

# Sawyer County First Step Drug Court Initial Evaluation Report

## *Executive Summary*



**September 2007**

**Prepared by:**

**Kit R. Van Stelle**



UNIVERSITY OF WISCONSIN

**Population Health Institute**

*Translating Research into Policy and Practice*

Department of Population Health Sciences • Suite 760, 610 Walnut Street, Madison, WI 53726-2397  
Phone: (608) 263-6404 • Fax: (608) 262-6404 • <http://www.pophealth.wisc.edu/uwphi>

**Funded Through U.S. Bureau of Justice Assistance Award #2004-DC-BX-0055**

## *EXECUTIVE SUMMARY*

### **Program Description**

The Sawyer County First Step Drug Court operates in Hayward, Wisconsin, a rural town in Sawyer County with a population of 3,300 people. Sawyer County also encompasses the Lac Courte Oreilles Chippewa Indian Reservation, which is located just a few miles from Hayward. The First Step program was operated as a pilot project from May 2004 through October 2004 with funding obtained through Sawyer County, and has been implemented for the past three years with funds from the U.S. Bureau of Justice Assistance awarded to the Sawyer County Department of Health and Human Services (DHHS).

First Step is a drug treatment court that offers eligible offenders the opportunity to participate in substance abuse treatment in lieu of incarceration. The program offers extensive case management services that coordinate substance abuse treatment, mental health treatment, education, employment, and other support services. First Step collaborates with the Lac Courte Oreilles Community Health Center which provides outpatient substance abuse treatment for Native American drug court participants. First Step developed the following primary program goal: “The *First Step* Sawyer County Drug Court Program is a court specifically designated and staffed to handle cases involving offenders that have significant substance abuse problems through an intensive judicially monitored program of treatment, rehabilitation services and strict community supervision. The goal of the program is to break the cycle of drugs and crime in our community through a combination of intensive case management, treatment, sanctions and positive reinforcement through rewards for successes.”

### **Results**

Sawyer County has successfully developed and implemented a drug treatment court. The First Step team has worked diligently to meet its original program objectives and to integrate program services and procedures into the existing service system. First Step admitted 32 offenders during its first 2 ½ years of operation, with a successful graduation rate of 41 percent. Participants received a variety of substance abuse treatment, mental health treatment, employment, educational, financial, housing, monitoring, and other support services. During this period First Step saved an estimated 5,554 incarceration days through diversion of drug court participants, collected more than \$8,000 in fines, fees, and restitution, and facilitated 468 hours of community service performed by participants. More than one-half (53 percent) of the graduates had their sentences reduced as a result of successful drug court completion.

Participants tend to be males with an average age of 31 years, and are either Caucasian or Native American Indian. The vast majority are single or divorced, and more than two-thirds of the participants have a GED/HSED, high school diploma, or further education. One-half of First Step admissions had substance abuse-related offenses of either drug charges or operating while intoxicated. The average age at first arrest was nearly twenty years of age. One-third of the admissions began criminal behavior prior to age 16 and three-quarters have criminal associations through their friends and family. The majority are dependent upon alcohol and many are experiencing substance abuse in their household at the time of admission. More than three-quarters of admissions had failed during prior treatment attempts. Nearly one-third of First Step participants also experience mental health issues, some of which significantly impact their ability to effectively participate in drug court treatment.

All participants received outpatient treatment and support groups, and 39 percent also received inpatient, residential, and/or halfway house services. The majority also received mental health outpatient treatment, assistance with budgeting/finances, and/or employment support services. Community service is also required of First Step participants during the second and third phases of the program.

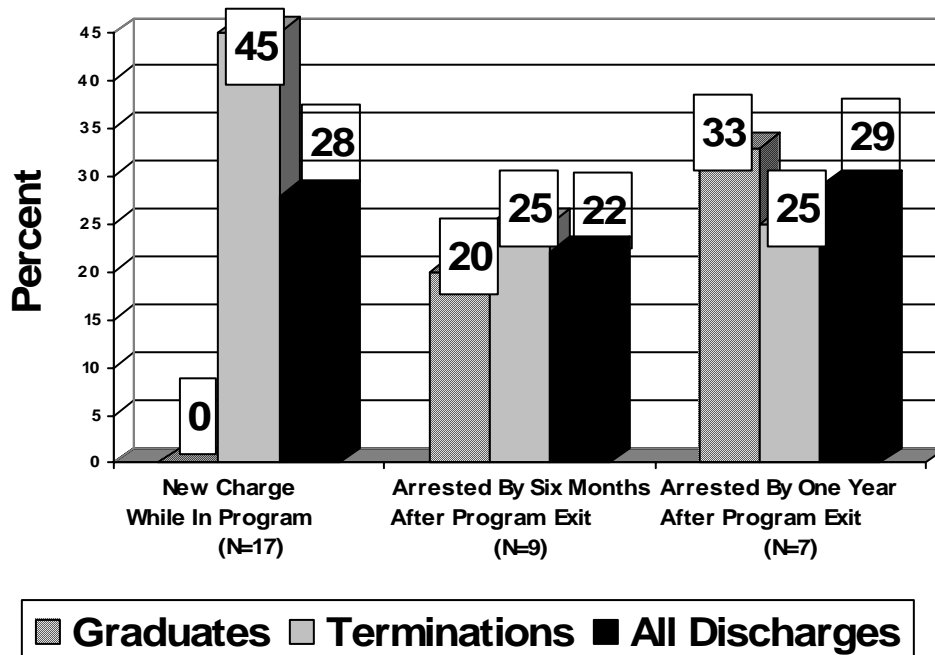
First Step participants are monitored through periodic status hearings with the judge, urinalysis testing, breathanalysis testing, and electronic monitoring. First Step participants attended an average of eight hearings. Participants submit to urinalysis testing 3-5 times each week, averaging 46 urinalysis tests during the course of drug court participation. Breathanalysis is conducted in cases of suspected substance use, with each participant receiving an average of six tests during participation. Seventeen percent of all admissions received electronic monitoring for an average of six days.

The average length of stay in the program was 14.5 months for graduates and 9.8 months for terminations. As participants move through the three-phase program they spend an average of five months in Phase 1, six months in Phase 2, and an additional five months in Phase 3.

**Post-Discharge Outcomes:** Although the small sample size of program discharges precluded use of many of the more sophisticated statistical modeling techniques originally planned, Figures 1 and 2 present some preliminary criminal justice outcomes. Eleven discharges were eligible for six-month follow-up (conducted to maximize the small sample size), and nine were eligible for one-year follow-up for these data analyses.

Even with this extremely small sample of offenders, First Step graduates were significantly less likely than terminations to have new charges while in the program (Figure 1).

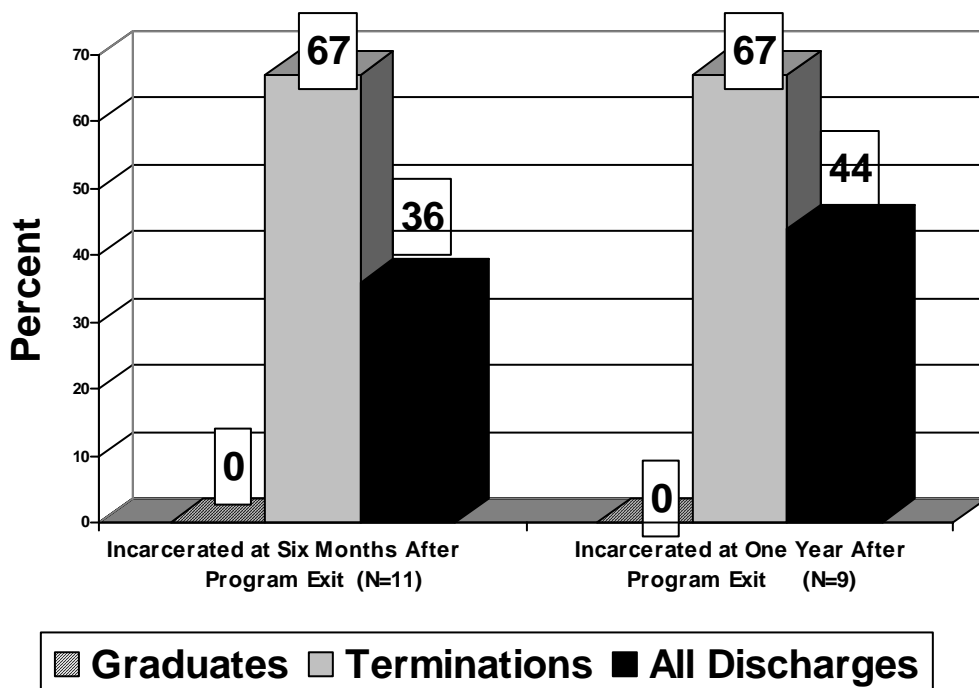
**Figure 1: Preliminary Rearrest Outcomes by Program Completion**



None of the graduates were charged while in the program, while nearly one-half of the terminations were. Post-discharge rearrest rates (excluding offenders who were incarcerated during the follow-up period) are also presented in Figure 1. Twenty percent of the graduates and 25 percent of terminations were rearrested by six months after First Step discharge. Thirty-three percent of the graduates and 25 percent of terminations were rearrested by one year after First Step discharge. It is important to note that these results represent one graduate and one termination who were rearrested. The arrests for each were AOD-related and non-violent, and the graduate was rearrested after 127 days and the termination was rearrested 275 days after program discharge. Two of the terminations had their probation revoked and were incarcerated in prison for nearly the entire one-year follow-up period and one was incarcerated in jail for six months so these participants had no opportunity to reoffend. No graduates spent time in prison in the one year period following program discharge. One graduate spent 26 days in jail for his rearrest, while three of the six terminations served jail time during the year.

While many drug courts and research studies define “recidivism” as rearrest, the Wisconsin Department of Corrections defines “recidivism” as an offense that results in reincarceration. Thus, reincarceration in jail or prison was also examined as a post-program outcome (Figure 2). Although the sample is extremely small, Figure 2 provides preliminary incarceration outcomes for offenders discharged from First Step who had been at risk in the community after program participation. Analyses revealed statistically significant differences in incarceration outcomes at both six months after program exit ( $X^2 = 5.2$ ,  $df=1$ ,  $p<.02$ ) and at one year after program exit ( $X^2 = 3.6$ ,  $df=1$ ,  $p<.05$ ). Terminations were significantly more likely to be incarcerated (jail or prison) at six months after program exit than graduates, and at one year after program discharge all of the graduates were living in the community, while two-thirds of the terminations were incarcerated.

**Figure 2: Preliminary Incarceration Outcomes by Program Completion**



## **Program Strengths**

**Program Implementation:** First Step has developed necessary policies and procedures related to program implementation, treatment provision, drug testing, electronic monitoring options, rewards/sanctions, legal status hearings with the drug court judge, screening and assessment of substance abuse and mental health issues, and referrals for education, employment services, and other support services.

**Drug Court Staff:** The members of the First Step team are professional and dedicated individuals. While the team is quite diverse in background, ethnicity, training, and communication style, they have continued to collaborate to benefit the program participants. The level of collaboration among drug court team members is also viewed as a strength. First Step also benefits from the involvement of a judge with a wealth of experience who is extremely supportive of the drug court model.

**Collaboration:** First Step has developed solid collaborative relationships with both the city and local tribal police departments, the Division of Community Corrections (probation/ parole), and the Wisconsin Department of Corrections (DOC). The team has benefited from the involvement of a probation agent dedicated to the program, and the program collaborated with DOC to gather the outcome data related to incarceration for the purposes of this evaluation.

First Step has increased collaboration between the Sawyer County service system and the Lac Courte Oreilles (LCO) tribal service systems. In addition to having LCO representatives on the drug court team proper, First Step has also increased coordination with the LCO treatment providers, tribal police, tribal employers, and tribal housing.

**Benefits to the Local Community and Criminal Justice System:** More than one-half of the graduates had their sentences reduced as a result of successful drug court completion, saving an estimated total of 5,554 incarceration days through diversion into First Step. None of the graduates were charged with new offenses while in the program. Analyses of rearrest rates for program discharges indicated that 80 percent of the graduates and 75 percent of terminations were not rearrested by six months after First Step discharge. Sixty-seven percent of the graduates and 75 percent of terminations were not rearrested by one year after First Step discharge. First Step graduates were significantly less likely than terminations to be incarcerated (jail or prison) at both six months and one year after program exit.

## **Challenges/Barriers**

First Step has encountered challenges and barriers to implementation. However, the team has consistently acknowledged problems when identified and worked together to address each challenge. These challenges included a smaller number of referrals than anticipated, the post-plea design of the drug court, the lack of cooperation of the Sawyer County Sheriff's Department, the presence of one judge for the entire county, the presence of a half-time (rather than full-time) drug court coordinator, the rural setting and attitudes regarding alcohol use, some communication difficulties between county and tribal members of the drug court team, implementation of an integrated treatment plan for participants, and the use of jail as a sanction for program or rule violations.

## **Recommendations for Improvement**

Many improvements have been made to the program and further improvements are currently underway. The First Step team should continue to discuss and prioritize the additional following primary recommendations to improve program structure, collaboration, and services:

### **Administrative/System:**

1. Update and revise original program goals and objectives to represent current program
2. Add First Step to the webpages for Sawyer County, Department of Health and Human Services, and the Wisconsin Association of Drug Court Professionals
3. Continue to improve communication and collaboration with the Sheriff's Department
4. Continue to work on collaboration with LCO
5. Continue to explore connections with local faith-based community organizations in Hayward
6. Continue to educate the public about the positive impacts of the drug court model, including addressing any outdated attitudes that incarceration alone will reduce recidivism and improve offender outcomes
7. Consider expanding the drug court coordinator position from part-time to full-time
8. Proceed with hiring a program "tracker" to assist the program with curfew checks
9. Team members should continue to periodically discuss program- and system-level issues
10. Develop or revise program policies related to:
  - a. Better documenting and verifying support group attendance
  - b. Participant readmission
  - c. Services for participants with mental health problems, medical issues, or on medication
  - d. Maintaining contact with participants away at residential treatment
11. The program director should proceed with requesting expanded funding from the Sawyer County Board to continue program operation, including the possibility of funding for at least one full-time case manager after BJA funding ends
12. First Step should continue to integrate itself into the existing service system, including utilizing probation/parole for drug testing and electronic monitoring

### **Program Services:**

1. Continue to reach out to attorneys to increase the number of appropriate referrals
2. Distribute drug court informational materials to jail inmates to improve recruitment
3. Continue to identify ways to decrease delays between:
  - a. referral and admission decision
  - b. admission and substance abuse/mental health assessment
  - c. admission and substance abuse treatment entry
4. Revise procedures for screening/assessment to improve the use of results in treatment planning
5. Continue to develop a comprehensive integrated treatment plan and procedures for reliable updating of information in the plan
6. Improve communication about treatment plans between case managers and LCO staff
7. Develop an individualized reward and sanction plan for each participant
8. Better utilize the criminal risk/need data collected to improve treatment planning, and customize rewards, sanctions, and number of required court status hearings.
9. Create additional required drug court group that would focus on criminal thinking errors
10. Continue with planning and implementation of a drug court treatment or halfway house facility to provide housing for drug court participants
11. Explore the feasibility of having releasing participants from jail to participate in substance abuse treatment (similar to work release) and seek the support of the jail administrator for these activities