

Program Funding

Federal Fiscal Year	Drug Courts Budget Authority
2014	\$ 40,500,000
2015	\$ 41,000,000
2016	\$ 42,000,000
Total	\$ 123,500,000

Program Goals

Adult Drug Court is designed to equip courts and court systems with the necessary tools and resources to intervene with substance-abusing offenders while preparing citizens for successful community reintegration. To accomplish this goal, Adult Drug Court discretionary grant funds will be awarded to build and/or expand drug court capacity at the state, local, and tribal levels to reduce crime and substance abuse among high-risk, high-need offenders.

Adult Drug Court Program

Purpose of Report

The Grantee Feedback Report is a biannual report that allows you, the grantee, to compare your project’s performance measurement data to the Adult Drug Court Program as a whole. The Bureau of Justice Assistance (BJA) produced this report with the hope that you may better understand how your project fits into the larger BJA-funded program. All the data reported represents the 6-month period noted in the report’s header, unless otherwise noted in the table or figure finding.

Program Purpose¹

The purpose of the Adult Drug Court Program is to implement and enhance drug treatment courts that integrate substance abuse treatment, mandatory drug testing, sanctions and incentives, and transitional services in a judicially supervised court setting with jurisdiction over nonviolent participants. BJA encourage courts to target participants with a high risk for recidivating and a high need for treatment to address substance addiction.

Program Highlights

Highlights of the Adult Drug Court Program from April to September 2016:

- The overall graduation rate increased 2.6 percent to 57.2 percent in April to September 2016 compared to 54.6 percent in April to September 2015.
- BJA is accomplishing its goal of encouraging BJA-funded drug courts to accept more high-risk/high need participants. During this time, a total of 77.3 percent of new participants assessed were high risk and/or high need.
- A total of 11,415 participants were enrolled in BJA-funded drug courts. This is a 7 percent reduction (827) in participants from the April to September 2015 reporting period.
- Of the participants in the program at least 90 days who were administered drug tests, 30.1 percent tested positive for illegal substance. This rate is much higher than the 18 percent who tested positive during the April to September 2015 reporting period.

¹ The Biannual Grantee Feedback Report includes performance data reported by BJA Drug Court grant recipients that conducted grant activities through September 2016. The following data come from the Performance Measurement Tool (PMT) data covering Drug Court grants from fiscal year (FY) 2009 through FY 2015. The data reflected in this report represent information as entered by grantees. Some grantee data will be verified that may have a slight impact on the calculated values throughout this report.

Statewide grants are awarded to state agencies (Table 1 and Figure 1). Statewide grantees can use these funds to “improve, enhance, or expand drug court services statewide”² such as performing court evaluations or establishing a statewide drug court data system. These grantees can also financially support other drug courts in their jurisdiction that are not currently receiving funding from BJA by making enhancements to the courts.³

Table 1. Grant Breakdown as of September 30, 2016

Type of Grant (Total N = 239)	Fiscal Years Present	Average Funds Received	Minimum Amount	Maximum Amount
Statewide (n = 63)	2012–2015	\$902,410.40	\$143,234*	\$1,500,000
Implementation (n = 56)	2010–2015	\$339,303.60	\$166,018	\$350,000
Enhancement (n = 113)	2011–2015	\$219,168.20	\$48,885	\$300,000

*Statewide spending varies on whether the state spreads the total funding to certain subgrantees or uses it to fund certain items in all of its courts.

Enhancement grants are awarded to operational Adult Drug Courts which have been operating at least 1 year and which seek to do one or more of the following:

1. Expand the number of participants served who meet the existing target population description
2. Expand the target population description and serve additional participants who meet the expanded description
3. Enhance court operations
4. Enhance court and/or supervision services
5. Enhance recovery support services.⁴

Implementation grants are awarded to jurisdictions that have “completed a substantial amount of planning”⁵ and are ready to implement a new drug court into their community.

Table 2. Location of Drug Court Grantees as of September 30, 2016

Type of Grant	Rural	Suburban	Urban	Tribal
Statewide (n = 63) ⁶	19% (12)	24% (15)	52% (33)	0% (0)
Implementation (n = 56)	41% (23)	14% (8)	40% (22)	5% (3)
Enhancement (n = 113)	24% (29)	16% (19)	56% (60)	4% (5)
Total Courts (N = 232)	27% (64)	18% (42)	51% (122)	4% (8)

² BJA Adult Drug Court Solicitation 2016. Available at: <https://www.bja.gov/adultdrugcourts16>.

³ <https://www.bja.gov/adultdrugcourts16>.

⁴ Ibid.

⁵ Ibid.

⁶ Not all statewide grantees will report in this section. Only those that have subgrantees will report what type(s) of court(s) the grant is serving (Figure 2).

Figure 1. Drug Court Grantees as of September 30, 2016

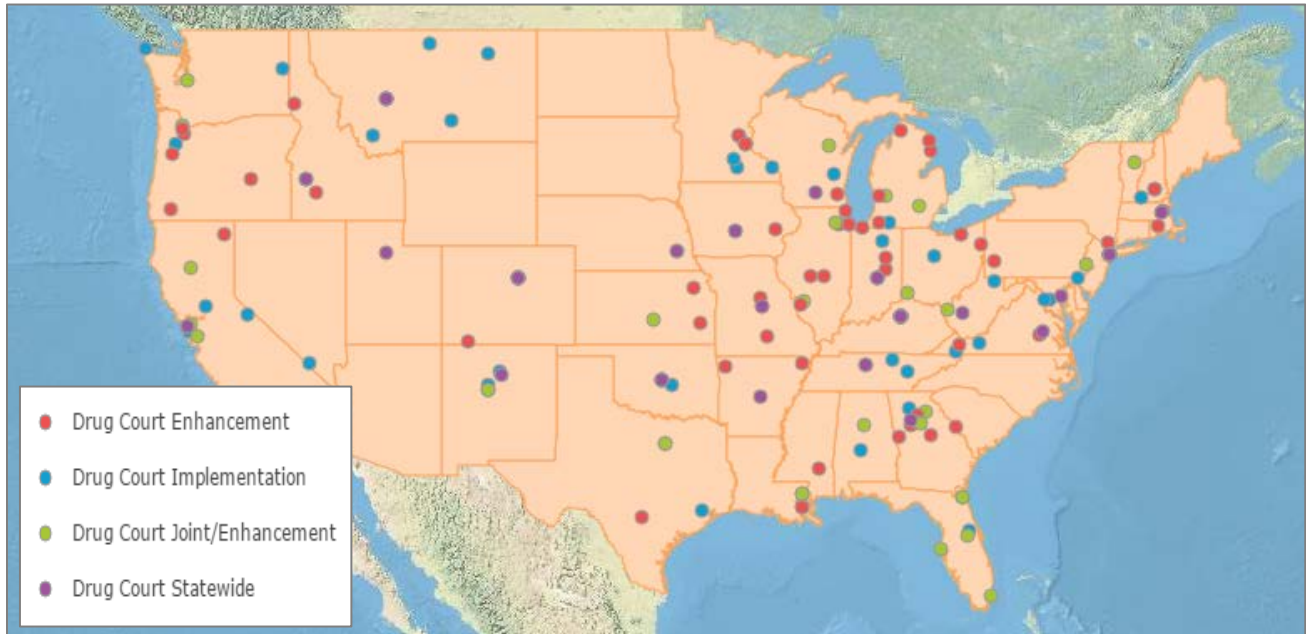
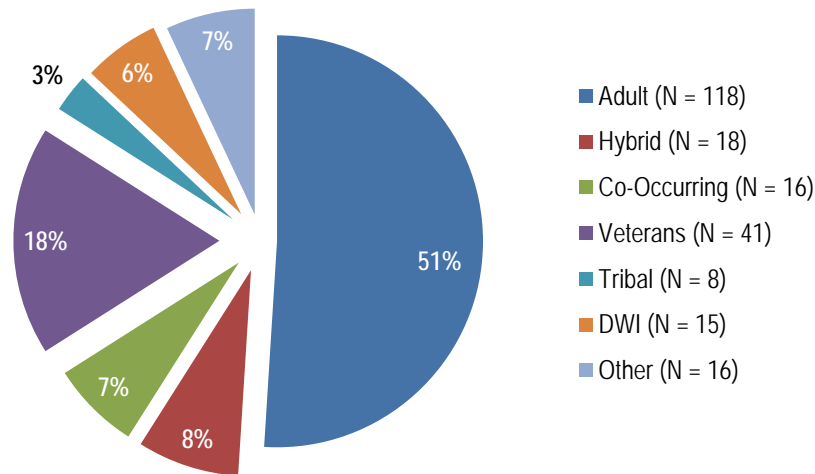


Figure 2. Types of Courts Funded as of September 30, 2016^{7,8,9}



*Grantees that marked “other” mostly did so to indicate that their court serves more than one population such as an adult court that also serves veterans or mental health services participants or to indicate that the grantee courts have a separate track within the main court.

⁷ *Hybrid Driving While Intoxicated (DWI)/Drug Court*: A specialized court that accepts both Drug and DWI/Driving Under the Influence (DUI) cases. Most Hybrid courts started out as a Drug Court but now offer a specialized DWI/DUI docket to deal with DWI/DUI participants. For more information, please go to www.DWIconcourts.org.

⁸ Some courts marked more than one court served by the grant. The total number of court types may exceed the total number of grantees. See Table 2 for a more accurate number.

⁹ Tribal drug courts can also apply for funding under Coordinated Tribal Assistance grants.

Participants

Table 3. Program Participants by Location Type: April–September 2016

Court Location	New Participants		Total Participants	
	Total	Average	Total*	Average
Urban (<i>n</i> = 97)	3,102	12.3	7,461	76
Suburban (<i>n</i> = 33)	473	6.5	1,279	39
Rural (<i>n</i> = 54)	921	7.5	2,618	48.5
Tribal (<i>n</i> = 8)	41	2.7	57	7
Total (<i>N</i> = 192)	4,537	11	11,415	56

*Total number of participants as of September 30, 2016.

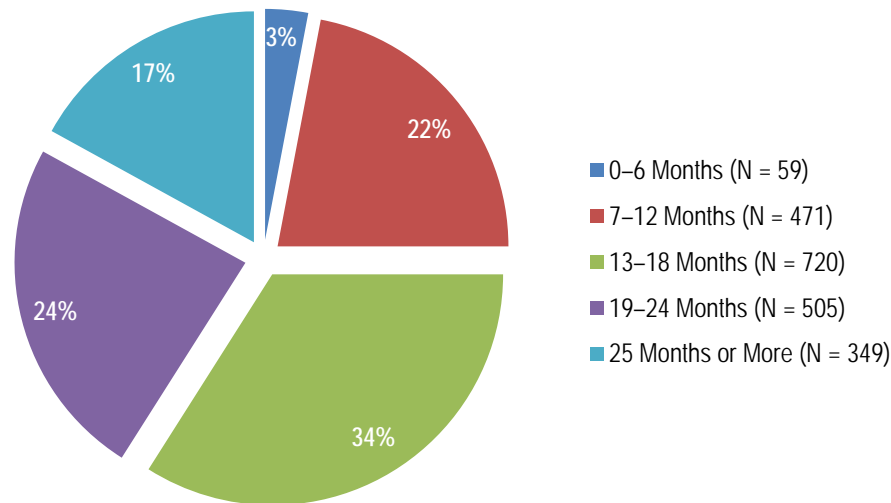
Successful Participants

Table 4. Graduation Rates by Location Type:¹⁰ April–September 2016

Court Location	Graduation Rate (Percentage)		
	Average	Minimum	Maximum
Urban (<i>n</i> = 97)	59.8%	0.0%	100%
Suburban (<i>n</i> = 33)	64.1%	0.0%	100%
Rural (<i>n</i> = 54)	48.4%	0.0%	100%
Tribal (<i>n</i> = 8)	36.4%	0.0%	100%
Overall Average (<i>N</i> = 192)	57.2%	0.0%	100%

¹⁰ Only those grantees that input data into the questions asking for the number of successful participants and the number of unsuccessful participants were included in Table 4. All grantees have their entire graduation rate calculated (from start of grant to September 2016) and averaged. The range is from 0 to 100 percent.

**Figure 3. Time Spent in Program for Participants Who Graduated from Drug Court
(Total Participants = 2,102)**



- Research suggests that participants should remain in the Drug Court Program a minimum of 6 months and no more than 18 months to maximize the positive treatment effects.¹¹ There were 1,191 participants (56.6 percent) who completed the program successfully (“graduated”) in this time frame (Figure 3).
- 80 percent of participants are graduating in less than 2 years which is consistent with the National Association of Drug Court Professional’s “Best Practice Standards.”¹²

Race of Participants

- Participants who are American Indian/Alaska Native tend to have a higher enrollment rate in drug courts than other racial categories do (Table 5).
- Black/African American and Asian/Pacific Islander as well as minorities classified in the “other” categories have a much lower enrollment rate in the program. This was particularly true for Black/African American individuals where almost 90 percent of those eligible to enter did not enroll in the Drug Court Program. Some research shows that minority participants are going into other programs even though they are eligible for drug court. Additionally, capacity is limited in some sites to collect this data. More research is needed to understand enrollment decisions among minority offenders.

¹¹ Peters, R.H. (2011). *Translating drug court research into practice—Drug Court treatment services. Applying research findings to practice* [Issues Commentary and Resource Brief]. Washington, DC: Adult Drug Court Research to Practice Initiative. Available at <http://research2practice.org/projects/treatment/pdfs/Issues%20Commentary%20and%20Resource%20Brief.pdf>

¹² <http://www.nadcp.org/Standards>

Table 5. Race of New Participants and Those Eligible Who Did Not Enter (Total Grantees = 188¹³)

Race	Percentage of Those Eligible Who Did Not Enter (Number)	Percentage of Those Eligible Who Enrolled Who Are New Participants (Number)	Total Eligible (Number)
White	61.9% (5,283)	38.1% (3,245)	100% (8,528)
Black/African American	87.4% (6,003)	12.6% (867)	100% (6,870)
American Indian/Alaska Native	37.9% (66)	62.1% (108)	100% (174)
Asian/Pacific Islander/ Multi/Other/Unknown	84.3% (1,808)	15.7% (337)	100% (2,145)
Total	74.3% (13,160)	25.7% (4,557)	100% (17,717)

Enrollment rates between Hispanic/Latino(a)s and Non-Hispanic/Latino(a)s are relatively similar, with 27 and 24 percent enrolling into the program (Table 6). It should be noted that many courts are not able to track this information, which leads to a higher number of ethnicity unknowns.

Table 6. Hispanic/Latino Ethnicity of New Participants and Those Eligible Who Did Not Enter (Total Grantees = 186¹⁴)

Ethnicity	Percentage of Those Eligible Who Did Not Enter (Number)	Percentage of Those Eligible Who Enrolled Who Are New Participants (Number)	Total Eligible (Number)
Hispanic/Latino(a)	75.7% (1,619)	24.3% (519)	100% (2,138)
Non-Hispanic/Latino(a)	72.8% (10,272)	27.2% (3,842)	100% (14,114)
Ethnicity Unknown	66.1% (306)	33.9% (157)	100% (463)
Total	73% (12,197)	27% (4,518)	100% (16,715)

Although most races had a higher percentage of successful exits than unsuccessful exits, American Indian participants were in the only group with a higher rate of unsuccessful exits, at almost 53 percent (Table 7).

¹³ Four grantees were left out of the table for they had a very high number of “unknowns” in their data. This high number would skew the data.

¹⁴ Six grantees were removed from this analysis due to a high number of “unknowns” that skewed the data. Additional follow-up with these grantees is being conducted.

Table 7. Race of Successful and Unsuccessful Participants (Total Grantees = 192)

Race	Percentage Successful Exits (Number)	Percentage Exited Unsuccessfully (Number)	Total (Number)
White	58.4% (1,515)	41.6% (1,080)	100% (2,595)
Black/African American	50.3% (373)	49.7% (368)	100% (741)
American Indian	47.3% (26)	52.7% (29)	100% (55)
Asian/Pacific Islander/ Multi/Other/Unknown	65.2% (178)	34.8% (95)	100% (273)
Total	57.1% (2,092)	42.9% (1,572)	100% (3,664)

Although all ethnicities had a higher rate of successful participants, those of Hispanic/Latino(a) origin had the highest, with an overall successful exit rate of 73 percent (Table 8).

Table 8. Hispanic/Latino Ethnicity of Successful and Unsuccessful Participants (Total Grantees = 192)

Ethnicity	Percentage Successful Exits (Number)	Percentage Exited Unsuccessfully (Number)	Total (Number)
Hispanic/Latino(a)	73.1% (283)	26.9% (104)	100% (387)
Non-Hispanic/Latino(a)	55% (1,678)	45% (1,375)	100% (3,053)
Ethnicity Unknown	58.5% (121)	41.5% (86)	100% (207)
Total	57.1% (2,082)	42.9% (1,565)	100% (3,647)

Reasons Participants Did Not Enter the Program

Table 9, below, displays the reasons participants did not enter the Adult Drug Court Program.

Table 9. Reasons Participants Did Not Enter the Program¹⁵

	Urban	Suburban	Rural	Tribal	Total
Other	73.6% (9,247)	22.8% (218)	40.9% (510)	16.6% (4)	67.5% (9,979)
Prosecutor objection	8.5% (1,061)	6.4% (61)	7.5% (94)	4.2% (1)	8.3% (1,217)
Participant refused entry	4.8% (598)	11.8% (113)	8.9% (111)	33.3% (8)	5.6% (830)
Violent history	2.3% (285)	16.2% (154)	4.4% (55)	8.3% (2)	3.4% (496)
Candidate waiting for program slot (will enroll next quarter)	2.8% (352)	2.5% (24)	8.5% (106)	8.2% (2)	3.3% (484)
Insufficient risk (low risk)	1.6% (198)	11.5% (110)	7.6% (94)	4.2% (1)	2.7% (403)
Out of jurisdiction	1.7% (217)	6.1% (58)	1.9% (24)	0% (0)	2% (299)
No drug problem	1.3% (159)	1.9% (18)	7% (87)	4.2% (1)	1.8% (265)
Candidate did not complete screening	0.7% (91)	3.4% (33)	6.5% (81)	12.5% (3)	1.4% (208)
Exclusionary prior nonviolent offense	0.9% (114)	6.8% (65)	1.3% (16)	0% (0)	1.3% (195)
Arrest, conviction, or incarceration on another charge	0.7% (91)	5.1% (49)	2.2% (27)	4.2% (1)	1.1% (168)
Judicial objection	0.5% (66)	2.7% (26)	1.9% (24)	0% (0)	0.8% (116)
Mental health diagnosis that cannot be handled by the court	0.4% (46)	2.6% (25)	1.4% (18)	4.2% (1)	0.6% (90)
Ineligible for VA services	0.2% (2)	0.2% (2)	0% (0)	0% (0)	0.2% (34)
Defense objection	0% (5)	0% (1)	0% (0)	0% (0)	0% (5)
Accident involving injury	0% (3)	0% (0)	0% (0)	0% (0)	0% (3)
Total	100% (12,565)	100% (956)	100% (1,247)	100% (24)	100% (14,792)

The main “Other” reasons participants did not enter the program include the following:

- Entered another program (369)
- Program at capacity (242)
- Participant still in screening/pending (182)
- Not enough time on sentence (130)
- Statutory ineligibility/ ineligible (79)
- Not actioned (67)

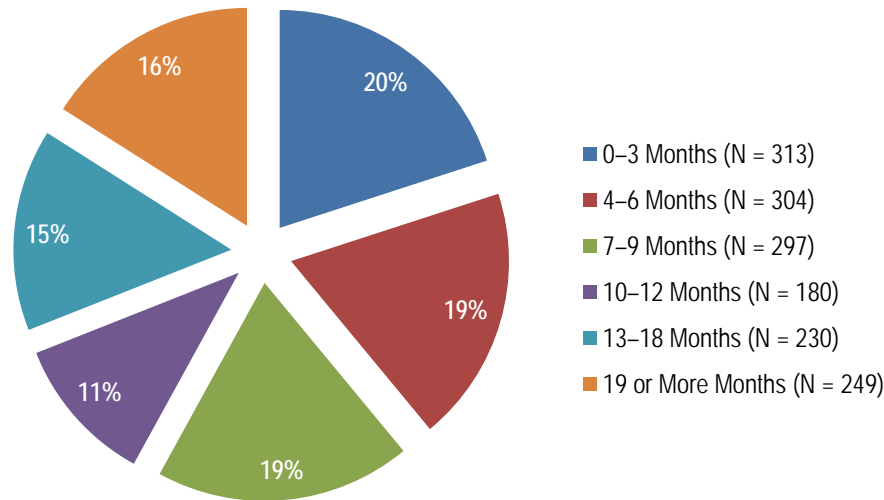
¹⁵ After potential participants are screened, they may or may not be found eligible for drug court participation.

- Voluntary withdrawal (52)
- Waiting on court dates/plea agreements (48)
- Did not have proper mental health/ co-occurring/ substance use disorder (44)
- Not target population (41)
- Absconded (38)
- Previous participant (35)
- Medical issue/ Death (35)
- Charge/case reduced or dismissed (29) (Table 9).

There are a few grantees with a large number of screened participants (8,386) who are not able to track this part of the questionnaire. These participants are also placed in the “Other” category.

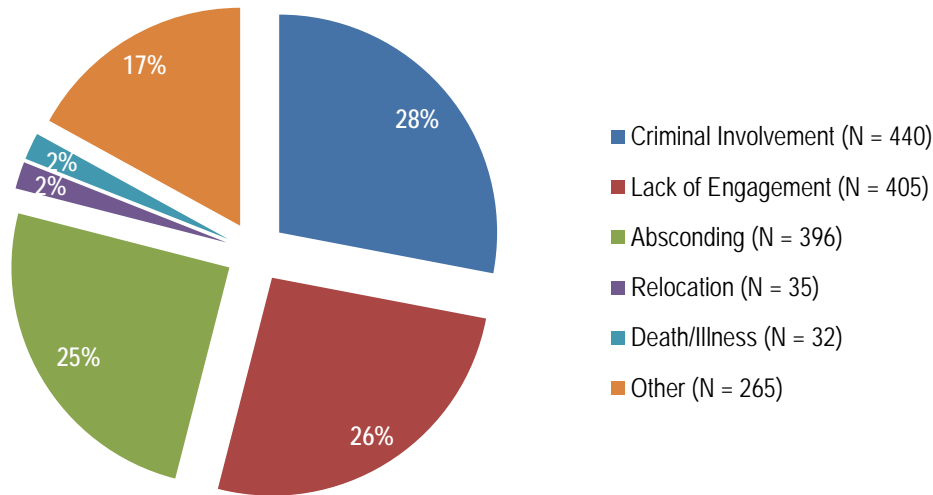
Participants Who Left the Program Unsuccessfully

Figure 4. Time Spent in Program for Participants Who Did Not Complete Program Requirements (Total Participants = 1,573)



- 39 percent of unsuccessful participants (617) left drug court within 6 months of starting the program (Figure 4). Reasons for leaving the program unsuccessfully included continued use of drugs, absconding, and not following protocol.
- Interestingly, almost 42 percent of unsuccessful participants (659) left the program without graduating but after participating for 10 or more months.

Figure 5. Reasons Participants Left the Program Without Completion (Total Participants = 1,573)



“Other” reasons why participants left the program primarily include voluntary withdrawal/self-termination from the program, not complying with the rules of the program, or participant’s sentence/probation ended (Figure 5).

Risk/Assessments, Drug Testing, and Services Rendered

BJA requires Drug Court grantees to use validated risk/needs assessment tools and to target high-risk/high-need participants (Table 10). Research suggests that Drug Court programs can have the most impact by targeting offenders who are at high risk for reoffending and have significant substance abuse treatment needs (Tables 11–13). This, in turn, increases the cost-effectiveness of the program.¹⁶

Table 10. Average Number of New Participants Screened and Found to Be High Risk*

Location Type	Average Number of New Participants Assessed	Average Number of New Participants Found to Be High Risk	Average Percentage of New Participants Found to Be High Risk
Urban (n = 116)	10.5	7.7	57.6
Suburban (n = 44)	6.3	4.7	57.2
Rural (n = 68)	7.6	6.7	73.7
Tribal (n = 9)	2.3	1.1	28.9
Total (N = 237)	8.6	6.7	61.1

*Only those grantees that perform assessments on new participants were included in Table 10.

Figure 6 displays the types of assessment tools used by Drug Court grantees through a word cloud graphic. The larger the text in Figure 6, the more often that tool is used by grantees. The tools in smaller text were used less often. The most common assessment instrument used by grantees is the LSI-R (19.9 percent), followed by RANT (17.4 percent).

¹⁶ Marlowe, D. B. (2012). *Alternative tracks in Adult Drug Court: Matching your program to the needs of your clients* [Drug Court Practitioner Fact Sheet, vol. 7(2)]. Alexandria, VA: National Association of Drug Court Professionals. Available at: <http://www.ndci.org/sites/default/files/nadcp/AlternativeTracksInAdultDrugCourts.pdf>.

Figure 6. Validated Risk Assessment Tools Listed by Drug Court Grantees



Table 11, below, displays the average number of participants who were drug tested after being in the program for 90 days.

Table 11. Average Number of Participants Drug Tested after Being in Program 90 Days¹⁷

	Average Number Tested	Average Number Testing Positive	Average Percentage Testing Positive
Urban (<i>n</i> = 116)	56.7	16.7	29.6%
Suburban (<i>n</i> = 44)	37.1	6.5	22.8
Rural (<i>n</i> = 68)	42.3	16	28.9
Tribal (<i>n</i> = 9)	5.9	2.3	30.5
Total (<i>N</i> = 237)	47.3	14.2	28%

¹⁷ Random drug testing is a requirement of all drug courts. A few grantees had a few outliers that skewed the average percentage.

Drug Court Services Paid for with Grant Funds

Table 12, below, displays the participants receiving BJA-funded services as of September 30, 2016. Table 13, below, displays the Drug Court Program enhancements as of September 30, 2016.

Table 12. Participants Receiving BJA-Funded Services as of September 30, 2016

Services	Urban	Suburban	Rural	Tribal	Total
Other services*	31.2% (264)	44.7% (379)	23.1% (196)	1% (8)	24% (847)
Prosocial services	57.7% (290)	7.3% (37)	32% (161)	3% (15)	14.3% (503)
Mental health services	57.1% (236)	8.7% (36)	32.7% (135)	1.5% (6)	11.7% (413)
Health services	62.2% (244)	4.1% (16)	32.7% (128)	1% (4)	11.1% (392)
Employment	61.3% (195)	6.9% (22)	30.5% (97)	1.3% (4)	9% (318)
Housing services	68.2% (206)	8.3% (25)	22.8% (69)	0.7% (2)	8.6% (302)
Veteran services	91.3% (263)	1.4% (4)	6.9% (20)	0.4% (1)	8.2% (288)
Trauma treatment	61.5% (155)	7.1% (18)	31% (78)	0.4% (1)	7.1% (252)
Education services	61.1% (129)	5.2% (11)	31.8% (67)	1.9% (4)	6% (211)
Total	56.2% (1,982)	15.5% (548)	27% (951)	1.3%(45)	100% (3,526)

*Spending items under “Other services” include transportation for participants (e.g., bus passes and helping participants get their licenses), assessments, peer mentoring, case management, drug screenings, and child care/parenting classes.

Table 13. Drug Court Program Enhancements as of September 30, 2016

	Urban	Suburban	Rural	Tribal	Total
Case manager	43.5% (53)	19.7% (24)	31.1% (38)	5.7% (7)	25.2% (122)
Training	47.5% (48)	13.9% (14)	33.7% (34)	4.9% (5)	20.9% (101)
Evaluation	40.7% (22)	13% (7)	40.7% (22)	5.6% (3)	11.2% (54)
Other*	50% (22)	15.9% (7)	29.5% (13)	4.6% (2)	9.1% (44)
Equipment	51.2% (22)	9.3% (4)	34.9% (15)	4.6% (2)	8.9% (43)
Aftercare	55.2% (21)	5.3% (2)	31.6% (12)	7.9% (3)	7.8% (38)
Enhancing risk/ assessment screening	25.7% (9)	14.3% (5)	51.4% (18)	8.3% (3)	7.2% (35)
Performance standards measures	32% (8)	12% (3)	52% (13)	4% (1)	5.2% (25)
MIS (management information system)	31.8% (7)	13.6% (3)	50% (11)	4.6% (1)	4.5% (22)
Total	43.8% (212)	14.3% (69)	36.3% (176)	5.6% (27)	100% (484)

*“Other” includes primarily drug testing, supplies, and compensation.

Technical Assistance to Improve Outcomes

Do you have questions about how to get the most from your Drug Court grant? Be sure to contact the National Association of Drug Court Professionals (NADCP), the Technical Assistance provider for the Drug Court Program.

Drug Court Technical Assistance Provider: National Association of Drug Court Professionals (NADCP)



The National Drug Court Institute, a division of The National Association of Drug Court Professionals, uses a multi-tiered training curriculum developed in conjunction with leading researchers in the field to provide unparalleled instruction to treatment court teams all over the world. Have a specific question? Go ahead and [Ask the Experts!](#)

For more information or to request technical assistance, please contact:

Melynda Benjamin, Project Director

National Drug Court Institute

1029 N. Royal, Ste. 201, Alexandria, VA 22314

D: 703-575-9500 | **W:** [NDCI website](#)

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