

**Western Regional Drug Court
State of Nevada**

Model Program Design for Multijurisdictional, Rural Settings



**Prepared for the
Administrative Office of the Courts by:**

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May 2006

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¹ This report is a process and outcome evaluation of the Western Regional Drug Court, State of Nevada (WRDC). The evaluators would like to thank all of the Team members, as well as other individuals interviewed, for taking time out of their busy schedules to make this evaluation a success. This report was prepared under a contract with the Nevada Administrative Office of the Courts. The views of the authors do not represent the opinions, policies or official positions of State of Nevada or other offices and organizations included in the report.

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INTRODUCTION

Specialty Courts are judicial problem-solving processes designed to address the root causes that contribute to criminal involvement.² The Western Regional Drug Court (WRDC) has been a leader in Nevada in the development of a drug court program that addresses the unique needs of rural jurisdictions by designing a collaborative, multijurisdictional model. The challenges faced by rural areas often prohibit the establishment of new programs to improve individual, local criminal justice activities. However, by combining organizational efforts, much can be accomplished to produce unified responses to society's problems.

Specialty Courts consist of teams with a judge, coordinator, prosecutor, defense, treatment personnel, probation and other agency staff as needed. They provide early intervention by the court while protecting the rights and due process of the defendant. The swift application of rewards or sanctions holds the client accountable throughout the process.

Drug Courts have been proven highly effective with defendants whose drug use or abuse has brought them into contact with the criminal justice system. Several categories of Drug Courts are currently operating throughout the state of Nevada. These include adult, juvenile and family. All play a unique role in helping and preparing people to live substance abuse free lives.

² See: Nevada Administrative Office of the Courts. (2005) *Assembly Bill 29 "Specialty Court Funding:" 2005 Report to the Legislative Counsel Bureau*. Carson City, NV: Supreme Court of Nevada.

- The Adult Criminal Drug Court is the most common. Participants are part of the criminal justice system and enrolled in the program as a part of their sentence and rehabilitation.
- Family, Dependency, and Child Support Drug Courts deal with domestic situations, such as a failure to pay ordered child support, that are worsened by use of illegal drugs.
- Juvenile Drug Courts are for youth who find themselves in the criminal justice system with drug use as part of the problem.

In addition to the assistance provided to individual defendants, counties and taxpayers receive the benefit of cost savings due to a reduced number of people incarcerated, and an increased number of productive members in society. The work of these courts cannot be underestimated. National and state studies show the success of these courts both in lower recidivism and cost saving to state health and service agencies, correction agencies and the courts. In addition to producing clean, sober and productive citizens, other benefits are received by the state. A recent study found that every dollar spent on substance abuse treatment generates \$7 in monetary benefits for society.

Following the implementation of its program in September 2001, the Western Regional Drug Court (WRDC) program succeeded in holding its first graduation in October 2002. Through April 2006, the WRDC team has implemented a series of enhancements to meet the

needs of the target population and to provide additional access to treatment and other supporting activities involving outreach and coordination of services.

Combined internal and external assessments established the basis for more intensive evaluation designs as the drug court continued its implementation, and led to fine-tuning that established the court processes that exist today. Together these efforts established the basis for this process and outcome evaluation design, which assesses the court's effectiveness in fine-tuning its implementation processes.

This report is divided into four (4) sections:

- Overview of the Evaluation and the Western Regional Drug Court
- Program Success and Enhancement
- WRDC Effectiveness: Data, Findings, Conclusions
- Critical Drug Court Elements and Effectiveness: Solidifying the Program Model

OVERVIEW OF THE EVALUATION

Nevada's prison population growth has been phenomenal for more than a decade³ and the Department of corrections could little more than try to catch up with increases in monthly intake of inmates. Add to this fact that 60-90% of Nevada's inmates have drug and/or alcohol problems, and leaders at state and local levels continue to seek effective alternatives to (1) relieve the pressure on the criminal justice system and (2) decrease the number of drug offenders that repeatedly revolve through the system.⁴ One answer was to establish and maintain drug courts throughout the state.

Drug Court programs must include research and evaluation components before implementation begins. A standard method to perform ongoing evaluation activities is needed. Information on programs that work, and confirmation on why they work, is needed as well. Evaluation is important to improving the effectiveness and quality of drug court programs. Integration of the program evaluation when the program is designed is the preferred approach. An evaluation systems approach to program development is needed to ensure that (1) effectiveness and efficiency are maintained within the program and (2) progress on the program objectives is communicated to key policy makers, managers, and the public. Building evaluation into program development truly makes a drug court "whole" and ready for implementation. It is important for the

³ See: Governor's Study Committee. (2002) *Study Committee on Corrections Final Report*. Carson City, NV: Nevada Department of Corrections.

⁴ See: Records and Identification Bureau. (2005) *Crime and Justice in Nevada 2004*. Carson City, NV: Nevada Department of Public Safety.

evaluation to answer the questions posed by decision-makers so that results will be readily useful.

The application of the framework and methods below creates an analytical model that must be made an ongoing part of the program management for drug courts. With information provided by program evaluations, program managers can ensure effective program performance and accountability. If program evaluation is to be a fundamental part of effective public administration, the primary responsibility for program evaluation should rest with oversight officials. To more closely integrate an evaluation with program administration, we propose that managers be assigned the primary responsibility for assuring that program evaluation demonstrates the extent to which the program is effectively administered. It is important as well to support the manager in producing an effectively administered program.

A useful definition for evaluation is as follows: Evaluation involves the systematic assessment of whether and to what extent projects or programs are implemented as intended and whether they achieve their intended objectives. This entails asking questions about programs, and collecting and analyzing information to learn about program operations and to discover program results.

The incremental phases of developing a complete evaluation system that are presented here are fully explained in [Assessing the Effectiveness of Criminal Justice](#)

Programs⁵. Assessing the effectiveness of programs for the purpose of finding out how well they have been implemented and to compare the extent to which the activities funded have achieved the program's goals is always possible, even given limited resources and funding constraints. The three incremental phases for “complete” evaluation systems include program logic analysis, process evaluation and impact/intensive evaluation.

The purpose of "program logic analysis" is to provide the basic foundation of program design, including the established linkages between objectives and program activities and consensus on performance and impact indicators. Developing a "model" of the program in the planning stage permits managers to formulate their expectations for program outcomes, which can be used later for program analysis and evaluation. Actual results are of little use, if they cannot be compared with expected results. Program logic analysis also provides needed information to conduct initial implementation studies and assessments directed by inquiries on program progress. Implementation analysis specifically identifies what is often forgotten -- descriptions of program activities, which are the formative basis for evaluation. Hence, the program manager can begin with evaluation as a management tool. Finally, this phase builds the foundation for both process and impact evaluations.

⁵ This approach and definitions presented here are fully explained and demonstrated in: Kirchner, Robert A., Roger K. Przybylski and Ruth A. Cardella Assessing the Effectiveness of Criminal Justice Programs. Assessment and Evaluation Handbook Series Number 1, January 1994. U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. This publication is available on the INTERNET at: www.bja.evaluationwebsite.org.

The purpose of the "process evaluation" is to provide evaluators with technical information that can assist in developing and implementing similar programs. Special attention is given to identifying the lessons learned at the various sites and the guidance they can provide to other jurisdictions regarding organization and development of program activities and to the implementation of program elements which are useful in addressing particular kinds of purposes or problems. Notably, performing process evaluations establishes the foundation for more intensive impact evaluations.

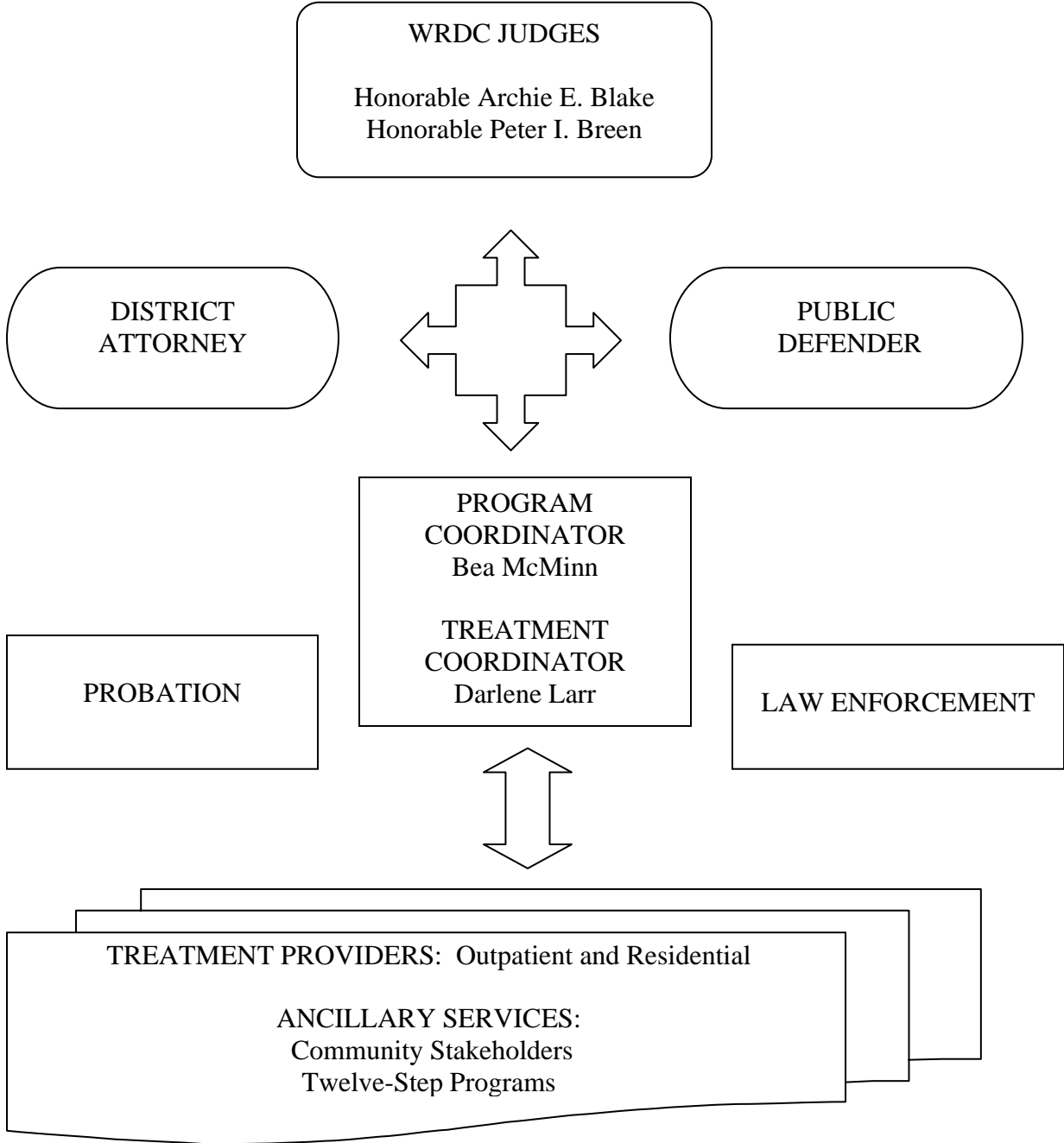
The purpose of the "impact/intensive evaluation" is to provide management information needed by Federal, State or local officials and community leaders involved in policy and programming decisions which clearly confirm that specific programs and/or activities do work, or do not work. The impacts observed in the demonstration projects are distilled to provide assessment of the impact to the program strategies. Measuring the impact of activities in relation to the goals and objectives, which they seek to achieve, requires the development of "performance indicators." An indicator is defined as an explicit measure of effects or results expected. It tells to what extent an activity has been successful in achieving, or contributing to, an objective.

The Administrative Office of the Courts, Supreme Court of Nevada contracted for an intensive evaluation to support their efforts under the Specialty Court Program during all stages of program implementation for the Western Regional Drug Court. The independent evaluation team⁶ performed the evaluation from December 2005 through

⁶ The team was comprised of the principal investigator, Dr. Robert A. Kirchner, Glacier Consulting, Inc., and GCI Senior Research Associates, Dr. Kenneth D. Robinson and Thomas R. Kirchner.

May 2006, including intensive periods of fieldwork. This report represents a process and outcome study of Western Regional Drug Court, an adult drug court program located in western Nevada, using a multijurisdictional model to meet the needs of six rural counties under an integrated program design. The Western Regional Drug Court Team and other individuals involved with the Program are visualized in the diagram below:

**WESTERN REGIONAL DRUG COURT (WRDC)
STATE OF NEVADA
DRUG COURT TEAM AND ORGANIZATION**



The following illustrations focus attention on the separate counties and judicial districts that comprise the jurisdictions of the WRDC. First, we present the linkages between the four judicial districts - First, Third, Fifth and Ninth; the counties associated with each district – Carson, Storey, Lyon, Churchill, Mineral and Douglas; and the Treatment providers supporting each court and the overall drug court program.

The second illustration displays the State of Nevada, and identifies the boundaries of each county, and points out their county seats. The six counties that make up membership in WRDC have a total population of only 177,602 citizens. The creation of this unified drug court was centralized in Lyon County through the efforts of its first Drug Court Judge, the Honorable Archie E. Blake. The county seat is Yerington which is often referred to as the western gateway to Nevada's Pioneer Territory. As the state continues to experience the largest population growth in the nation, the resources of law enforcement, prosecution and the courts, and corrections have not been able to keep up with these changes. The situation facing rural areas is even more exasperated because of issues such as distance to facilities, transportation, access to treatment services, and limitations on ability of each court to establish specialty caseloads.

In 1999, the Nevada Legislature authorized and funded an additional district court judge for the Third Judicial District. This action was followed by the establishment of the regional drug court in 2000. The designated drug court judge holds judicial hearings in regional court, on a circuit every two weeks, in addition to administering the overall program. Shortly after implementation began, a decision was made to create two

coordinator positions – one for administration and the other for treatment – recognizing that administrative duties involving six counties and coordinating the activities and reporting of treatment providers required more effort than a single position could manage. Likewise, the initial estimate that the drug court judge responsibilities would amount to 20% of the judge’s time quickly resulted in obligating at least 30% of his duties.

During the planning phase, the new Drug Court team established the eligibility criteria for potential participants. First, they determined the drug offender population they wanted to change. For the Third Judicial District alone, 85% of criminal defendants appearing in court had a controlled substance problem. Generally, the Team decided to consider all nonviolent drug offenders convicted of felony drug offenses, who were convicted of three or fewer nonviolent felony offenses, with the exception of drug trafficking offenses. Participants could also come from the population that had failed other drug court, probation or drug treatment programs.

After initial implementation and review, the Drug Court Team expanded eligibility to broaden the target population to include convicted offenders with drug related or induced behaviors linked to their criminality. The caseload produced, however, still can be defined as the most “difficult” clients with extreme criminal and addictive behaviors. Other drug offenders with minor drug history and high potential for recovery were directed to deferred sentencing and other drug related treatment programs.

Next to providing for judicial review and eligibility criteria throughout the regional drug court process, and management of cases and activities, was the issue of funding treatment. Although many of the costs involving the courts, law enforcement, and probation expenses could be absorbed by various government agencies, the cost of treatment services was not available. Experience from the Las Vegas and Reno Drug Courts suggested that the average cost of treatment services for a successful participant amounted to \$2,100. Without external funding of these services, the WRDC Team determined that participants should cover partial treatment costs.

Today, drug court participants are responsible for \$25 a week to cover their treatment services. The remaining treatment costs are covered through funding from the Administrative Office for the Costs Specialty Courts Program. The Nevada Legislature supported the collection of court fees as an administrative assessment which is set at \$7.00 for all misdemeanor convictions in Nevada. This fund would then be allocated to the state's specialty courts. The WRDC receives approximately 29% of the funds in the account each year which resulted in the ability of the regional program to function. Importantly, it also provided a means to cover some of the costs for residential treatment for clients diagnosed as needing such services.

WESTERN REGIONAL DRUG COURT (WRDC) - STATE OF NEVADA

A Multijurisdictional, Rural Drug Court

<u>First Judicial District</u>	<u>Third Judicial District</u>	<u>Fifth Judicial District</u>	<u>Ninth Judicial District</u>
Carson City County Storey County	Lyon County Churchill County	Mineral County	Douglas County
Carson City County Courthouse Carson City, NV	Lyon County Courthouse Yerington, NV	Justice Court (Hawthorne) Hawthorne, NV	Douglas County Courthouse Minden, NV
	Churchill County Courthouse Fallon, NV	<div data-bbox="1129 824 1430 937" style="border: 1px solid black; padding: 5px;">New Frontier Treatment Center</div>	<div data-bbox="1646 883 1921 1138" style="border: 1px solid black; padding: 5px;">Carson Community Counseling Sierra Recovery Center</div>
<div data-bbox="178 976 453 1084" style="border: 1px solid black; padding: 5px;">Carson Community Counseling</div>	<div data-bbox="638 980 940 1308" style="border: 1px solid black; padding: 5px;">Lyon Council on Alcohol and Other Drugs (Lyon) New Frontier Treatment Center (Churchill)</div>		

NEVADA



Legend

- Contributing Law Enforcement Agency
- ★ State Capital

COUNTIES

The drug court program is a relatively new program where traditional adjudication is combined with substance abuse treatment and other ancillary services that are targeted to reduce substance abuse and substance abuse related crime. Drug courts have been operating since the first successful implementation in Miami, Florida in 1989. Since that time, there are now approximately 1,100 drug courts in the United States either operating or in the planning stages.⁷

The success of the drug court program is often credited to the dynamic that exists between the Judge and the participant in the courtroom, intermingled with intensive substance abuse treatment. The drug court uses judicial coercion and the threat of sanctions and rewards, ranging in severity and benefits, to keep the drug offender in treatment for longer periods of time and with better success rates than many traditional treatment measures.⁸ Traditional substance abuse treatment has (on average) a 10-30% retention rate for a treatment program after one year,⁹ while drug courts programs are showing retention rates of 60-70% after one year.¹⁰ Many types of evaluations have shown that retention is the key to lowering recidivism rates and producing other positive

⁷ American University, Drug Court Clearinghouse and Technical Assistance Project, October, 1998

⁸ Satel, Sally. "Observational Study in Courtroom Dynamics in Selected Drug Courts". National Drug Court Institute Review. June, 1998

⁹ Lewis, B.F. and R. Ross. 1994. "Retention in Therapeutic Communities: Challenges for the Nineties." In: F.M. Timms, G. De Leon, and N. Jainchill (Eds), *Therapeutic Community Advances in Research and Application*. NIDA Research Monograph #144. Rockville, MD. U.S. Department of Health and Human Services, National Institute on Drug Abuse.

¹⁰ Cooper, Caroline, S. Bartlett, M. Shaw and K. Yang. *1997 Drug Court Survey Report Volume IV*. American University, Justice Programs Office. 1997

outcome measures.¹¹ The drug court's use of judicial coercion and graduated sanctions keep the participant in the drug court program for longer periods of time producing many of the positive outcome measures that are showing that treatment for substance abuse offenders works.

A critical factor to monitoring the outcomes and the success of drug courts is evaluation. Evaluation results provide policy makers and funding sources with information for future program development as well as provide program managers and community leaders with information that can be used to modify and improve existing programs. Even with the increased expansion of drug courts in the past nine years, the amount of research and evaluations showcasing successful programs have not caught up.¹² Antidotal data have shown that practitioners believe the drug court to be an overall effective measure, but the primary goals of retaining drug offenders in treatment, reducing costs of processing drug offenders thorough the court system and reducing recidivism and incarceration needs to be documented with accurate outcome data and correct methodological practices.

The broader drug court movement emerged in the late 1980's to provide sentencing alternatives to incarceration with meaningful comprehensive treatment to the non-violent criminal offender. The premise behind the positive measures of many drug

¹¹ Rotgers, F. 1992. "Coercion in Addictions Treatment" In: J. Langenbucher, B.S. McCrady, W. Frankenstein, and P.E. Nathans (Eds), *Annual Review of Addiction Research and Treatment*. NY: Pergamon Press

¹² Office of Justice Programs, Drug Court Programs Office. Drug Court Monitoring, Evaluation, and Management Information Systems. May, 1998

courts is that collaboration between the judiciary, treatment and other criminal justice professional's work to reduce drug use by engaging the drug offender in programmatic treatment components and other ancillary services. These services include educational, vocational, employment placement and assistance in locating a residence, while maintaining strong measures of public safety.

A need exists for information on programs that work and confirmation on why they work. Drug Court programs, and specifically new cost-effective, innovative demonstration drug courts must include research and evaluation components before implementation begins. We all work in complex, political and bureaucratic environments attempting to accomplish numerous and conflicting goals, and having critical data on program performance is often the best offense for program managers.

Scope and Methodology of the Evaluation

The results of this independent, intensive evaluation measure the effectiveness of the Western Region Drug Court and reports on the performance of the program from its initiation in 2001 to the present. The evaluation also determines the extent to which the drug control efforts of multiple agencies have been integrated and coordinated. This evaluation was accomplished using interviews, focus groups and structured instruments, designed to capture both process and impact results in quantitative and qualitative forms. Individual interviews were conducted to promote ownership and investment in the

evaluation, and to add any other measures to the instruments that the respondents deemed important.

The primary analysis strategy is to examine the current operation of the Western Region Drug Court and assess the implementation process, situational factors and program impact. All results and findings will also be used to compare and clarify how the evolution of the adult drug court is similar and different from national critical elements and key components. This was accomplished by implementing a three (3) step evaluation design that consists of site visits, focus groups, and data collection:

Intensive interviews with members of each member of the Drug Court Team and its participants, including documentation of the requirements and expectations of each;

Interactive Focus Groups using a structured instrument addressing issues and status of implementation; and

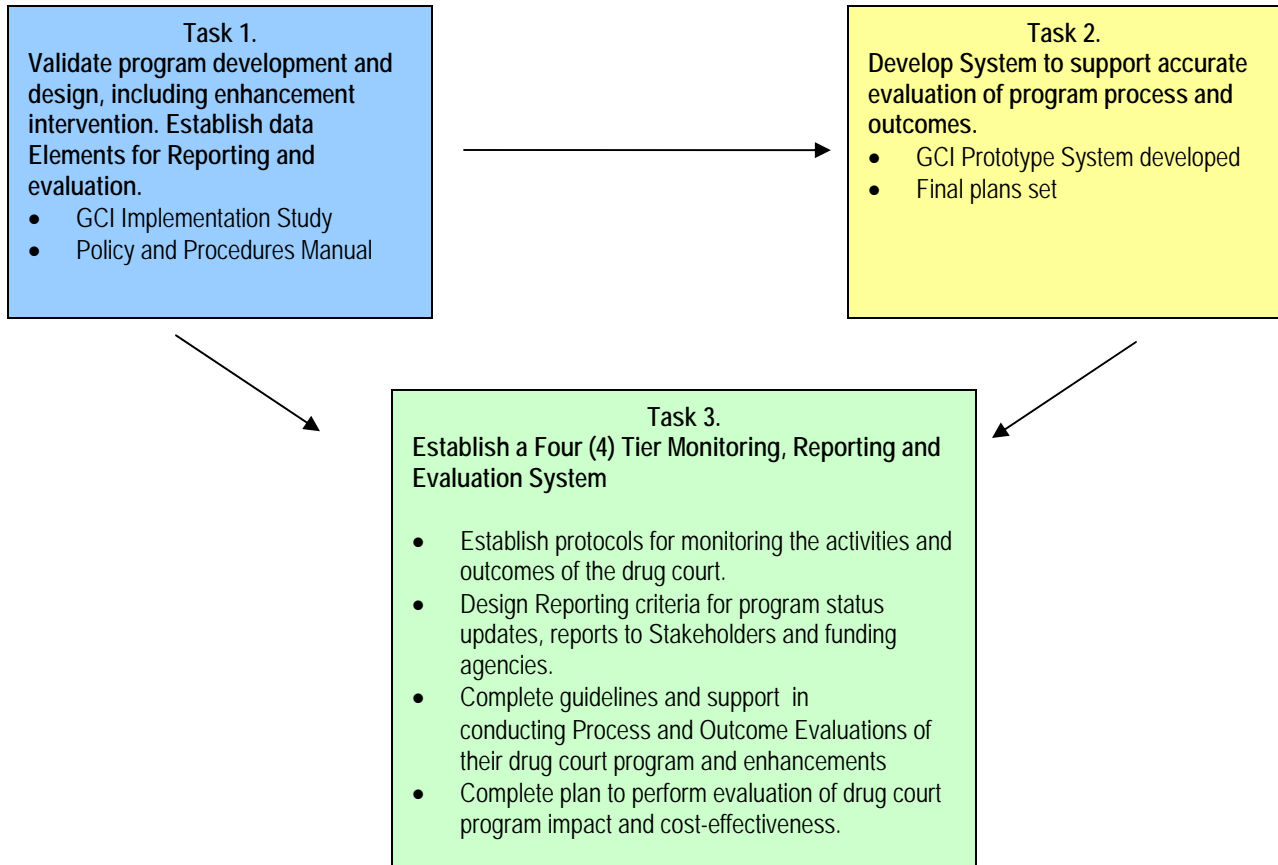
Intensive, systematic review of process and outcome indicators of past performance; collection, compilation and analysis of all available quantified data, including reviews and assessments of prior reports and case management and treatment files.

Completing the intensive, systematic review of process and outcome indicators of past performance was facilitated through this approach. The collection, compilation and analysis of all available quantified data for the drug court depended on the cooperation from those involved in the Western Region Drug Court program.

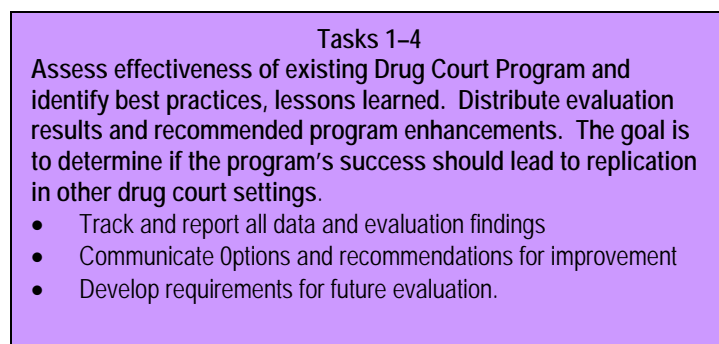
The framework used by this approach to documenting the program provides a basis for specifying its uniqueness. The evaluation formulates a program logic model, including descriptions of all program components and the relationships between program components. The model establishes a baseline to determine (1) if the components are being implemented as designed and expected and (2) to determine if improvements can be made to current operations. This approach yielded useful information for consideration of the Drug Court Team.

Western Region Drug Court Framework for Evaluation

Phase 1. Establishing the Foundation



Phase 2. Implementing the Evaluation Plan



PROGRAM SUCCESS AND ENHANCEMENT

Beginning in September 2001, the state of Nevada initiated an innovative strategy to address the problems of rural counties in dealing with drug offenders. Lessons were learned from drug court programs implemented in the State's largest jurisdictions, Las Vegas and Reno, but the challenges and opportunities for implementing drug courts in rural areas quickly became apparent.

National guidance on implementing drug courts presents a general framework to establish a program, but not all jurisdictions fit the general model – especially with the diverse differences and unique nature of individual regulations and practices. The reality faced by six rural counties in western Nevada was that, although each wanted to develop alternatives for drug offenders, none of the counties had the resources to establish and maintain a drug court on their own. The lack of primary judicial resources headed the list of obstacles that had to be overcome.

The development of a program design that focused on the strengths of combining efforts based on multijurisdictional participation, including the designation of a dedicated drug court judge, led to a solution to eventually overcome most of the initial obstacles. The Western Regional Drug Court (WRDC) was planned and implemented as a unified and consistent judicial drug treatment program within a drug court model. Today, the

WRDC has become a model for other jurisdictions that face similar challenges to establishing effective alternatives for dealing with drug offenders in their communities.

Based on observation of program activities, interviews, and review of WRDC materials, substantial progress has been made in finalizing both the organization and operationalization of the Court. During its first four and half years of implementation, the Drug Court Team has continued to define roles and responsibilities, as well as decisions on the policy and procedures of the Court. The early results are impressive, and there is every expectation that the program will only get better over time in producing desired program outcomes.

First, it is important to understand what the Western Regional Drug Court has already produced as of April 2006, and how it has improved over time, remembering that it is much more cost-effective during the last year than its first two years of operation:

- Graduating clients – 230 graduates as of 4/15/2006.
- Retaining clients in treatment – The program is maintaining a 76.71% retention rate, which far exceeds the average of 28%, reported in research for substance abuse treatment programs. Comparisons across the jurisdictions are presented later, but all have met their goals for retention.
- Reducing in-program recidivism – During participation in the program, only 23% of the participants violated their contracts through criminal activity, which often

explained termination from the program. This percentage is much lower than comparable individuals on parole or probation.

- Reducing post-program recidivism – Only 17.6% rearrest rate through May 1, 2006, which far exceeds this objective of the program. The recidivism analysis below breakdown results for each jurisdiction and explains who is most likely to be rearrested.

In terms of cost-benefits, from September 2001 through April 2006, the Western Regional Drug Court, the counties involved, and the State of Nevada, WRDC clients have:

- The program has resulted in the birth of thirty-one (31) drug free babies. This is a major accomplishment that will save the communities they will reside in thousands of dollars that potentially must be allocated to manage and serve those babies that are born with drug and alcohol effects.
- Completed 788 hours of community service, valued at \$6,095.10.¹³
- Integrated and consolidated approaches to treatment and recovery which substantially reduced the cost of individual service delivery to clients, including client treatment fees that contribute to their treatment program;
- Delivered 152,184 client days – including substance abuse treatment, supervision, ancillary services and judicial review; and

¹³ Calculated on the recommended value for community service hours by the National Drug Court Institute. As a drug court component, community service fulfills three objectives: (1) the value of the service delivery; (2) therapeutic rehabilitation of the client; and (3) client restitution to the community. Unfortunately, at the time of the evaluation, data on community service had only been entered into the MIS system in the past year. Hence, these duties only report a small portion of the amount and benefits derived by the program.

- Incurred substantial cost savings to participating Counties through reductions in confinement time. Detention costs of \$6,736,707 have been saved by supervising clients in Drug Court.¹⁴

Program components and accomplishments that have created an effective program include:

- Consistent judicial review with cooperative input from all treatment court team members – notably, the team has a dedicated Treatment Coordinator;
- The role of the judge is in itself an effective intervention which impacts a client's performance and retention in the program;
- Strength-based approaches to programming client participation;
- Dedicated supervision component strongly supported by Probation;
- A custom designed Management Information System supporting (1) case management, (2) progress reporting, and (3) monitoring and evaluation; and
- Intensive efforts to gain community partnerships and collaborations.

¹⁴ This amount is calculated after subtracting the number of detention days clients spent in jail because of sanctions.

WRDC EFFECTIVENESS:

DATA, FINDINGS, CONCLUSIONS¹⁵

The WRDC program will proceed in its design to fit into state and county approaches to handling drug offenders by ensuring a balance between client's needs based on assessment and the constraints of law and agency operations. This should produce a program that will become more effective for the jurisdiction, expand its active client base and lead to greater outcomes for the community.

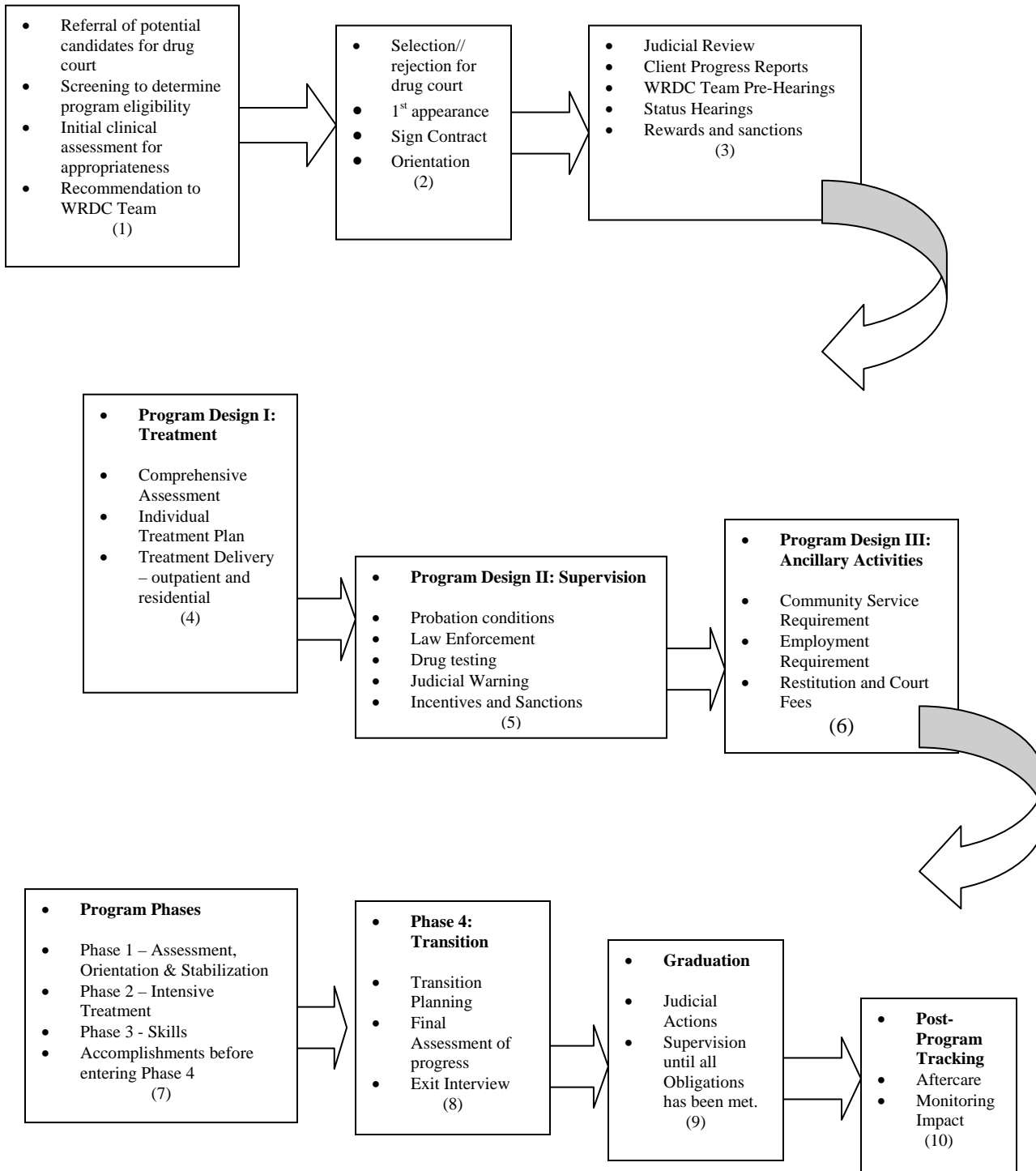
A single graduate of a drug court program is a significant accomplishment in achieving its mission. Not only is a life potentially saved and a useful citizen returned to the community, but there are payoffs in creating safer communities and decreasing criminal behavior. The level of effort required to produce a graduate cannot be underestimated. The efforts produce permanent results for clients, unlike other interventions that see clients return to the offender population. The WRDC succeeded in graduating 230 drug court participants at the time of this evaluation, covering just over four years of implementation.

As the number of clients increases, the Court should be able to handle the workload without impacting the process or services. To better understand the logical flow of activities of the program, the evaluation team developed the "flowchart analysis" presented below:

¹⁵ The WRDC Management Information System (MIS) was still under development at the time of the evaluation, and data was still being entered and verified. Most data elements used in the report were entered and complete, but some contained varying amounts of missing data. Hence, the numbers do not always add up; however, they are valid for the cases reported. Unfortunately, specific data could not be reported because it was not yet available.

WESTERN REGIONAL DRUG COURT (WRDC)

FLOWCHART ANALYSIS



Next, we present the data analysis performed on WRDC program and performance indicators, along with relational analyses that help us understand the trends and patterns of WRDC implementation over time. Many elements of drug court implementation can determine the effectiveness of a program, but they are not always the same for each setting. The WRDC operates as a regional, unified program involving six jurisdictions, and a number of critical indicators that help us explain its effectiveness.

First, it is important to note again that the WRDC covers a very large, rural area with a total population smaller than some neighborhoods in urban drug courts. The willingness to accept all eligible candidates for drug court participation means that the program represents a substantial proportion of drug offenders within each of the six jurisdictions. Table 1 presents the numbers of participants from September 2001 through April 2006 for each jurisdiction, as well as the current active clients and the outcomes to date for those graduated and terminated.

Table 1. WRDC: Population Served, Participants & Outcomes, September 2001- April 2006

County	Population¹⁶	Drug Court Participants	Graduates	Terminated	Active
Carson Storey¹⁷	59,711	183	67	37	79
Churchill	24,355	114	42	32	40
Douglas	45,394	97	46	14	37
Lyon	43,230	148	61	41	46
Mineral	4,912	29	14	9	6
TOTAL	177,602	571	230	133	208

¹⁶ Data is from the U.S. Census Bureau for Annual Estimates for 2004.

¹⁷ Data for Carson and Storey Counties is combined in the WRDC MIS System. Participants from both jurisdictions are managed under a unified approach for judicial review and treatment.

The National Drug Court Institute¹⁸ has recommended a focus on specific performance indicators to judge the effectiveness of a drug court, including:

- Retention in Treatment
- In-Program Recidivism
- Sobriety
- Units of Service Delivery

For all of these measures, the WRDC exceeds its expectations for the objectives they have set for each of the critical indicators. The retention rates for each jurisdiction more than meet the objective set for the program, and they also exceed the average national percentage of 60%.

Critical to maintaining treatment services is the component that requires participants to contribute to their services at \$25.00 a week. This provides a means to provide continuous services for drug court clients, as well as build responsibility for their own rehabilitation.

The rates of in-program recidivism are relatively low, with most of the participants violating the conditions of their programs being terminated according to the decision of the drug court team.

¹⁸ See: Heck, Cary (2006) *Local Drug Court Research: Navigating Performance Measures and Process Evaluations*. Washington, DC: Bureau of Justice Assistance, U.S. Department of Justice.

Average days to graduate for each jurisdiction are similar, with a significant difference being the average for Douglas County, which also maintains the lowest rate of in-program recidivism.

Table 2. WRDC: Retention Rate, Average Days to Graduation, In-Program Recidivism, Treatment Fees, Drug Tests September 2001- April 2006

County	Retention Rate	Average Days Ito Graduation	In-Program Recidivism	Treatment Fees ¹⁹	Drug Tests
Carson Storey²⁰	80%	479	20%	\$57,945	2,864
Churchill	72%	441	28%	\$28,083	2,003
Douglas	86%	393	14%	\$30,897	1,600
Lyon	72%	485	27%	\$35,121	2,452
Mineral	69%	468	31%	\$11,875	724
TOTAL	76%	453	23%	\$163,922	9,643

Gender does not produce significant differences in performance, but it is interesting that each jurisdiction does have females and males well represented in their programs. On the other hand whether a participant is under probation conditions or not does find some significant results which are explained under the relational analysis below.

¹⁹ Of the total Amount, outstanding fees were \$84,223.

²⁰ Data for Carson and Storey Counties is combined in the WRDC MIS System. Participants from both jurisdictions are managed under a unified approach for judicial review and treatment.

aTable 3. WRDC: Gender and Supervision

September 2001-April 2006

County	Males	Females	Type: Probation	Type: Not Probation
Carson Storey²¹	123	60	153	30
Churchill	64	50	38	76
Douglas	60	37	57	40
Lyon	91	57	47	101
Mineral	14	15	11	18
TOTAL	352	219	329	295

Finally, we present the results of the analysis of post-program recidivism. Recidivism is defined as: an offender committing an additional criminal act after being arrested, charged and convicted for a criminal act. In a drug court setting, we consider “in-program” and “post-program” recidivism. In-program recidivism is a new charge while being an active drug court participant. See the results for the WRDC presented above in Table 2.

The National Drug Court Institute’s National Research Advisory Committee recommendation: “Use arrest data for the analysis of recidivism. Clearly arrest data has weaknesses as a measure of actual criminality but, given the theoretical defensibility of the choice, constraints of data collection, and the length of time required to get through

²¹ Data for Carson and Storey Counties is combined in the WRDC MIS System. Participants from both jurisdictions are managed under a unified approach for judicial review and treatment.

general court proceedings, it was decided by the committee that this measure would be the best for the purposes of performance measurement.”²²

Tables 4 and 5 below, present the results for post-program recidivism. With an overall recidivism rate of 17.6%, WRDC exceeds both their established program objective and the outcomes of most drug courts nationwide. Those graduates that are rearrested are most likely to commit offenses between 7 to 12 months after graduation, with the average time being 12.5 months. The average age of those rearrested is 34 years old which differed greatly from those terminated who are typically from the youngest group (18 to 25 years of age). Of course, since the older group has greater potential to complete the drug court program, it makes sense that those rearrested would be older.

Almost 73 percent of those being rearrested are male, and 56% of them were on probation when they were drug court participants. Over 50 percent of the offenses were drug- and/or alcohol-related charges. Of the four largest jurisdictions, excluding Mineral, Lyon had the lowest rate (14.2%), and Douglas had the Highest (21.5%), but all of the jurisdictions produced results that are significantly lower than existing drug offender treatment programs in the past.

²² Heck, Cary (2006) *Local Drug Court Research: Navigating Performance Measures and Process Evaluations*. Washington, DC: Bureau of Justice Assistance, U.S. Department of Justice.

Table 4. WRDC Recidivism Results and Success Rate

Jurisdiction	Graduates ²³	Rearrests	Recidivism Rate	No Arrests	Success Rate
Carson Storey ²⁴	72	15	20.8%	57	79.2%
Churchill	46	8	17.3%	38	82.7%
Douglas	51	11	21.5%	40	78.5%
Lyon	63	9	14.2%	54	85.8%
Mineral	15	1	6.6%	14	93.4%
TOTAL	249	44	17.6%	205	82.4%

Table 5. WRDC Recidivism Analysis: Charges and Gender Breakdown

Jurisdiction	Total Rearrests	Drugs & Alcohol	Domestic Charges	Felony Charges	Females	Males
Carson Storey ²⁵	15	5	3	7	4	11
Churchill	8	3	2	3	3	5
Douglas	11	8	1	2	2	9
Lyon	9	8	0	1	2	7
Mineral	1	1	0	0	1	0
TOTAL	44	25	6	13	12	32

²³ The recidivism analysis was performed subsequent to the complete of the primary data collection of the evaluation. An additional 19 participants graduated which resulted in a total of 29 graduates in 2006 through May 1, 2006. None of the 2006 graduates have been rearrested.

²⁴ Data for Carson and Storey Counties is combined in the WRDC MIS System. Participants from both jurisdictions are managed under a unified approach for judicial review and treatment.

²⁵ Data for Carson and Storey Counties is combined in the WRDC MIS System. Participants from both jurisdictions are managed under a unified approach for judicial review and treatment.

Next, we move to the visual presentations of the data, both as single indicators and the relational analysis of multiple indicators. Figure 1 on the following page presents of the total number of participants for each jurisdiction from September 2001 through April 2006. The MIS system combines the data for Carson and Storey counties because the participants are involved in the same drug court caseload.

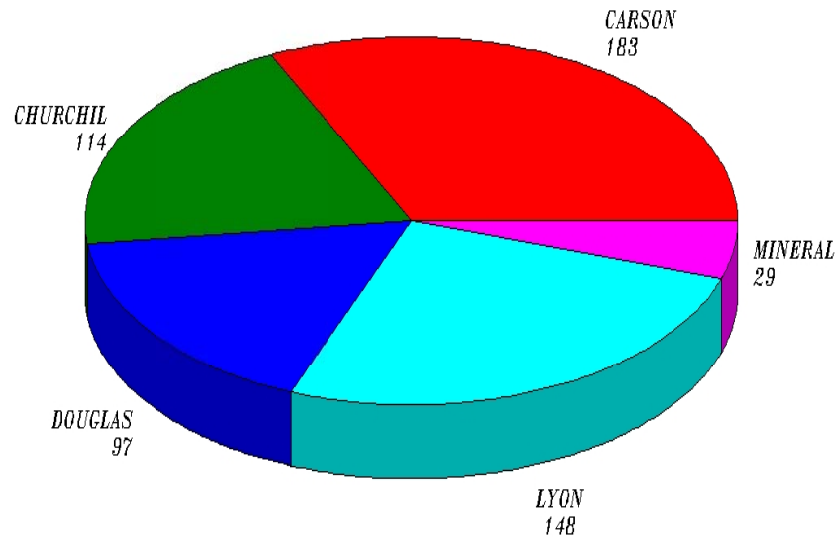


Figure 1. Drug Court Participants: September 2001-April 2006

Figure 2 presents the current status of all entered participants beginning with the active participants, and focusing on the graduated and terminated clients.

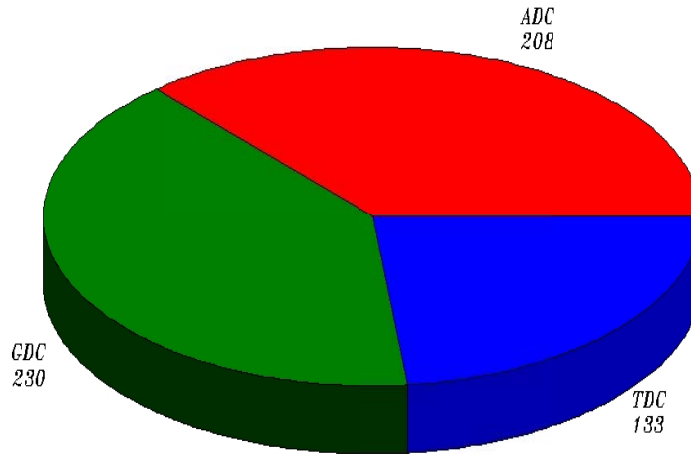


Figure 2. Drug Court Outcomes: Active, Graduates and Terminated

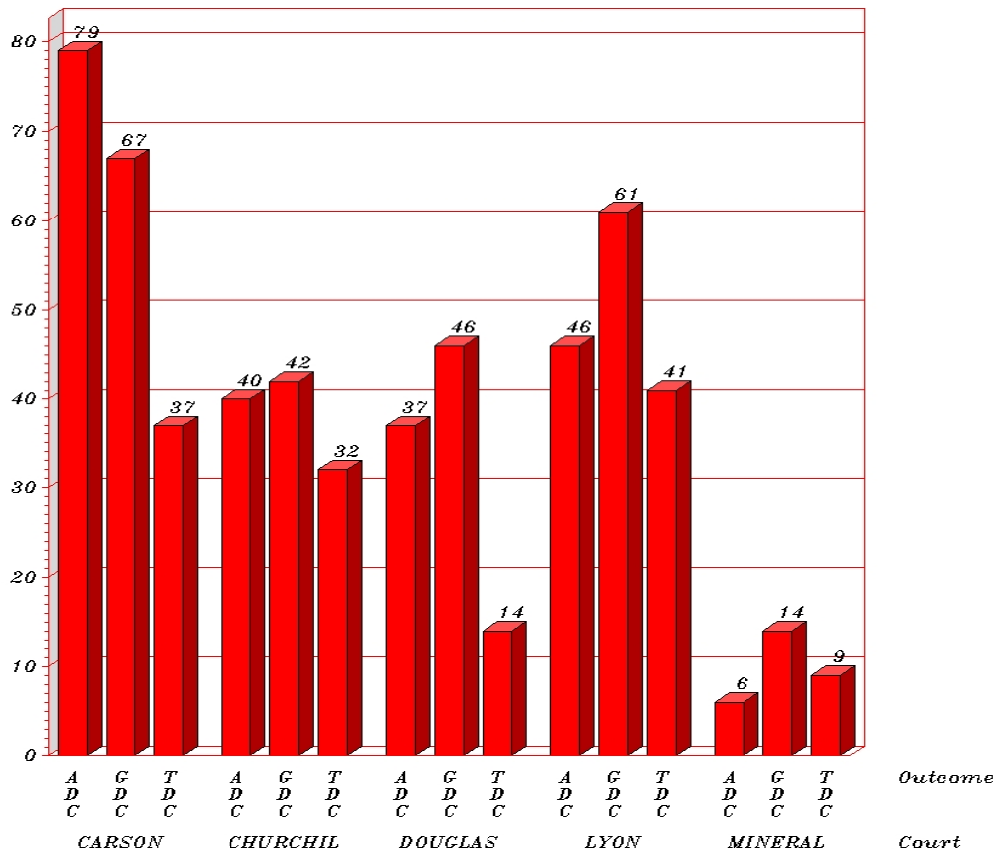


Figure 3. Drug Court Outcomes by Court: Active, Graduates and Terminated

The first relational analysis shows the current caseload of the courts, along with their number of graduated and terminated outcomes. It is significant that Carson and Douglas courts are less likely to produce terminations, than for Churchill, Lyon and Mineral. However, as shown above, the retention rate of all courts is very high.

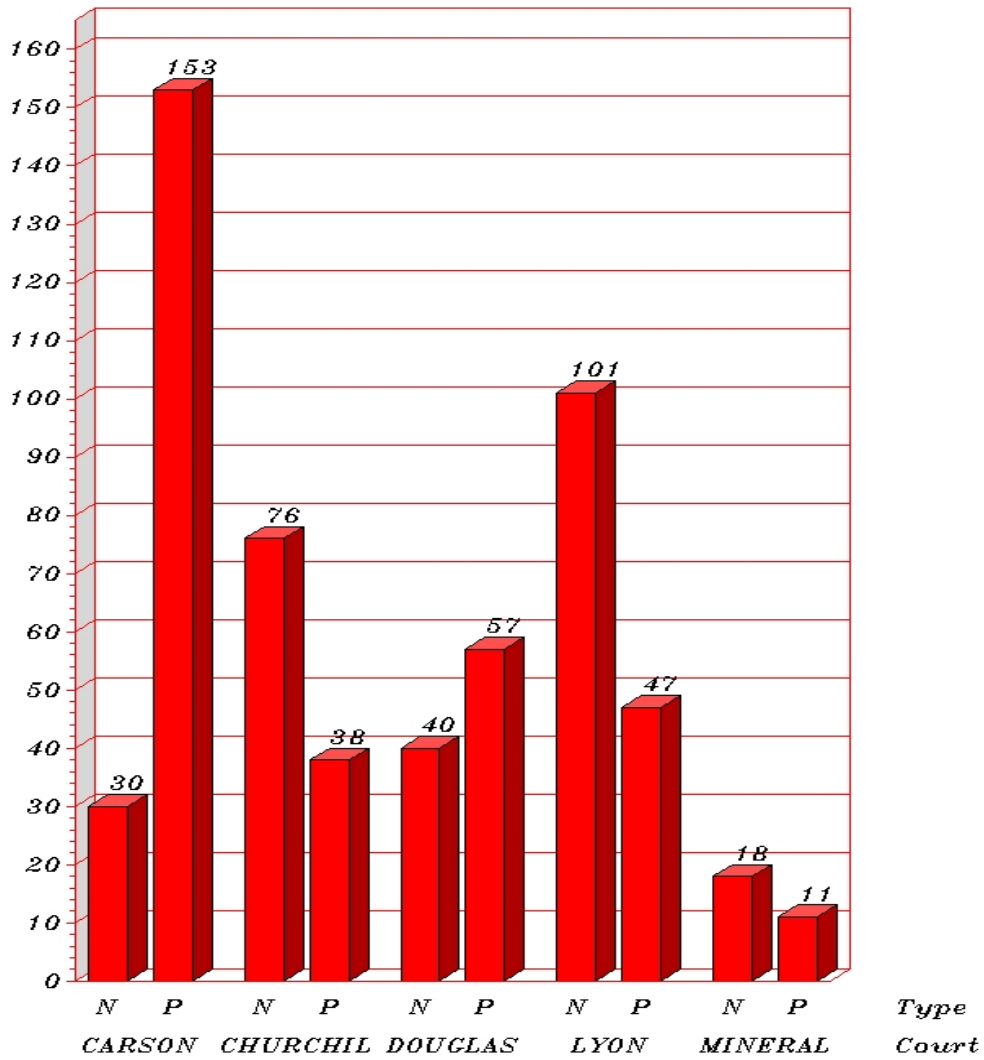


Figure 4. Participants under Probation Special Conditions versus Post-Plea (Non-Probation) by Court

Figure 4 show that Carson and Douglas courts have greater proportion on probationers, although the number of probationers has increased proportionately for each court.

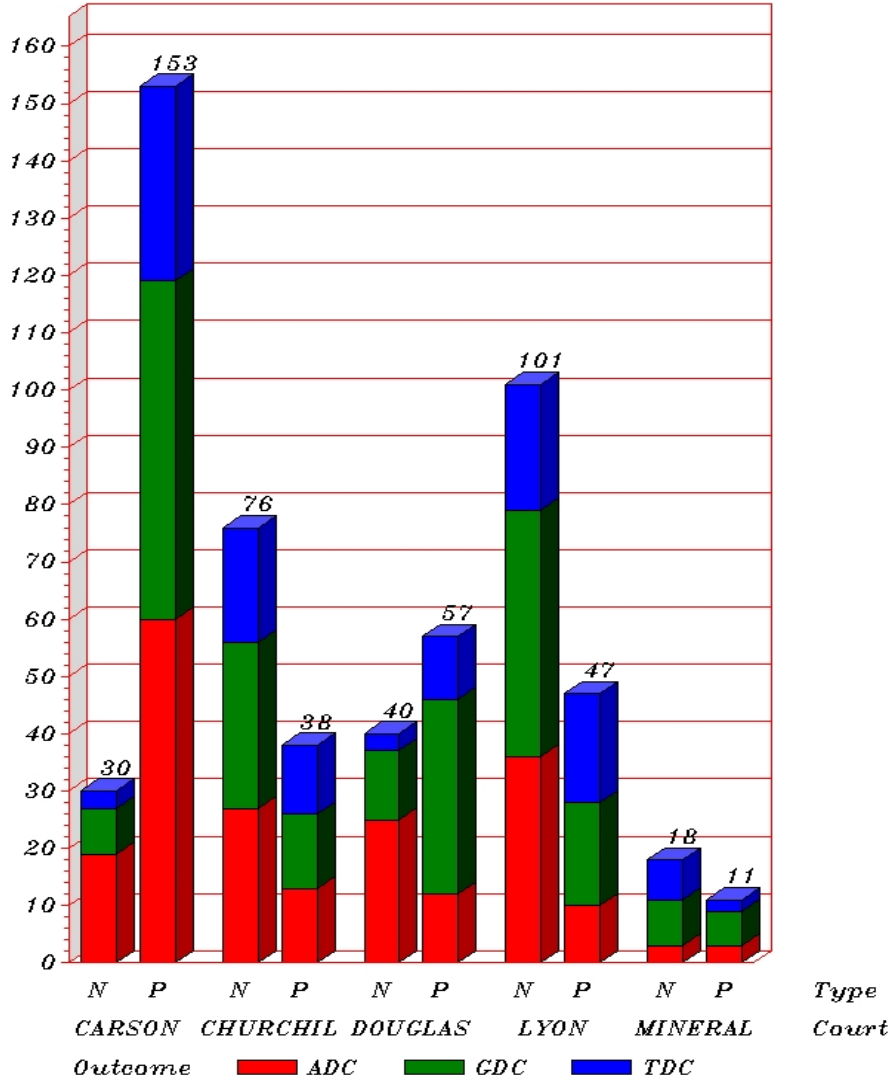


Figure 5. Participants under Probation Special Conditions versus Post-Plea (Non-Probation) by Court By Outcomes: Active, Graduates, and Terminated

When considering the affect of being a probationer on program progress and completion, a number of significant conclusions can be drawn. Our findings show a significant relationship between program completions and whether they are on probation or not. There is strong evidence that probation is associated with improved outcomes.

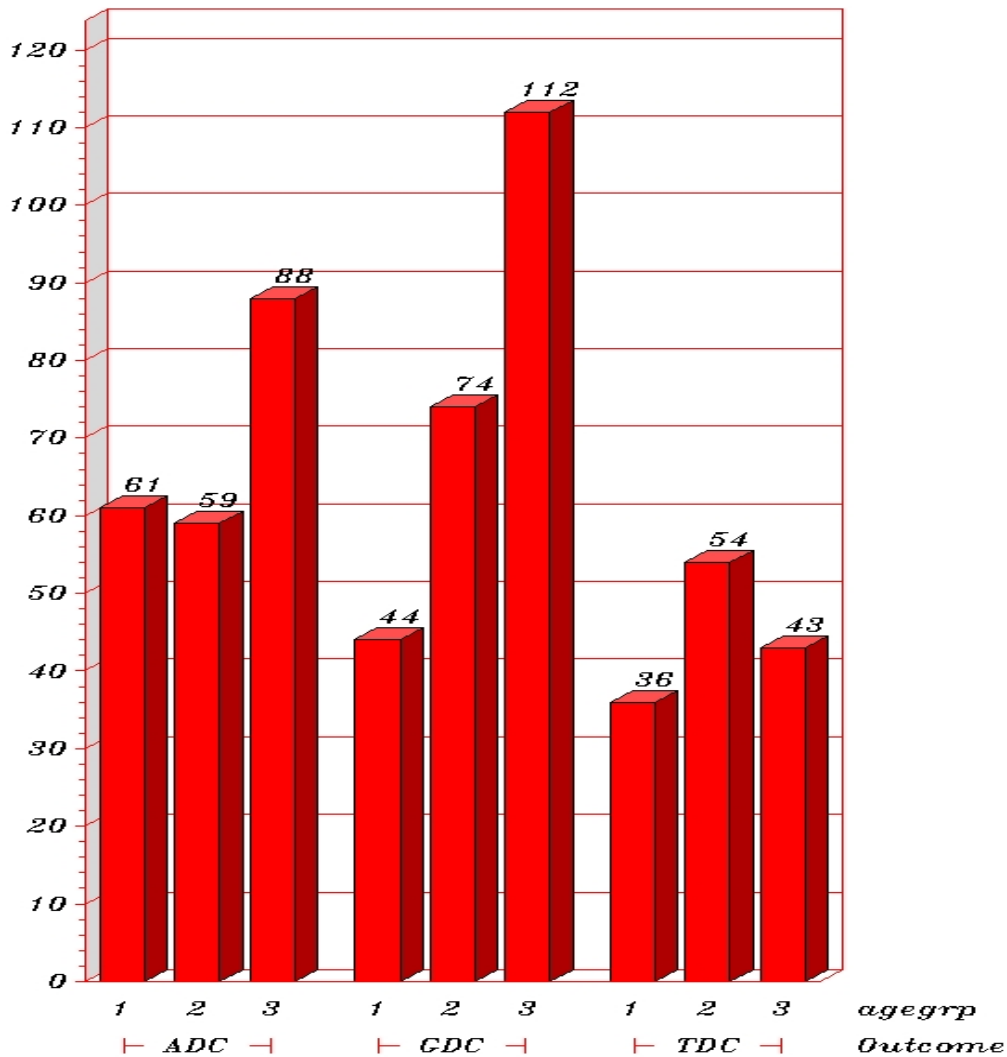


Figure 6. Participants Age Groups²⁶ and Outcomes: Active, Graduates and Terminated

Age of participants is an important indicator across all participants in the WRDC program. Our analysis showed that the Age Group 3, above 35 years of age, are significantly more likely to graduate and less likely to terminate than other age groups. An interfering factor may be the role probation plays in retention in treatment and compliance with program rules for the older group. The younger group, 18 to 24, was not as successful as the remainder of the participant population, and they were less likely to be on probation.

²⁶ Age Groups: (1) 18-24; (2) 25-35; (3) Above 35.

CRITICAL DRUG COURT ELEMENTS AND EFFECTIVENESS:

Solidifying the Program Model

Most drug courts evolve to represent the practices and culture of their local jurisdiction. Institutionalizing a drug court program should be an important goal of the new initiative to improve criminal justice system responses to dealing drug offenders. The Western Regional Drug Court (WRDC) has taken on this goal and is producing a program that should be a model for similar rural jurisdictions and regions, as well as supporting their desire to integrate and sustain their efforts in rural Nevada.

Through collaboration, several important findings have been identified, which are:

- *The crisis of arrest and incarceration often makes addicts good candidates for intervention. Therefore, placement into WRDC as soon after arrest as possible will likely increase the chances for success.*
- *The level of communications among WRDC Team members must be unfaltering to ensure that the Judge is able to use incentives and consequences effectively.*
- *Substance abuse often inflicts damage over several years time. Likewise, the treatment response for such a malady will likely require a long-term solution.*
- *Substance abuse is often an external indicator of other problems that an individual faces. Isolating and treating this underlying cause may assist an addict in recovery.*

- *Relapse and sporadic progress is to be expected, therefore progressive incentives and consequences are integral components of the WRDC program.*

During its first four and half years, we can discern three “phases of implementation”:
(1) Developing the Program Design; (2) Enhancing and Completing the Model; and (3) Achieving Full Performance. The illustration below describes the phases along with the steps taken for implementation.

**WESTERN REGIONAL DRUG COURT (WRDC)
STATE OF NEVADA
Stages of Program Development, 2001-2006**

IMPLEMENTATION PHASES

Phase I. Developing the Program Design (September 2001-October 2002)

1. Established Pilot Program in September 2001 with the development of individual critical elements for the WRDC.
2. Designed necessary and sufficient operational activities.
3. Gained agencies and community support to meet implementation needs.
4. Initial implementation efforts were enhanced through award of a Federal grant in June 2002, and the support of Drug Court Team Members.
5. Phase I lasted just over one year and witnessed the growth of the program; the stage was set for the next phase following the first graduation in October 1, 2002. and the completion of the initial WRDC program design.

Phase II. Enhancing and Completing the Model (November 2002-June 2003)

6. Developed the WRDC Policy and Procedures Manual
7. Produced criteria and guidelines for program delivery
8. Focus on Monitoring and Reporting.
9. Phase II lasted just over a year; resulted in the continued support for its activities; produced a plan for final enhancements for full implementation.

Phase III. Achieving Full Performance (July 2003-Present)

10. Final enhancements to the model: Revised goals and objectives
11. Ensuring consistent program delivery; established model MIS System
12. Developing sustainability plan

After almost two decades of implementing drug court programs, knowledge has been accumulated about lessons learned and critical components or elements that are essential for success and institutionalization. This section, Critical Drug Court Elements and Effectiveness, presents the current ten (10) national Key Components of Drug Courts and assesses WRDC's status on each to identify accomplishment of both programmatic and organizational objectives. WRDC's performance across the components has been impressive and constantly improving over time. Of course, the next evaluation phase will go further to determine the impact of the program over time.

The “key components” presented below detail 10 characteristics of drug courts that have been confirmed by a number of drug courts to explain what works. Each presentation is then supplemented with findings on the status of WRDC's implementation.

The category scheme used to present the key components is as follows:

Program Planning and Philosophy

Program Process

Program Services

Analysis and Program Modification

PROGRAM PLANNING AND PHILOSOPHY

The WRDC continues to use a management approach based on sound strategic planning and continually reviews its program design and operations. This has kept the program on track and permitted the identification of unanticipated needs and programming gaps. WRDC's ability to use this information as a basis for future decisions has led to many enhancements of the program over time.

Key Component # 1 - Treatment Integration

Drug courts integrate alcohol and other drug treatment services with justice system case processing.

Both through feedback from the drug court team, as well as interviews with participants and graduates, treatment services have been enhanced over time, and given the credit for much of the program's success to date. The current activities are sufficiently staffed and the understanding of treatment delivery and progress for clients has continued to increase for everyone involved in the program.

WRDC has integrated delivery of treatment services into its program design and implementation plan. The program monitors treatment delivery and progress reporting through the case processing system of the drug court. The treatment court coordinator ensures all services are performed, along with all ancillary services. Reports, including recommendations for sanctions and/or incentives, are submitted for judicial reviews.

Key Component # 2 - Prosecution and Defense

Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.

The program has integrated itself into the critical offices involved with implementation across all six (6) counties comprising the WRDC. The program has the services of “backup” team members from the Judiciary, as well as the Prosecution’s and Public Defender’s Offices. The longer the program exists support grows along with its success.

Interaction, as well as high levels of cooperation, exists between prosecutors, defense, and the judges for all drug court activities. Overall, decisions by the court continue to focus on the welfare of individual defendants in the drug court process, and are designed to promote public safety.

Key Component # 10 - Partnerships for Local Support

Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court effectiveness.

WRDC has a long-standing history of cooperation among agencies and organizations. The current drug court judges, coordinators, and other team members have made it a priority to expand support for the program through public contacts, which has produced many benefits for the court. Linkages to law enforcement, probation and corrections agencies are exemplary aspects of the program. WRDC continues to expand support for the court among community-based leaders. Of course, this will be a critical area to fully develop as a sustainment plan for the future operation of the court.

PROGRAM PROCESS

Key Component # 3 - Early ID and Placement

Eligible participants are identified early and promptly placed in the drug court program.

Because the multijurisdictional approach brings drug court activities to each jurisdictional, matched by dedicated treatment services, identification of potential clients has produced rapid designation of potential participants. WRDC has established a clear process for identifying and working together to select and enter defendants as their clients. The agreements, codified by formal contracts, ensure basic understanding between WRDC and participants, and provide for rapid initiation of clients into court activities.

Clients and their family members receive sufficient information on program activities and requirements through direct access to drug court team members, as well as an excellent WRDC Client Handbook. During the entry process, clients receive a thorough orientation covering the entire program, including descriptions of each step in the program, criteria for completing each phase, and requirements for successful completion.

The activities of the drug court team match the program design for recommending whether potential candidates should enter the program. An integrated referral report is presented to the judge, including accurate and clear recommendations for judicial review.

Key Component # 6 - Response to Compliance

A coordinated strategy governs drug court responses to participants' compliance.

The WRDC drug court team has developed an approach, through its program design, to determine client progress through weekly staffing sessions. These sessions provide all team members, according to the jurisdiction(s) involved, opportunities to coordinate their strategies for status hearings, monitor sanctions and determine the impact of treatment services. All clients are reviewed weekly and separate reviews are completed. The drug court team has developed an effective approach for applying sanctions and incentives in response to client performance.

Critical to the success of staffing sessions is the preparation for these events by the Administrative and Treatment Coordinators working with the treatment providers and probation officers. Individual reports are produced for each client listed on the weekly docket.

An innovative approach to encouraging positive performance by participants was the establishment of the "A Team" designation for those in full compliance and making progress on their treatment plans. This has been well-received by clients and permits the court to track and understand what is working with each client.

Key Component # 7 - Judicial Interaction

Ongoing judicial interaction with each drug court participant is essential.

WRDC is intended to be a multi-faceted treatment program with weekly judicial reviews. In reality, the direct intervention of the judge is more intense than initially designed, and

explains many of the outcomes produced by the Court. WRDC has programmed the need for judicial review at each phase in the process. The direct intervention of the judge is an important element in court settings. However, as one aspect of the drug court philosophy, judicial review depends on the other two components – treatment and supervision – to support decisions by the court. The program has met its needs for accurate reporting on compliance with supervision and treatment progress, which affords the judge the ability to make the best decisions for the clients. Notably, this process appears to be consistent across all jurisdictions.

PROGRAM SERVICES

Key Component # 4 - Continuum of Services

Drug courts provide access to a continuum of alcohol, drug and other related treatment and rehabilitation services.

Treatment delivery has moved from a standard approach for initial clients to individualized treatment plans and diversity in counseling approaches. The treatment providers participate along with the drug court team to meet the overall needs of the participants.

The Court relies on the services of treatment providers for outpatient delivery and plans for residential programming. The Court is exploring options to include more family members in its counseling approaches. Observations and interviews confirm that a continuum of services is available and believed to be effective. Notably, treatment plans are designed to meet the needs of clients who report failures in past treatment programs.

Key Component # 5 – Drug Testing

Frequent alcohol and other drug testing monitor abstinence.

Formal and random drug/ alcohol testing and procedures are established and fully meet program needs. Hence, WRDC has met this aspect of implementation in what appears to be a successful, cost-effective manner. WRDC has worked hard to define its policy and approaches in this area, especially in clarifying clear responsibilities for administering and conducting the drug testing process. Additional options to fine-tune the process are being considered by the team.

ANALYSIS AND PROGRAM MODIFICATION

Key Component # 8 - Monitoring and Evaluation

Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.

WRDC has made a continuing commitment to assess its program since its inception. The drug court team monitors program and participant progress on a continuous basis. The ability and capability to collect and maintain data for assessment purposes is fully developed, and plans are underway for future, more intense evaluation activities. In particular, the drug court coordinator is very diligent about tracking every activity of the program and reports to stakeholders on a routine basis with useful information.

Key Component # 9 - Continuing Education

Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.

The drug court team members, including the Judge, have attended State and national training programs and National Conferences with National Association of Drug Court Professionals. Based on observations of numerous drug courts, WRDC has instituted a strategic planning process that meets its needs. The drug court team has created an inclusive environment for input and provides the court with an essential focus on its future. WRDC recognizes the continuing need for program development and has produced much innovation, without hesitating to make substantial changes for improving operations. The drug court team

continues to seek knowledge and participate in activities to improve individual and team efforts in maintaining an effective drug court.

SUMMARY

The Western Regional Drug Court has met most of the challenges faced by those planning, implementing and sustaining drug court programs. Small jurisdictions face unique obstacles and opportunities, and the drug court team has responded to both in a professional manner with strong commitment to their program and each other. WRDC is demonstrating that collaboration, cooperation and communication make up the glue that produces effective community-based programs.

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