



# **Evaluation of Oklahoma Drug Courts 1997-2000**

Prepared by...  
Oklahoma Criminal Justice Resource Center  
Oklahoma Statistical Analysis Center

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## **Evaluation of Oklahoma Drug Courts, 1997-2000**

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## Evaluation of Oklahoma Drug Courts, 1997-2000

### Executive Summary

This document details the Phase II evaluation of the Oklahoma drug court program, including courts in: Tulsa, Creek, Oklahoma, Pontotoc, Seminole, Pottawatomie, and McClain counties. These courts are designed for adult non-violent felony offenders with a history of substance abuse. The information provided includes and updates previously gathered data: selected demographic variables of the participants, relapse, relapse drug, phase level, status, retention, current employment, sanctions, and recidivism data (re-arrests) in the case of graduates.

Numerous comparisons on a variety of variables are made between the first and second cohorts, and the total of all drug court participants. Additional comparisons are made between drug court graduates and those participants who were terminated. Moreover, recidivism results are examined among drug court graduates and are compared to a "control" group of probation offenders.

In comparison to the first cohort, the second cohort has:

- an older age (mean age 34 compared to 33);
- a higher percentage of minorities (39% compared to 29%);
- a slightly lower percentage of women (33% compared to 36%);
- an identical mean number of 2 children per participant;
- a slightly higher percentage of high school or GED graduates (59% compared to 56%);
- a slightly higher percentage of unemployment (21% compared to 17%);
- a longer mean sentence *to do* should they fail drug court (73 months compared to 54 months);
- a lower relapse percentage (44% compared to 58%);
- an equal percentage of relapse using the original drug of choice (50%);
- a different drug of choice preference (alcohol, versus marijuana and methamphetamine derivatives.
- a higher mean number of previous arrests (5 compared to 2);
- a matching mean number of prior felony convictions of 1; and
- a common charge when pleading into drug court - possession of controlled dangerous substance.

*This document details the Phase II evaluation of the Oklahoma drug court program, including courts in: Tulsa, Creek, Oklahoma, Pontotoc, Seminole, Pottawatomie, and McClain counties.*

Data on all drug court participants reveal:

- a mean age of 33;
- a percentage of minorities at 32%;
- a percentage of women at 35%;
- a mean number of 2 children per participant;
- a percentage of high school or GED graduates at 57%;
- a percentage of unemployment at 18%;
- a mean sentence *to do* of 61 months should they fail drug court;
- a relapse percentage of 54%;
- a percentage of relapse using the original drug of choice at 50%;
- a dominant drug of choice preference of marijuana and methamphetamine derivatives.
- a mean number of 3 previous arrests;
- a mean number of 1 prior felony convictions; and
- a more frequent charge of possession of controlled dangerous substance when pleading into drug court.

Furthermore, findings identified in this report determined that:

- when compared to probation offenders not in drug court, fewer drug court graduates were re-arrested (14% of drug court clients versus 22% of probationers) during the 24 month follow-up;
- drug court clients are more likely to be successful if they are older, Caucasian, better educated, employed, and less criminally active;
- drug court clients are more at risk of failure if they are relatively young, African American, less educated, unemployed, and more criminally active;
- Oklahoma drug courts have a higher completion rate (54%) than traditional outpatient substance abuse treatment for probationers (39%); and
- the retention rate of 74% for Oklahoma drug courts is above the national average.

*Data on drug court graduates reveals that when compared to probation offenders not in drug court, fewer graduates were re-arrested.*

These findings indicate success. In looking toward strengthening the Oklahoma drug court programs in the future, several recommendations, enhancements and actions are suggested:

- implement, strengthen, and formalize pre-release planning, aftercare services, and post-program supervision;
- administer a standardized, research-based assessment, such as the Addiction Severity Index (ASI), to participants at the

time of entry into the drug court program and again at graduation;

- develop a consistent and integrated management information system;
- maximize use of drug courts for substance abusing non-violent offenders; and
- conduct periodic and consistent program analysis and evaluation.



## Introduction

*This report is Phase II of the analysis of the Oklahoma drug courts. It is a continuation of the statewide evaluation project requested by the Oklahoma Department of Mental Health and Substance Abuse Services (DMHSAS).*

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The Phase II report updates drug court participant information detailed in the March 2000 report entitled "An Analysis of the Oklahoma Drug Courts" (Oklahoma Criminal Justice Resource Center 2000a). The information collected at that time culminated in a statewide review of seven adult drug courts, comparing court structure to guidelines published by the National Drug Court Programs Office and included in the Oklahoma State Drug Court Act of 1997.

This report contains comparisons between the first and second cohorts, as well as information on the total drug court clients. Second cohort clients are those who entered a drug court since the time of Phase I evaluation. Extensive demographic analysis was completed on the second cohort. Table 1, presents the population of Oklahoma drug courts by status.

In order to provide valid comparisons, one section of this report

**Table 1: Drug Court Population as of June 30, 2000**

Status	First Cohort	Second Cohort	Total Clients
<b>Clients in program</b>	133	274	407
<b>Absent Without Leave (AWOL)</b>	45	15	60
<b>Graduated</b>	324	2	326
<b>Terminated</b>	247	34	281
<b>Total</b>	749	325	1074

examines recidivism of drug court graduates compared to a group of probation offenders. Similar comparisons are drawn between statewide drug court graduates and drug court terminations. Finally, certain conclusions and recommendations are presented.

### Statewide Comparisons Between the First and Second Cohorts and the Total Drug Court Clientele

Table 2 compares some basic demographic variables of clients who entered Oklahoma drug courts after the Phase I evaluation (the second cohort), the first cohort, the overall total of statewide participants, as well as the entire state. These variables are also found in Appendix A for each county drug court. It should be noted that the second cohort comprises nearly one-third of the total statewide drug court clientele.

**Table 2: Demographic Variables for Oklahoma Drug Court Clientele and the State**

Variable	First Cohort (N = 749)	Second Cohort (N = 325)	Total Clientele (N = 1074)	Oklahoma
<b>Race/Ethnicity</b>				
Caucasian	71%	61%	68%	83%
African American	15%	17%	16%	8%
Native American	12%	19%	14%	8%
Hispanic	2%	3%	2%	4%
Asian	0%	0%	0%	1%
<b>Sex</b>				
Male	64%	67%	65%	49%
Female	36%	33%	35%	51%
<b>Educational Attainment (Prior to Drug Court Entry)</b>				
High School/GED graduate	56%	59%	57%	85%
College degree	4%	3%	4%	21%
<b>Employment Status (Excludes AWOLs and Terminations)</b>				
Employed	84%	79%	82%	96%
Unemployed	17%	21%	18%	4%

Note: Due to rounding, percentages may not add to 100.

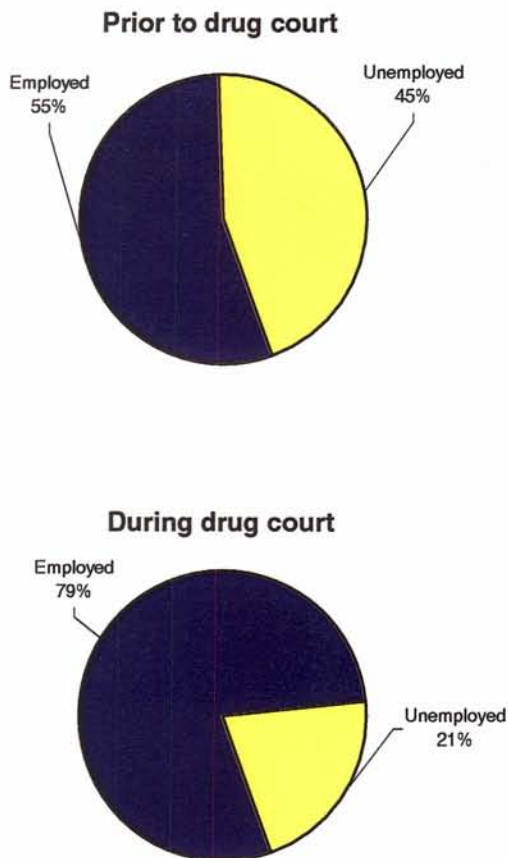
Four groups comprise the racial and ethnic makeup of the first cohort. Caucasians were the largest racial group with 71 percent, followed by African Americans, Native Americans, and Hispanics at 15, 12, and 2 percent respectively. Caucasians were still the largest racial group for the second cohort albeit with a lower percentage of 61 percent. This indicates that Oklahoma drug courts have been admitting more minorities into their programs. Thus, African American, Native American, and Hispanic representation is higher among the second cohort at 17, 19, and 3 percent, respectively. African American and Native American representation among the overall statewide drug court clientele is greater than their corresponding proportions statewide, while Hispanic and Asian proportions are slightly lower. Nevertheless the overall minority representation of 32 percent is higher than the minority representation (Non-Hispanics) statewide of 17 percent.

*The overall minority representation in drug courts (32%) is higher than the minority representation statewide (17%).*



*Overall, 57% of the participants admitted to drug court are high school/GED graduates and only 4% have college degrees.*

**Figure 1: Employment Status of the Second Cohort (Excludes AWOLs and Terminations)**



As for gender, males made up the majority of the first cohort at 64 percent, while females comprised 36 percent. Females comprise a slightly lower percentage in the second cohort 33 percent with males at 67 percent. With regard to educational attainment, the first cohort and the second cohort are virtually identical. Overall, 57 percent of the participants admitted to drug court are high school/GED graduates and only 4 percent have college degrees. This falls short of statewide numbers, which indicates that 85 percent of the population are high school/GED graduates and 21 percent have college degrees. Although most drug courts are designed to address this problem, data on most clients' participation in education classes (i.e. GED classes or college classes) is not currently available.

Employment data for the first cohort show that 84 percent (excluding AWOLs and terminations) are currently employed. Prior to entry into drug court only 62 percent of the clientele were employed. This indicates that for those participants who stayed in the drug court program, employment increased 22 percentage points for a 36 percent change in the employment rate. When AWOLs and terminations are included for the second cohort, employment drops to 61 percent.

The second cohort has a lower percentage of clients who are currently employed. Employment data show that 79 percent of the second cohort are currently employed (excluding Absent Without Leave [AWOL] and terminations). As can be seen in Figure 1, only 55 percent of the second cohort was employed at time of entry into drug court. This indicates that for those participants who stayed in the drug court program, employment increased 24 percentage points for a 44 percent change in the employment rate. When AWOLs and terminations are included for the second cohort, employment drops to 71 percent.



Overall, the current employment rate is 82 percent. However prior to drug court entry, only 59 percent of the statewide drug court clientele were employed. This indicates that for those participants who stayed in the drug court program, employment increased 23 percentage points for a 39 percent change in the employment rate. When AWOLs and terminations are included for the total statewide participants, employment drops to 64 percent. Nevertheless, this is still a 5 percentage point increase, which results in a 9 percent change in the employment rate for total statewide drug court clientele. It is possible that some of the unemployed clientele may be currently in school but data was unavailable at the time of this report.

### Current Convictions Among Drug Court Participants

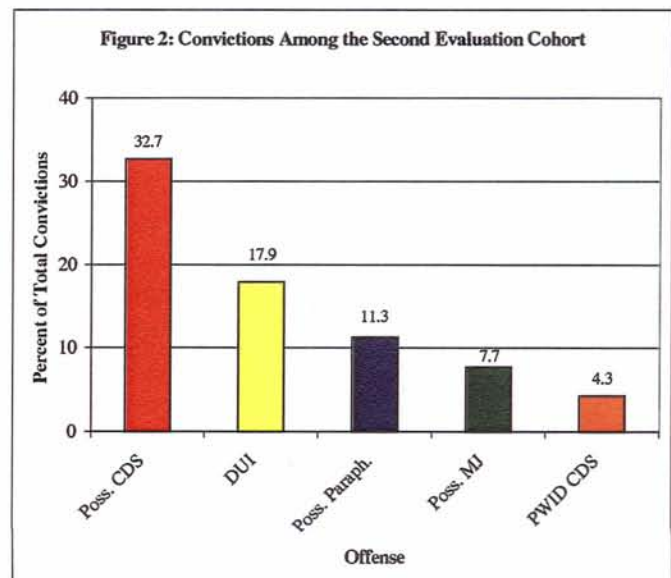
Figure 2, displays the plea agreement charges of participants in the second cohort to gain entry into the Oklahoma drug court program. Some participants pled guilty to more than one charge, some of which may have been misdemeanors. Figure 2 illustrates the top 5 offense categories representing the convictions for the second cohort.

Possession of a controlled dangerous substance (Poss. CDS) represented nearly one-third of the convictions. This is also the leading current conviction for the first cohort at 34.8 percent and for participants overall, at 34.2 percent. Driving under the influence (DUI) follows at 17.9 percent. The third highest current conviction is possession of paraphernalia (Poss. Paraph.) with 11.3 percent. Possession of marijuana (Poss. MJ) is fourth and accounts for 7.7 percent of all current convictions. The fifth highest current conviction is possession with intent to distribute (PWID CDS) with 4.3 percent. These five convictions make up nearly three-fourths of all current convictions among the second cohort.

The top 5 convictions of the second cohort for each drug court are found in Appendix B. A pattern exists in which possession of CDS is the leading conviction in the metropolitan courts, while a variety of charges are the highest in rural courts. Indeed, possession of CDS is the leading conviction in the largest drug courts, Tulsa, Creek, and Oklahoma. Conversely, driving under the influence is the leading conviction in the smaller drug courts, Pottawatomie, Seminole, and Pontotoc. Additionally, possession of marijuana was the leading conviction in McClain.

*Among statewide participants who stayed in the drug court program, employment increased 23 percentage points for a 39 percent change in the employment rate.*

*Possession of a controlled dangerous substance (Poss. CDS) represented nearly one-third of the convictions. This is also the leading current conviction for the first cohort at 34.8% and for participants overall, at 34.2%.*



### Statewide Selected Variables for the First and Second Cohorts and the Total Drug Court Clientele

Table 3 contains available data obtained from the Department of Mental Health and Substance Abuse Services (DMHSAS) for the first and second cohorts compared to the overall total of statewide participants upon entry into drug court.

**Table 3: DMHSAS Selected Variables for the First and Second Cohorts and the Total Drug Court Clientele**

Variable	First Cohort	Second Cohort	Total
Mean Household Income	\$16,210	\$12,937	\$15,167
Mean Age at First Use for Drug of Choice	19	19	19
Percentage of Women Pregnant	2%	1%	2%
Percentage Receiving Supplemental Security Income	3%	3%	3%
Percentage Receiving Food Stamps	4%	7%	5%
Frequency of Use for Drug of Choice (Upon Entry)			
No Past Month Usage	28%	40%	32%
1-3 Times a Month	9%	9%	9%
1-2 Times a Week	13%	11%	12%
3-6 Times a Week	11%	13%	11%
Daily Usage	39%	28%	36%

Note: Due to rounding, percentages may not add to 100.

*Drug court client mean household income for the first cohort is \$16,210 per year, \$3,273 more than the mean household income for the second cohort, and \$1,043 more than the total among all participants.*

Drug court client mean household income for the first cohort is \$16,210 per year, \$3,273 more than the mean household income for the second cohort, and \$1,043 more than the total among all participants. Clients in both cohorts first started using their drug of choice around the average age of nineteen. It is important to note that this does not indicate the mean age when clients first started to use drugs in general, only their drug of choice use. One percent of the women in the second cohort and 2 percent of women participants in the first cohort, indicated they were pregnant upon entry into drug court.

Three percent of both cohorts receive Supplemental Security income (SSI). SSI is a federally-funded need-based program, which provides payments on a monthly basis to aged, blind, and disabled individuals with little or no resources and income. The percentage of food stamp recipients is slightly lower in the first cohort at 4 percent compared to 7 percent for the second cohort. Overall, 5 percent of drug court clientele receive food stamps.



In regard to the frequency of use for drug of choice, it is possible some clients were in jail prior to getting into drug court and did not have the opportunity to engage in drug use. However, the second cohort used drugs less frequently before entry into drug court with 40 percent indicating no drug use within the month before acceptance into the program. In comparison, this was 28 percent among the first cohort and 32 percent for drug court clients overall. Nine percent of both cohorts used their drug of choice 1-3 times a month, while 11 percent of the second cohort and 13 percent of the first cohort used 1-2 times a week upon entrance into drug court. Forty-one percent of the second cohort indicated that they used their drug of choice at least 3-6 times a week, if not daily, upon their entrance into a drug court program, compared to 50 percent of the first cohort.

Table 4, illustrates mean and percentage distributions on selected variables for the first and second cohorts compared to the overall total of drug court participants. These variables are also found in Appendix C for each county drug court. The mean age for the second cohort is 34, while the mean age for the first cohort is slightly younger at 33. Both cohorts have a mean of 2 children per participant.

*Forty-one percent of the second cohort indicated that they used their drug of choice at least 3-6 times a week, if not daily, upon their entrance into a drug court program, compared to 50% of the first cohort.*

**Table 4: Mean and Percentage Distributions on Selected Variables for the First and Second Cohorts and the Total Drug Court Clientele**

Variable	First Cohort	Second Cohort	Total
Mean Age	33	34	33
Mean Number of Children	2	2	2
Mean Number of Previous Arrests	2	5	3
Mean Number of Prior Felony Convictions	1	1	1
Mean Failure Sentence (Months)	54	73	61
Percentage in Phase			
Phase I	6%	47%	18%
Phase II	4%	26%	10%
Phase III	5%	11%	7%
Phase IV	9%	4%	7%
Graduated	43%	1%	30%
Terminated	33%	10%	26%

Note: Due to rounding, percentages may not add to 100.

The mean number of previous arrests for the first cohort, which includes both misdemeanors and felonies, is 2 (median = 1), while the mean number of prior felony convictions is 1 (median = 0).

The second cohort have more previous arrests than the first cohort in that the mean number of arrests, which includes both misdemeanors and felonies, is 5 (median = 3), and the mean number of prior felony convictions is 1 (median = 0). The overall mean number of previous arrests for drug court clientele is 3 (median = 1), while the mean number of prior felony convictions is 1 (median = 0).

*The mean failure sentence for the first cohort is 54 months or four and a half years, over a one and a half year difference from the mean failure sentence for the second cohort, which is 73 months or a little over 6 years. The mean failure sentence overall is 61 months or slightly over 5 years.*

Drug court participants must plead guilty before being accepted into the drug court. As a result, if a drug court participant does not comply with the conditions set forth in his or her drug court contract, the participant faces being revoked from the drug court and incarceration. The "failure sentence" shows the "time to do," if a drug court participant fails the program. The mean failure sentence for the first cohort is 54 months or four and a half years, over a one and a half year difference from the mean failure sentence for the second cohort, which is 73 months or a little over 6 years. The mean failure sentence overall is 61 months or slightly over 5 years.

Drug court clients must complete 4 phases or treatment levels before graduating drug court. The percentage of clients in each phase is: 46 percent are in phase I, 26 percent are in phase II, 10 percent are in phase III, and 4 percent are in phase IV. Of all the participants in the second cohort, 5 percent are currently AWOL, while two percent have graduated and 10 percent have been terminated. This indicates that Oklahoma drug courts have a retention rate of 90 percent among the second cohort. However, this retention rate must be viewed with caution, as it does not take into account the differences among clients in regards to time spent in the drug court program.

*The average retention rate among all drug court clients is 74%.*

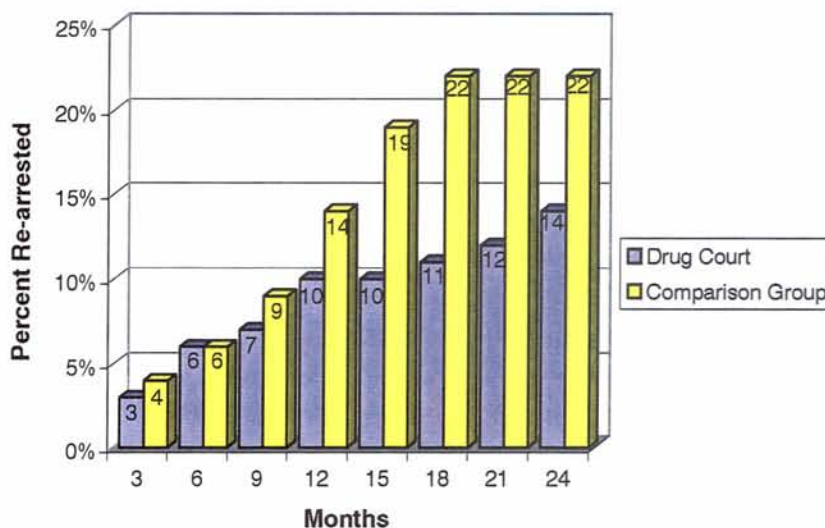
For total drug court clientele, the phase level percentages are as follows: 18 percent are in phase I, 10 percent are in phase II, 7 percent are in phase III, and 7 percent are in phase IV. Of all drug court participants, 6 percent are currently AWOL. Thirty percent of the participants have graduated and 26 percent have been terminated. Thus, the average retention rate among all drug court clients is 74 percent. However, the retention rate caveat above also applies to the total drug court clientele.



### Recidivism Among Drug Court Graduates and Comparison Group

To examine recidivism as an outcome measure of drug courts, the graduates of each drug court were pooled into a database in which the Oklahoma State Bureau of Investigation (OSBI) rap sheets were used to determine whether graduates were arrested after drug court program completion. Moreover, drug court graduates are compared to probation offenders that are matched by criminal history and felony charge. The probationers are used as a comparison group to the graduates. Figure 3 shows the recidivism results for the statewide drug court graduates (sample of 269 following an 18% attrition rate) and the matched probation offenders (sample of 298).

Figure 3: Drug Court Graduate and Comparison Group Recidivism



Recidivism for both groups is identical after 6 months with 6 percent of the drug court graduates and the comparison group re-arrested. At nine months and beyond, recidivism for the comparison group is higher than that of the drug court graduates. More specifically, recidivism for the drug court graduates compared to the comparison group in six month intervals is as follows: 10 percent compared to 14 percent at 12 months, 11 percent compared to 22 percent at 18 months, and 14 percent compared to 22 percent at 24 months. The overall difference between drug court graduates and probation offenders is statistically significant ( $p < .01$ ). Furthermore, at times recidivism for the graduates is half as much as that of the comparison group.

It is important to note that the 14 percent of drug court graduates re-arrested during the 24-month follow-up did not change when the time period was extended to 28 months. This was not presented in the graph, as comparison group data were not available beyond 24 months.

It is particularly interesting that the sentences of 55 percent of the comparison group did not involve treatment. Among probation offenders, 21 percent were re-arrested during the 24-month follow-

*At times, recidivism for the drug court graduates is half as much as that of the comparison group.*

*Treatment did not really impact the recidivism results among the comparison group, as both sub-groups within the comparison group recidivated at higher rates than the drug court graduates.*

up. Similarly, among the offenders in the comparison group with sentences involving treatment, 23 percent were re-arrested during the 24-month follow up period. This suggests that treatment did not really impact the recidivism results among the comparison group, as both sub-groups within the comparison group recidivated at higher rates than the drug court graduates.

Figure 3 includes graduates who have not been out for six months as of August 2000. When those graduates are excluded, the overall recidivism figures are 16 percent. Similarly, for those graduates who were out of drug court for at least 1 year, 18 percent were re-arrested.

These findings on recidivism are consistent with recent literature on outcome-based research evaluations. This research shows that drug court graduates recidivate, defined as re-arrest, less than similarly matched comparison groups (Belenko 1998, 1999, 2000; Fluellen and Trone 2000; Peters and Murrin 2000). Belenko (1999) summarized findings on 12 evaluations that included recidivism data and a comparison group. The findings indicate that 7 of the evaluations reported lower post-program recidivism than the comparison groups.

Recidivism rates, again measured as re-arrest, for drug court graduates after 12 months, ranged from 18% to 48%, while the comparison group rates ranged from 22% to 55% (Belenko 1999). It is encouraging to discover that this places Oklahoma on the low end of these recidivism ranges for both the drug court graduates and the probation comparison group. The wide ranges in previous studies exist because of the differences in length of follow-up periods or because clients and/or the comparison groups possessing different criminal histories, or other factors. Comparison groups and the length of the follow-up period must be carefully chosen or findings based upon these groups can be misleading. This is especially the case with regard to the measurement of recidivism.

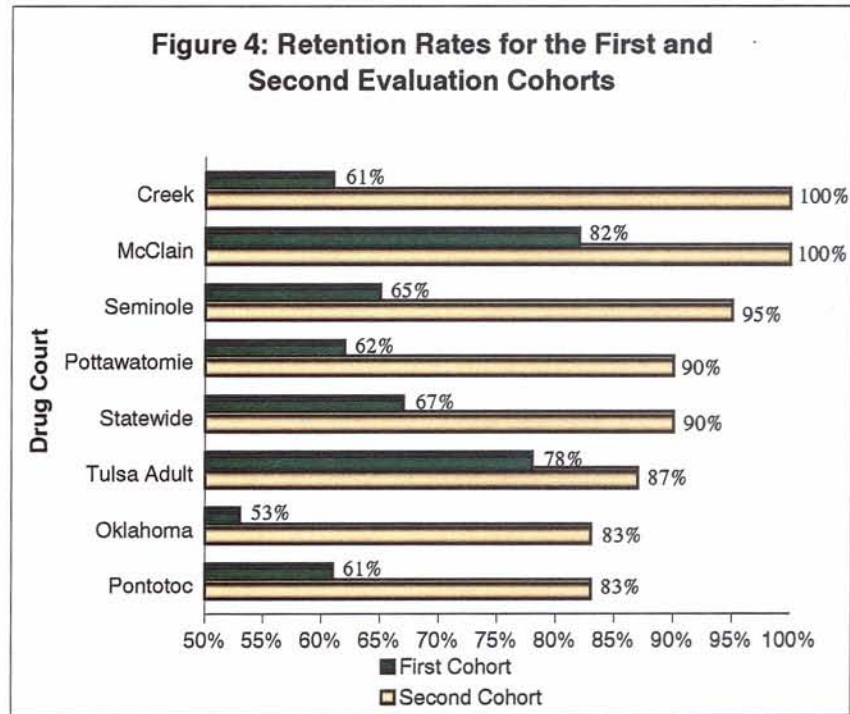
Furthermore, it is critical to acknowledge that using re-arrest as a measure of recidivism is not without debate, as it is a more sensitive measure than re-conviction (see Breckenridge et al 2000; Champion 2001). Thus, it could be argued that re-arrest rates overestimate the actual level of criminality, while re-conviction rates underestimate the level of criminal activity. Nevertheless, the recidivism results for the Oklahoma drug court graduates are a significant positive indication of success.



### Retention Rates for Oklahoma Drug Courts

Figure 4, shows the retention rate in each individual drug court and the statewide retention rate for the first and second cohorts.

In comparison to other drug courts, Belenko (1999), in a nationwide review of drug court evaluations, found that retention rates range from 46% in Madison County, Illinois to 65% in Los Angeles County, California. This is in contrast to other research performed, which indicates that the national retention rate of the 100 oldest drug courts is slightly over 70 percent (Cooper 1997, Drug Court Clearinghouse and Technical Assistance Project 1997; see also U.S. General Accounting Office 1997).



More recent research suggests that while jurisdictional differences and data limitations make calculating an overall drug court retention rate extremely difficult, the national retention rate of drug court participants who have been in the program for at least one year is 60 percent (Belenko 1998; Peters and Murrin 2000). In comparison, only about 35% of offenders are retained after 3 months of participating in outpatient treatment (Cooper 1998). It should be noted that as of August 1, 2000, the mean number of days spent in drug court is 848 days or 28 months for the first cohort, while the median number of days for the second cohort is 266 days or nearly 9 months for the second cohort. Thus, although participants in the second cohort have not yet spent a year in drug court, the retention rates look promising.

*Although participants in the second cohort have not yet spent a year in drug court, the retention rates look promising.*

### Comparison Between Drug Court Graduates and Terminations

Table 5, presents selected variable comparisons between the graduates of the drug court program and clientele who were terminated from the drug court program. Incidentally, the mean completion time for drug court graduates is 467 days or nearly 16 months. The mean age for the graduates is 34, while the mean age for the terminations is 2 years younger with a mean age of 32.

**Table 5: Selected Variable Comparison Between  
Statewide Drug Court Graduates and Terminations**

<b>Variable</b>	<b>Graduates (N = 326)</b>	<b>Terminations (N = 281)</b>
<b>Mean Age</b>	34	32
<b>Race/Ethnicity</b>		
Caucasian	78%	62%
African American	9%	21%
Native American	12%	15%
Hispanic	2%	2%
Asian	0%	0%
<b>Sex</b>		
Male	64%	65%
Female	36%	35%
<b>Educational Attainment (Prior to Drug Court Entry)</b>		
High School/GED graduate	63%	48%
College degree	6%	2%
<b>Employment Status (Prior to Drug Court Entry)</b>		
Employed	70%	50%
Unemployed	30%	50%
<b>Percentage Married</b>	30%	30%
<b>Mean Number of Children</b>	1	2
<b>Most Common Drug of Choice</b>	Marijuana	Marijuana
<b>Mean Number of Previous Arrests</b>	2	3
<b>Mean Number of Prior Felony Convictions</b>	0	1
<b>Most Common Conviction for Drug Court Entry</b>	Possession of CDS	Possession of CDS
<b>Mean Failure Sentence (Months)</b>	44	59

Note: Due to rounding percentages may not = 100.

*Sixty-three percent of the graduates had a high school diploma or GED compared to 48% among clientele terminated from drug court.*

Four groups comprise the racial and ethnic makeup of the graduates. Caucasians were the largest racial group with 78 percent, followed by Native Americans, African Americans, and Hispanics at 12, 9, and 2 percent, respectively. These four groups also comprise the majority of the racial and ethnic groups for those terminated from drug court. Caucasians remain the largest racial group with 62 percent of the population. However, African American representation among terminations at 21 percent is more than twice their representation among graduates.

Native American representation is slightly higher among terminations with 15 percent, while Hispanic representation among terminations is identical to their representation among graduates at 2 percent. As for gender, the two groups have virtually identical representation among males and females.

Sixty-three percent of the graduates had a high school diploma or GED and 6 percent had a college degree prior to their entry into



drug court. Among clientele terminated from drug court, only 48 percent acquired a high school diploma or GED and 2 percent had a college degree. This could indicate that the lower the educational attainment upon entry into drug court, the greater the risk for termination from the drug court program. Similarly, 70 percent of the graduates were employed prior to drug court entry, compared to only 50 percent of those terminated from drug court.

In terms of marital status, 30 percent in each group are married. Drug court graduates have a mean number of 1 child per person, while those terminated from drug court have a mean number of 2 children per person. The most common drug of choice for graduates and terminations is marijuana at 33 and 34 percent, respectively. The mean number of previous arrests, for graduates, which includes both misdemeanors and felonies, is 2, (median = 1), while the mean number of prior felony convictions is 0 (median = 0). The criminal history for those terminated from drug court programs is more serious with a mean number of previous arrests, which includes both misdemeanors and felonies, of 3 (median = 1), and a mean of 1 (median = 0) prior felony convictions.

The most common conviction which participants in both groups pled guilty to in order to participate in drug court is possession of CDS at 32 and 36 percent respectively. The median failure sentence for the graduates is 24 months or 2 years, a two-year difference from the median failure sentence faced by those who were terminated from the program.

These comparisons between those drug court participants who graduated and those who were terminated illustrate factors that are indicative of drug court success and failure. It appears that young, African American, less educated, unemployed, and more criminally active participants are more likely to be terminated than others. Participants with these characteristics, or at least some of them, are at a greater risk of termination. In contrast, older, Caucasian, high school or college educated, employed, first time felony offenders participating in the drug court program are more likely to succeed and graduate. These findings are fairly consistent with other findings related to program success and failure (Belenko 1999).

*Older, Caucasian, high school or college educated, employed, first time felony offenders participating in the drug court program are more likely to succeed and graduate.*

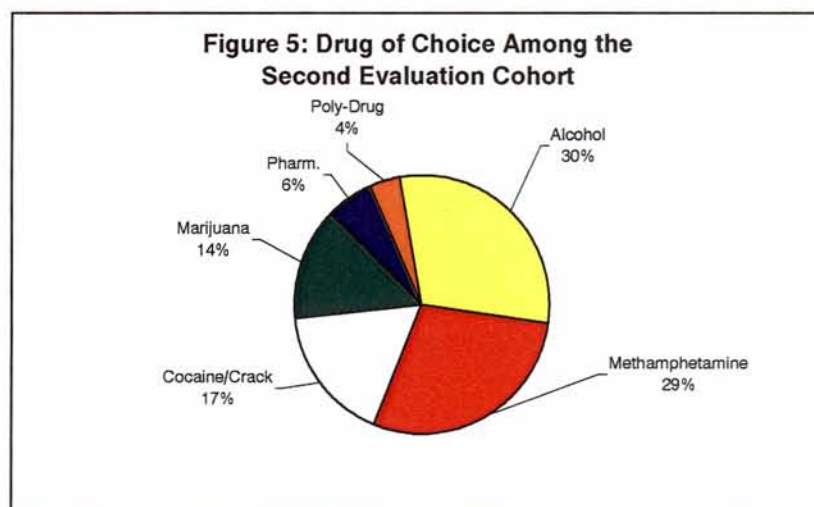
Additionally, those participants who graduated or were terminated as described above represent the total number of "discharges" from the drug court program. From this perspective, the percentage of discharges that represent drug court program completion (i.e. graduates) is 54 percent. In comparison, only 39 percent of FY

*Oklahoma drug courts have a higher completion rate than traditional outpatient substance abuse treatment.*

2000 discharges for probationers receiving outpatient substance abuse treatment in DMHSAS contracting facilities represent treatment completion. Thus, in Oklahoma, drug court participants have a higher completion rate than probationers in traditional outpatient substance abuse treatment.

### **Drug of Choice Preference Among Oklahoma Drug Court Participants**

With regard to drug of choice, Figure 5, illustrates the drug of choice for the second cohort. Data indicate that alcohol was the dominant drug of choice for 30 percent of the participants in the second cohort.



Alcohol was followed by methamphetamine derivatives at 29 percent, cocaine/crack at 17 percent, marijuana at 14 percent, and pharmaceuticals at 6 percent. Poly-drug use (multiple drugs) comprised the remaining 4 percent. In comparison, marijuana at over one third and methamphetamine derivatives at 27 percent were the dominant drugs of choice preference for the first cohort and comprised 28 percent each for the total drug court clientele.

*Marijuana (34%) and methamphetamine derivatives (27%) were the dominant drugs of choice preference for the first cohort, as well as for the total drug court clientele (28%).*

The drug of choice breakdown for the second cohort at the individual drug court level can be found in Appendix D. Alcohol is the leading drug of choice in three of the courts and is tied as the leading drug of choice in a fourth court. These are Seminole, Pontotoc, Pottawatomie, and Creek, respectively. This is followed by methamphetamine derivatives, which is the leading drug of choice in the Tulsa and McClain courts and is tied as the leading drug of choice in Creek.



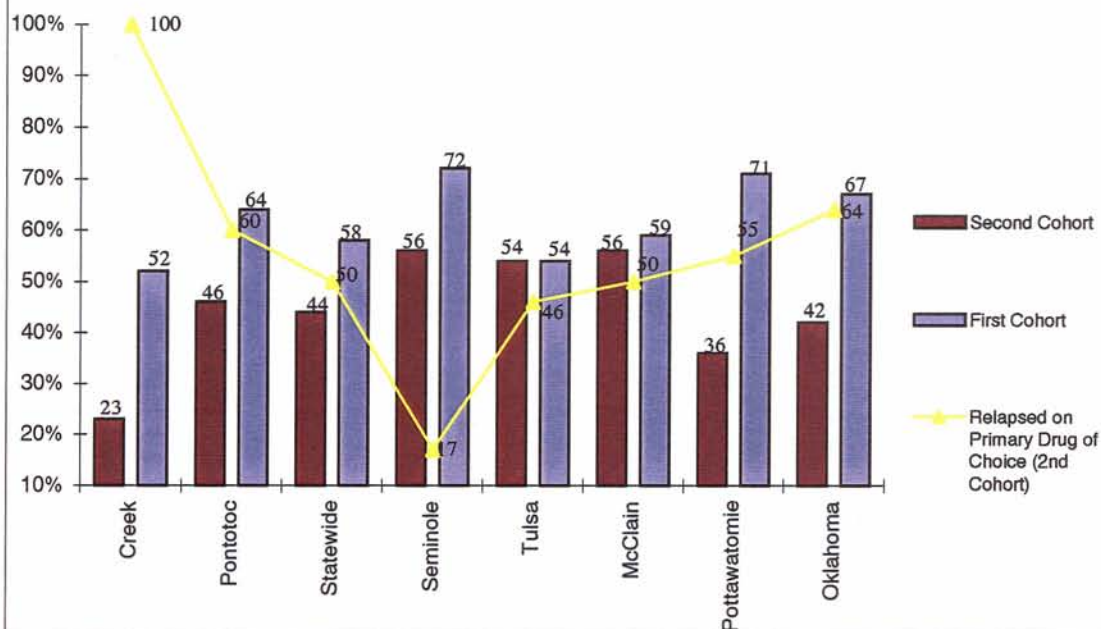
### Relapse Information for Oklahoma Drug Court Participants

Drug court participants who test positive on their urinalysis test have had a relapse, (i.e., have begun using again or never stopped taking drugs). For this report, the first urinalysis taken by the drug court client is not counted in order for the drug treatment to take effect. Although some drugs such as marijuana take longer to leave the system than other drugs, change in drug levels can be detected over a period of time. This should be taken into account when considering the following percentages of participant relapse.

Figure 6, graphically displays the relapse ranges for individual drug courts and statewide for the first and second cohorts and the percentage of those in the second cohort who relapsed on their drug of choice. Fifty-eight percent of the first cohort has relapsed, compared to 44 percent for the second cohort. The percentage of relapse for the first cohort may be due both to the fact that they simply had more time to relapse and that more urinalysis tests were taken. For all drug court participants the relapse rate is 54 percent. The drug used to relapse determines whether the drug court participant relapsed on the original drug of choice or a substitute drug. Fifty percent of both the first and second cohort, who relapsed did so on their original drug of choice.

*Fifty-eight percent of the first cohort has relapsed, compared to 44% for the second cohort.*

**Figure 6: Percent of Clients Who Relapsed**



### Causes and Sanctions Among Drug Court Participants

*Drug courts use immediate sanctions to address relapses among participants.*

Since habitual behavior, such as drug or alcohol abuse, cannot be expected to change over night, drug court programs recognize the high potential for relapses, which are expected to occur during the participants' stay with the drug court (Belenko 2000; Brown 1997; Goldkamp 2000). Consequently, drug courts use immediate sanctions to address relapses among participants. The range of sanctions can be from writing an essay to incarceration in jail, and ultimately, termination from the drug court. Table 6, presents the top 5 causes and sanctions utilized for all drug court clients. It is important to note that the top 5 causes do not necessarily correspond to the top 5 sanctions, thus each top 5 should be considered independently.

Table 6: Overall Causes and Sanctions

Top Five Causes of Sanctions	Percent of Causes	Top Five Sanctions Imposed	Percent of Sanctions
Positive UA	34%	Jail Only	32%
Missed Appointments	25%	Community Service	24%
AWOL	9%	Termination	13%
Admitted Drug Use	7%	Bench Warrant Issued	8%
Non-Compliance	6%	Jail/Plus Other Sanction	6%

*Testing positive for drug use is the most frequent cause of being sanctioned with 34 percent of all causes.*

Testing positive for drug use is the most frequent cause of being sanctioned with 34 percent of all causes. Missed appointments (i.e., not showing up when scheduled on the drug court docket, not reporting to the case manager, not attending various treatment meetings or community service, and failing to call in) are second at 25 percent. Absence without leave (AWOL) is the third most frequent cause at 9 percent. Participants who were caught with drugs or admitted using were sanctioned for drug use, which is fourth at 7 percent. The fifth most common cause for sanction at 6 percent is non-compliance. Non-compliance is a more general term meaning the participant in one way or another did not meet the conditions set forth in his or her drug court contract.

Over one-third of the sanctions administered to drug court clientele involve incarceration in jail. The most common sanction imposed is jail only at 32 percent. The second highest sanction is community service at 24 percent. Termination from the drug court program is third and accounts for 13 percent of all sanctions. Bench warrant issued is the fourth most common sanction at 8 percent. Jail plus other sanction(s) was fifth at 6 percent. Other sanctions coupled with jail were usually community service, and/or re-phasing back to phase I.



## Conclusions and Recommendations

This document provides the Phase II analysis and evaluation of the Oklahoma drug court program, which includes the following courts: Tulsa, Creek, Oklahoma, Pontotoc, Seminole, Pottawatomie, and McClain counties. These courts do not represent all drug courts in Oklahoma, of which there are currently 18 active adult courts. However, these drug courts were the most established at the time of the Phase I evaluation. Most courts at the time of the Phase I evaluation were just getting started or were in the planning stages. This report updates information on a variety of factors including, although not exclusively: selected client/participant demographic variables, relapse, relapse drug, phase level, status, retention, current employment, sanctions, and graduate recidivism data (re-arrests). Numerous comparisons are made between the first and second cohorts, as well as all drug court participants. Additional comparisons are made between participants who graduated and those who were terminated from drug court. Moreover, comparisons on recidivism are exhibited between drug court graduates and a matched sample.

In order to monitor changes among those participating in the drug court program and to check for systemic changes in the program, comparisons are provided between the first and second cohort drug court participants. The data show that participants in the second cohort are older (34 compared to 33). There is also a higher percentage of minorities (39% compared to 29%), and fewer women clients (33% compared to 36%).

Additionally there is, a slightly higher percentage of participants entering drug court as high school or GED graduates at 59 percent, compared to 56 percent, and more are unemployed with 21, percent compared to 17 percent. The mean failure sentence is longer at 73 months compared to 54 months. Participants have a lower relapse percentage at 44 percent compared to 58 percent, and the groups have a matching percentage of relapses for their drug of choice at 50 percent. Second cohort participants' dominant drugs of choice are alcohol and methamphetamine derivatives, compared to marijuana and methamphetamine derivatives for the first cohort. The mean number of previous arrests for second cohort participants is 5 compared to 2 for the first cohort, while both groups have a mean number of prior felony convictions of 1. The most common current conviction for both groups is possession of CDS.

*The mean number of previous arrests for second cohort participants is 5 compared to 2 for the first cohort, while both groups have a mean number of prior felony convictions of 1.*

*Recidivism data for the drug court graduates indicates that 14 percent were re-arrested during the 24 month follow-up. Conversely, 22 percent of the probation offenders in the comparison group were re-arrested.*

With regard to all drug court participants, data show that the overall mean age is 33. Thirty-two percent of all drug court clientele are minorities, and over one third of the clients are female. There are on average 2 children per drug court participant. Prior to drug court, fifty-seven percent of all drug court participants had a high school or GED degree, while 41 percent were unemployed. Oklahoma drug court clientele face a mean failure sentence of 61 months or just over 5 years. Fifty-four percent of all clientele relapsed, and of those 50 percent relapsed on their drug of choice. The dominant drugs of choice are marijuana and methamphetamine derivatives. As for previous criminal history, data indicate that drug court clientele have a mean of 3 previous arrests and a mean of 1 prior felony conviction. The most frequent conviction overall was possession of CDS.

Available recidivism data for the drug court graduates indicate that 14 percent were re-arrested during the 24 month follow-up, while 22 percent of the probation offenders in the comparison group were re-arrested. Furthermore, the recidivism results for the drug court graduates are better than most findings in nationwide studies. Additionally, the retention rate for the second cohort is 90 percent excluding AWOLs. Among the total drug court participants the retention rate is 74 percent, which is above the national average. In comparisons between graduates and terminations, success is more likely to be found among older, Caucasian, better educated, employed, less criminally active participants, while the risk of failure increases for younger, African American, less educated, unemployed, and more criminally active participants. Another finding of this study is that Oklahoma drug courts have a higher completion rate (54%) than traditional outpatient substance abuse treatment for probationers (39%).

*As more participants graduate, aftercare services, pre-release planning, and formal post-program supervision need to be implemented, strengthened, and formalized.*

The positive indicators that have been documented in this report suggest that the Oklahoma drug courts are successful. Nevertheless, several recommendations are presented, which may address some of the negative signs that were also identified. First, since drug courts are based in restorative justice, therapeutic jurisprudence, and the rehabilitative philosophy (Belenko 2000; Goldkamp 2000), it seems that more consideration needs to be given to pre-graduation/release planning, provision of aftercare services, and formal post-program supervision.

As more participants graduate, aftercare services, pre-release planning, and formal post-program supervision need to be implemented, strengthened, and formalized. Well-documented literature on prison-based treatment indicates that long-term



outcomes are significantly improved when treatment and related services continue following release (see Lipton 1995 for a historical review; Belenko 1999, 2000; Champion 2001; Hiller, Knight and Simpson 1999; Lash 1998; Martin et al 1999).

Another recommendation is that drug courts consider giving standardized, research-based assessments, such as the Addiction Severity Index (ASI) to participants at the time of their entry into drug court and again at graduation. This will provide numerous outcome measures beyond recidivism, which may be attributable to the drug court and should assist in future planning.

Third, the development of a consistent and integrated management information system (MIS) would be useful in providing a way to collect data through a standardized process. Such an information system would assist in tracking participants as they progress through the program, provide assistance in drug court staffing sessions, and facilitate updates and more refined outcome measures.

There is a drug problem in Oklahoma. This is documented by an increase of over 100 percent in the drug related arrest rate between 1990 and 1998 (Oklahoma Criminal Justice Resource Center 2000b), and by the finding that possession of CDS has been the leading felony conviction for at least the last three years (Oklahoma Criminal Justice Resource Center 2000c, 1999). Therefore, it seems that drug courts should be utilized more often for non-violent substance abusing offenders.

Finally, periodic and consistent research and evaluation of Oklahoma drug courts is recommended. This research is needed to provide further demographic information on the drug court participants, assess recidivism rates and other outcome measures, and to identify how these change over time. Furthermore, future research will need to include other drug courts that are now operational.

*Drug courts should consider giving research-based assessments, to participants at the time of their entry into drug court and again at graduation.*

*Drug courts should be utilized more often for appropriate offenders.*

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## **APPENDIX A**

### **Drug Court Demographics for the Second Cohort by Individual Drug Court**

### Drug Court Demographics for the Second Cohort by Individual Drug Court

Variables	Drug Court						
	***Creek (N = 84)	McClain (N = 25)	Oklahoma (N = 79)	Pontotoc (N = 59)	Pottawatomie (N = 31)	Seminole (N = 41)	Tulsa (N = 45)
<b>Race</b>							
Caucasian	75%	80%	45%	68%	53%	49%	70%
African American	3%	0%	47%	5%	7%	12%	20%
Native American	20%	8%	4%	27%	37%	39%	10%
Hispanic	3%	12%	4%	0%	3%	0%	0%
Asian	0%	0%	0%	0%	0%	0%	0%
<b>Sex</b>							
Male	80%	68%	47%	76%	68%	90%	58%
Female	20%	32%	53%	24%	32%	10%	42%
<b>*Educational Level</b>							
High School/GED	51%	56%	68%	58%	49%	54%	62%
College Degree	1%	0%	5%	4%	7%	5%	0%
<b>**Employment Status</b>							
Employed	86%	91%	69%	69%	89%	84%	62%
Unemployed	14%	9%	32%	31%	11%	16%	39%

Note: Due to rounding, percentages may not add to 100

\*Prior to drug court entry except for Pontotoc and Seminole where level is during drug court

\*\*Excludes terminations for Creek, Oklahoma, and Tulsa. Excludes AWOLs and terminations for McClain, Pontotoc, Pottawatomie, and Seminole

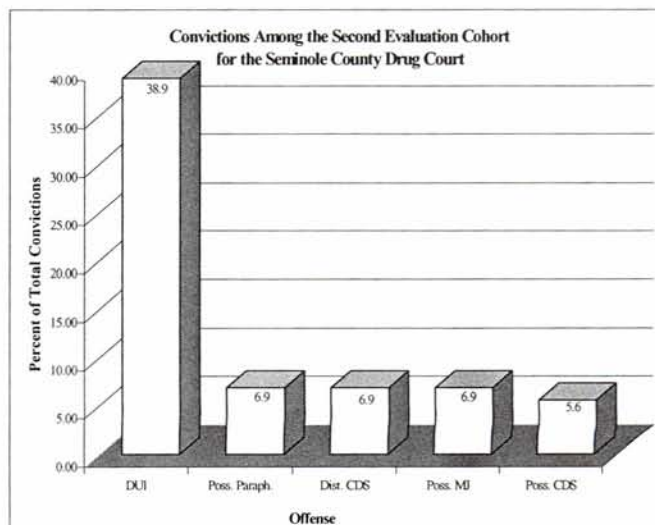
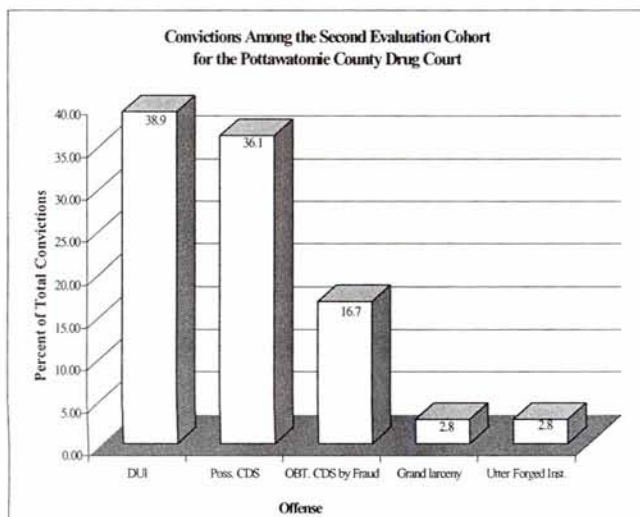
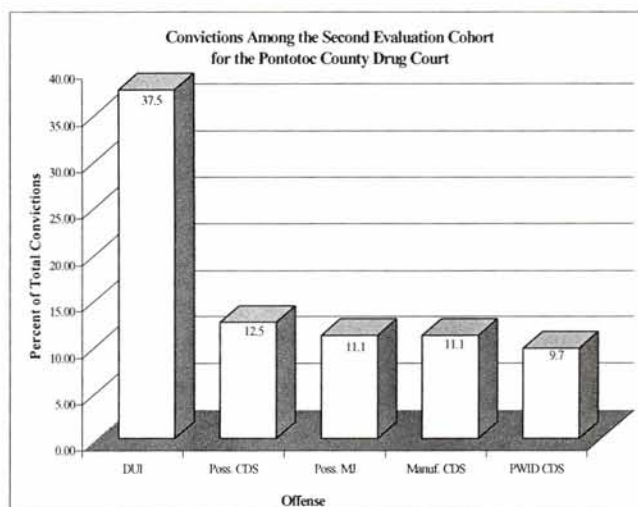
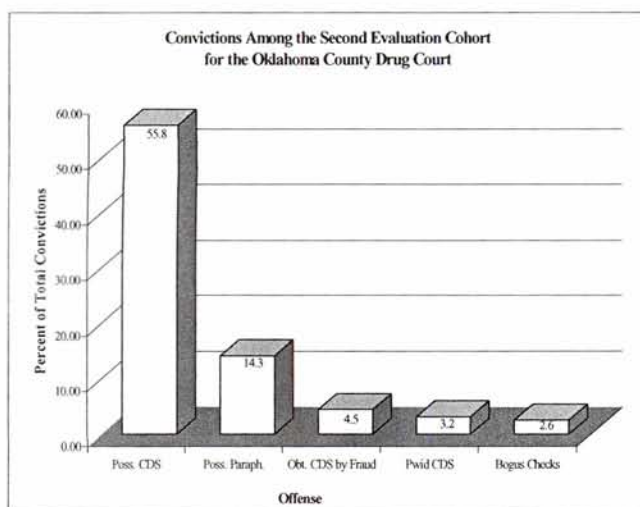
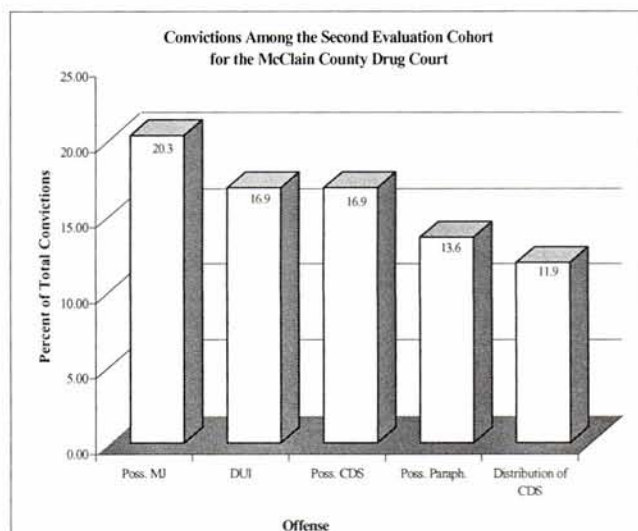
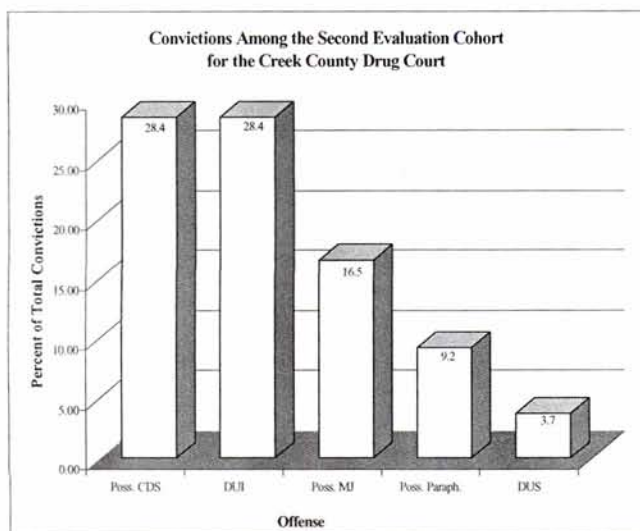
\*\*\*Includes misdemeanors

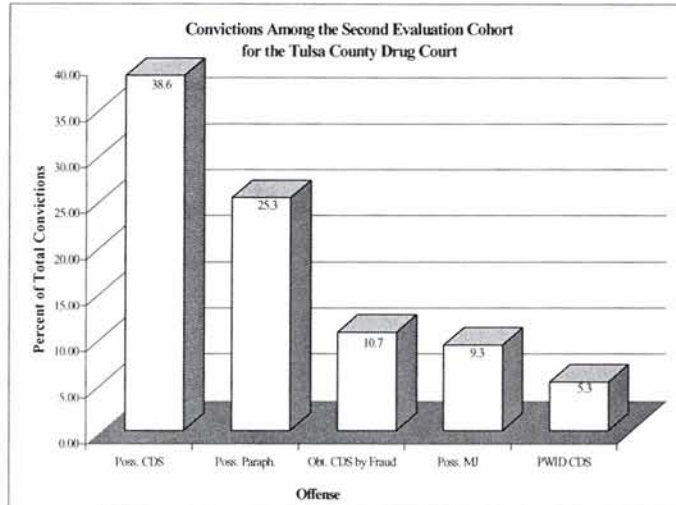
**APPENDIX B**

**Convictions Among the Second Cohort  
by Individual Drug Court**



## Convictions Among the Second Cohort by Individual Drug Court





## **APPENDIX C**

### **Selected Variables for the Second Cohort by Individual Drug Court**



### Selected Variables for the Second Cohort by Individual Drug Court

Variables	Drug Court						
	Creek	McClain	Oklahoma	Pontotoc	Pottawatomie	Seminole	Tulsa
Median Age	29	38	36	34	33	40	30
Median # of Children	2	2	2	2	1	2	1
Median # of Previous Arrests	*1	3	3	*6	5	2	1
Median # of Prior Felony Convictions	0	1	2	*1	2	0	0
Median Failure Sentence (Months)	24	60	60	60	60	96	36
Percent Relapse	23%	56%	42%	46%	36%	56%	54%
Percent Drug of Choice Relapse	100%	50%	64%	60%	55%	17%	46%
Retention Rate	100%	100%	83%	83%	90%	95%	87%

\*Self-report data and includes misdemeanors and felony conviction data

## **APPENDIX D**

### **Drug of Choice Among the Second Cohort by Individual Drug Court**

### Drug of Choice Among the Second Cohort by Individual Drug Court

