equity and Inclusion in Drug Courts**



MONITORING & EVALUATION

- ✓ **Electronic Database**
- ✓ **Timely & Reliable Data Entry**
- ✓ **Intent-to-Treat Analyses**
- ✓ **Comparison Groups**
- ✓ **Time at Risk**



PROMISING PRACTICES RELATED TO POSITIVE OUTCOMES IN TREATMENT COURTS

Data Collection and Monitoring

Data is maintained electronically.

Programs participate in evaluations
and use program statistics to make
improvements.



MONITORING AND EVALUATION

EXIT INTERVIEWS

The results of program evaluations have led to modifications in treatment court operations

Recidivism reduction* ↑ 85%

Cost savings* ↑ 100%

Review of the data and/or regular reporting of program statistics has led to modifications in treatment court operations

Recidivism reduction* ↑ 105%

Cost savings* ↑ 131%

*Recidivism reduction and cost savings relative to treatment courts that do not follow these practices.



MONITORING & EVALUATION

- 1. Analyze outcomes for all participants, including those who withdrew or were terminated early.**
- 2. Staff members are required to record information regarding service provisions within 48 hours.**

TAKE AWAY

