



California Drug Court Cost Analysis Study

In 2000, the Judicial Council of California initiated a comprehensive study to examine the costs and benefits of its drug court programs and to identify cost-effective practices for such courts throughout the state. Adjudicating offenders in the nine drug courts chosen for the first phases of the study resulted in significant savings for the California criminal justice system.

Drug Courts Nationally

- First drug court: Miami, 1989
- 1,600+ adult drug courts operating in 50 states
- 400,000+ offenders processed, 1989–2005
- 12% of drug courts located in California

While other studies have shown that drug courts reduced drug use and criminal behavior, few of them have examined financial costs and benefits on a statewide level, until now. On launching this study, the Judicial Council recognized the need to compile definitive information about the fiscal impact of these innovative programs, so that courts can make better informed policy decisions.

The Drug Court Movement Comes of Age

The movement toward using dedicated drug courts has spread rapidly throughout the nation since its inception in the late 1980s. Drug courts grew in response to an alarming increase in the number of drug-related court cases. These courts offer an alternative to traditional criminal justice prosecution of drug offenders, by combining treatment of alcohol and drug abuse with close judicial supervision.

Drug courts rely on the collaboration of multiple justice system partners and agencies that contribute varying levels of resources—the courts themselves; prosecution and defense attorneys; probation departments; and providers of treatment and other services. Some observers believe this unique collaboration is more expensive than traditional case processing, yet before the California study was completed little was known about the actual costs of implementing these increasingly popular programs.

Drug courts are defined by their adherence to the 10 Key Components identified by the National Association of Drug Court Professionals.

10 Key Components of Drug Courts

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

California Examines Its Own Drug Courts: A Methodology for Determining Costs and Benefits

The Judicial Council contracted with NPC Research, Inc. in 2000 to study the costs and benefits associated with its drug courts. The study is being conducted in three phases. The first phase focused on developing the preliminary methodology and protocols for cost evaluation and consisted of an in-depth cost-benefit analysis of three case study courts. The second phase tested the methods developed in phase I by applying them to an additional six courts and resulted in the development of the drug court Cost Self Evaluation Tool (CSET) that the courts can use to conduct their own cost assessments. In the third and final phase of the project, the CSET will be tested and launched statewide.

Study Methods: Sample Selection

Study sites were selected based on drug court maturity and data collection capacity. Outcomes were tracked for four years.

Drug Court Samples: All drug court participants that entered the specific program from January 1998 through December 1999, regardless of completion status.

Comparison Group Samples: Offenders who were eligible for the specific drug court during the same time period as the drug court sample, but did not participate in drug court .

The nine drug courts chosen in the first two phases of the study represent a range of demographic, programmatic, and geographic areas. The study team collected information on each drug court's processes and their associated costs, as well as participants' use of the system resources and outcomes related to recidivism.

The Costs and Benefits of Drug Court

The California study isolated and identified certain investment costs associated with the case that led offenders either to drug court or to traditional court processing (for a comparison group).

Study Methods: Cost Calculation

Net Investment Costs = Case processing and treatment costs of drug court participants *minus* the case processing and treatment costs of similar offenders who did not go through drug court.

Net Savings = Recidivism costs (i.e. re-arrests, warrants, jail and prison time served, treatment and victim costs) of offenders who did not go participate in drug court *minus* recidivism costs of drug court.

The total costs included money spent for all treatment, probation, jail time, and court time. The *net investment* indicates the resources put into a drug court program over and above the resources that would have been spent had there been no such program. Investments in drug court were similar to those of traditional adjudication.

- In the majority of drug court sites, the net investment was less than \$3,000 per participant, with most of the cost being incurred by probation and treatment.
- The average net investment for the six sites in phase II was \$1593.
- One drug court program cost nearly *\$500 less per participant* than traditional court processing.

The *outcome benefits* (savings) in this study focused on recidivism, including rearrests, new court cases, jail/prison/probation time served, new treatment episodes and victimization costs arising from property crimes or crimes against the person.

- Outcome benefits varied widely among sites, ranging from about \$3,200 to *over \$15,000 saved per participant*.
- The average net savings from positive outcomes (including savings due to less victimization¹) was \$11,000 per participant.

Drug Court Participants Had Low Recidivism Rates

Average rearrests rates of study participants:

- **Drug court graduates** 17%
- **All drug court participants** 29%
- **Comparison group** 41%

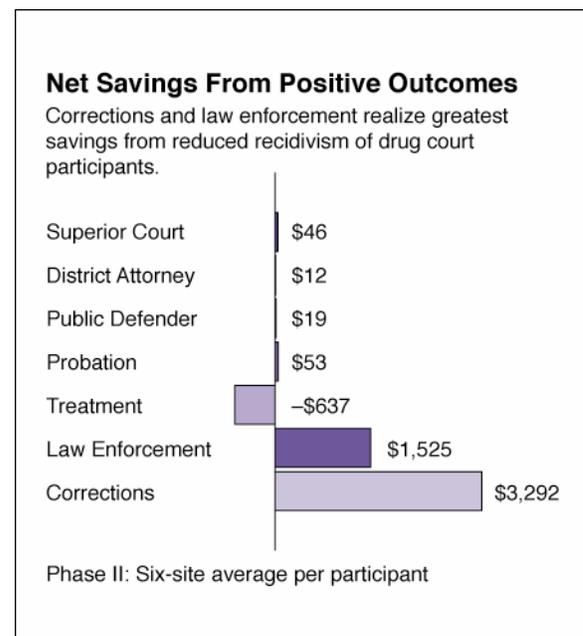
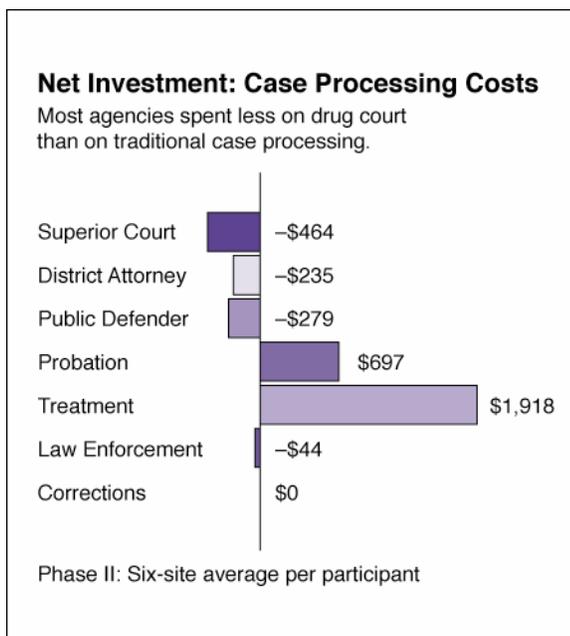
¹ In this study, rearrest charges (i.e., charges incurred after the initial drug court eligible charge) were tracked and categorized as either violent or property crimes. Costs from the National Institute of Justice victimization cost study were averaged for rape and sexual assault, other assaults, and robbery and attempted robbery, to create an estimated cost for violent crimes. For a discussion of victim costs and methodology, see the National Institute of Justice research report, *Victim Costs and Consequences: A New Look* (Jan. 1996).

Costs and Savings by Agency

Drug courts rely on the collaboration of multiple justice system partners. In order to make informed policy decisions about resource allocation and effective practices, it is crucial that *each individual agency's* contribution to the program be isolated. The graphs presented show the net investment and net savings per participant for each of the agencies involved in the program in the six phase II sites.²

Investment by agency: The total cost of adjudication through drug court was slightly more than traditional case processing, but the investment costs varied widely, depending on the agency involved. **For most agencies, the cost invested in the drug court program was less than that of traditional court processing.** This can be attributed to case processing efficiencies as well as fewer trials.

Savings by agency: With the exception of treatment providers, all agencies involved with drug courts saved money as a result of achieving more positive outcomes. Even after participants exited the drug court program, they were more likely than nonparticipants to seek treatment. This propensity to seek treatment may increase positive outcomes even beyond the time frame of the study.



Overall Cost Savings

Eight of the nine drug courts in this study produced net benefits over the four-year period. For each year that a cohort of participants entered just these nine drug courts, the state realized a combined net benefit of more than **\$9 million**.

² The net savings per agency did not include the savings due to fewer victimizations by drug court participants, because these savings cannot be attributed directly to any agency.

Considering that approximately 90 adult drug courts operate statewide, California taxpayers can expect to save over \$90 million dollars annually through reduced costs of victimization and savings to justice system agencies due to the drug court program.

Cost-Effective Drug Court Practices

Although all of the drug court studied adhered to the 10 Key Components, there was a good deal of variability in practices as well as regional differences in business costs across the nine study sites. These variations had an impact on the cost effectiveness of the programs. The study identified the following promising practices associated with positive outcomes, greater savings, and lower costs.

1: Commitment to a nonadversarial, team-based approach: high team attendance in drug court meetings. Drug courts in which more agency staff attended drug court meetings and court sessions tended to have more positive outcomes, resulting in greater cost benefits.

2: Graduated sanctions and incentives: court sessions every two or three weeks at program start, and treatment two or three times per week. Courts that at program start had participants attend court sessions every two or three weeks and also group treatment sessions two or three times per week (plus individual treatment sessions as needed) had the best outcomes and highest benefits.

3: Frequent alcohol and drug testing: three tests per week. Courts that required about three urinalyses per week in phase I had the most positive benefits. A testing frequency of more than three tests per week did not appear to add any benefit, while lower frequencies were associated with less positive outcomes.

4: Single overseeing treatment provider. Sites with either a single treatment provider agency, or multiple referral options but a single overseeing provider, reported the most positive outcome benefits.

5: Volunteer judges with no mandatory rotation off the bench. Judges on voluntary assignment to drug court, with either no fixed term or a term of *at least two years*, helped produce the most beneficial outcomes.

6: A minimum of six months clean before graduation. The sites that required participants to be sober or off drugs for at least six months had lower outcome costs and higher net benefits.

The third phase of the California Drug Court Cost Analysis Project will provide evidence to determine whether or not these promising practices are, in fact, *best* practices for drug courts.

Next Steps

Findings from the study of California drug court costs can be used in several ways. The results of the study provide drug court managers and policymakers alike with a wealth of detailed information they can use to make effective decisions about drug court practices and the allocation of their limited resources.

Participating drug courts benefit from their own site-specific results. A comparison across drug courts provides the information needed to determine promising practices that can be employed in other courts statewide.

The final phase of the project – the testing of the drug court CSET – is scheduled for completion in fall 2006. This tool will assist courts as they determine their own costs and benefits, and will enable the Judicial Council to verify and expand the results of this project statewide.

For the full phase II report, *California Drug Courts: A Methodology for Determining Costs and Benefits*, go to: http://www.courtinfo.ca.gov/programs/collab/documents/drug_court_phase_II.pdf. or www.npcresearch.com³. Further information on the California Drug Court Cost Analysis Project may be obtained from Francine Byrne, Senior Research Analyst, Center for Families, Children & the Courts, at 415-865-8069 or francine.byrne@jud.ca.gov.

³ This project was supported by Award No. 2002-DC-BX-0097 from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Points of view in this document are those of the authors and do not necessarily represent the official positions or policies of the department.

**Judicial Council of California
Administrative Office of the Courts**

Hon. Ronald M. George
*Chief Justice of California
and Chair of the Judicial Council*

William C. Vickrey
Administrative Director of the Courts

Diane Nunn
*Director, Center for Families, Children &
the Courts*

Charlene Depner
*Assistant Division Director, Center for
Families, Children & the Courts*

Lee Morhar
*Assistant Division Director, Center for
Families, Children & the Courts*

Production of This Report

Francine Byrne
Senior Research Analyst

Nancy Taylor
Senior Court Services Analyst

Amy Nunez
Supervising Research Analyst

Kelly Parrish
Secretary

Danielle Tate
Secretary

CFCC generates and distributes research-based information that has promise for informing the work of the courts in California and nationwide. To learn more about its work and to see more *Research Updates*, visit www.courtinfo.ca.gov/programs/cfcc/.

455 Golden Gate Avenue
San Francisco, California 94102-3688
E-mail: cfcc@jud.ca.gov

The views in this research summary are those of the author and do not necessarily represent the official positions or policies of the Judicial Council of California.

Judicial Council of California
Administrative Office of the Courts
Center for Families, Children & the Courts
455 Golden Gate Ave
San Francisco, California 94102-3688
www.courtinfo.ca.gov