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Family Drug Court Program Performance Measures

Lisa Wilcox, Research Analyst

Introduction

Historically, graduation rates have been one of the primary outcomes used to measure the effectiveness of family drug court (FDC) programs. However, graduation rates do not assess the impact these programs have on child welfare outcomes, nor provide a means to compare outcomes with individuals who are not FDC participants.

Research indicates performance measures for FDC programs can be grouped into a few basic outcome domains (Burrus et al., 2011; Carey et al., 2010):

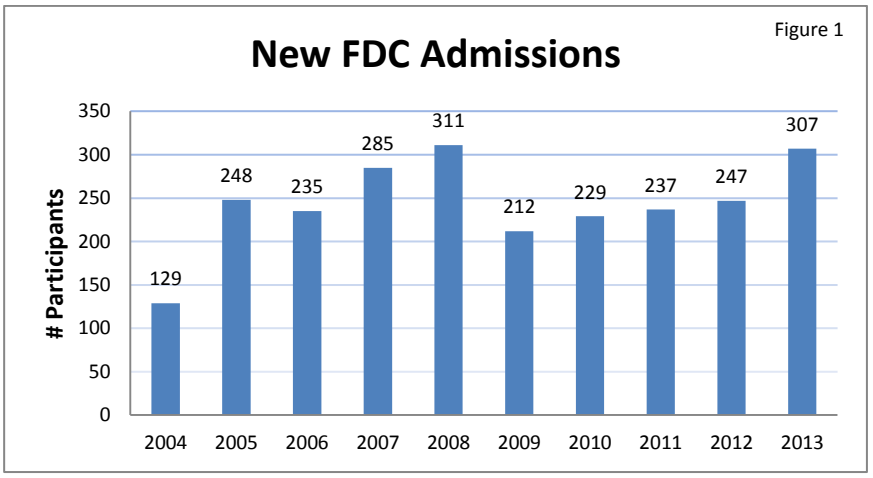
- Treatment Outcome
  - Treatment completion rate
  - Length of time spent in treatment
- FDC Program Completion
  - Graduation rate
  - Length of time in the program
- Criminal Justice Outcome
  - Subsequent arrests
  - Subsequent arrests for drug charges
- Child Welfare Outcome
  - Time spent in foster care
  - Time to permanent placement
  - Time in out of home placement
  - Likelihood of reunification
  - New foster care episodes
  - Placement stability

The purpose of this report is to use some of these measures to provide an initial review of the effectiveness of Missouri's FDC programs. Specifically these measures include program completion rates, criminal justice outcomes based on new convictions, and several child welfare outcomes including the likelihood of reunification and the time to permanent placement and reunification. The results are also compared with the results for a group of individuals with drug-related charges and no exposure to any type of treatment court program.

Some Background Information

- As of June 30, 2014, there were 12 FDC programs and 298 active FDC participants in these programs.
- Most of the programs have at least one new admission in nearly every year since 2004. Admission information prior to 2004 is unavailable.
- The Jackson County program is by far the largest, averaging just over 100 new admissions per year. The two smallest programs average three new admissions per year.
- The admission information (Figure 1) includes data from FDCs in circuits 11, 16, 19, 21, 22, 23, 31, 32, 33, 35, 37, 40 and 45. There are no recent FDC admissions in circuits 19 and 37.

- FDC case statistics indicate between six and eight percent of FDC cases list something other than a child abuse and neglect case as the originating case on the treatment court admission form in the Judicial Information System (JIS).
- At time of admission the average age of all participants is nearly 30 years old.



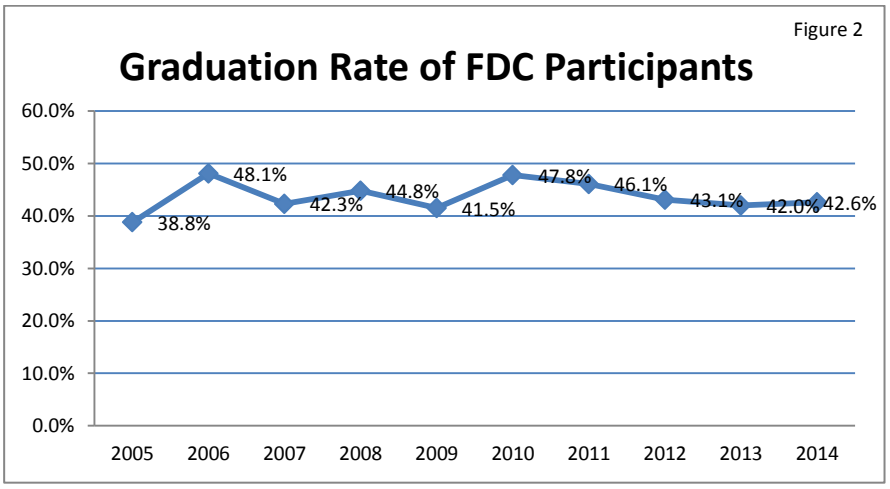
Note: Data is based on a count of cases and was pulled from JIS in August of 2014 and from the web-based system in 2010. All treatment courts were using JIS by October 1, 2008. A web-based data collection system was used to collect treatment court information prior to JIS implementation. Admission information prior to 2004 is unavailable.

Program Outcome Data

Program Completion

Graduation Rate – Figure 2

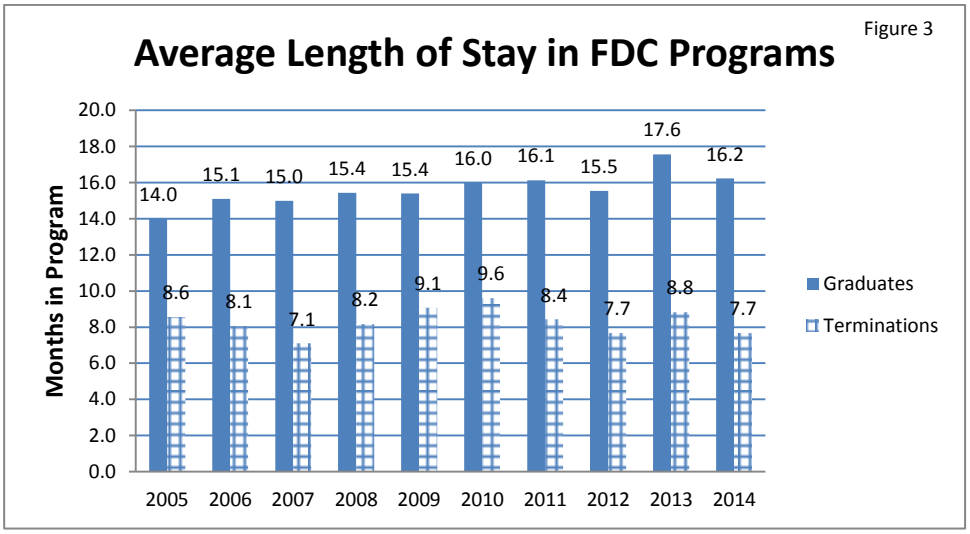
- The statewide graduation rate for FDC programs has remained fairly constant, ranging from a low of 38.8 percent in 2005 to a high of 48.1 percent in 2006.
- The graduation rate is calculated by dividing the number of program graduates by the number of program graduates plus the number of participants who are terminated or voluntarily withdraw from the program.
- Program completion information includes data from FDCs in circuits 11, 16, 19, 21, 22, 23, 31, 32, 33, 35, 37, 40 and 45. There are no recent exits in circuits 19 and 37.



Note: Data is based on a count of cases and was pulled from JIS in August of 2014 and from the web-based system in 2010. All treatment courts were using JIS by October 1, 2008. A web-based data collection system was used to collect treatment court information prior to JIS implementation. Exit information prior to 2005 is unavailable. Exit information is not available for all cases pulled from the web-based system.

Program Length of Stay – Figure 3

- The overall average length of stay in a FDC program is 470 days (15.7 months) for graduates and 250 days (8.3 months) for individuals who are terminated or voluntarily withdraw from the program.
- Beginning in 2010, program graduates spent about one month longer in a FDC program than they did in prior years. The length of time spent in a program has remained about the same for terminated participants.



Note: Data is based on a count of cases and was pulled from JIS in August of 2014 and from the web-based system in 2010. All treatment courts were using JIS by October 1, 2008. A web-based data collection system was used to collect treatment court information prior to JIS implementation. Exit information prior to 2005 is unavailable. Exit information is not available for all cases pulled from the web-based system. Eight additional cases with apparent data entry issues (a negative length of stay) are excluded.

Criminal Justice Outcome – Table 1

FDC Group

- Includes participants who exited FDC between October 1, 2008, and September 30, 2011.
- Includes data from FDCs in circuits 11, 16, 21, 22, 23, 31, 32, 33, 35, 37, 40 and 45. There are no exits in the 19th circuit during the study period.
- If an individual has more than one FDC case during the reporting period, the last disposed case is used to determine whether or not the individual has recidivated and whether they should be counted as a graduation or termination.
- Participants who are terminated multiple times are counted as one exit.
- The terminated group includes exits with voluntary withdrawal and termination exit status codes only.
- Recidivism is defined as a plea or finding of guilt for a felony or class A misdemeanor that occurs after a participant is admitted to FDC. The recidivism rate is the number of participants with a new plea or finding of guilt divided by the total number of participants that graduated or are terminated from the FDC program.
- The time to recidivate (within 12 months, 24 months, etc.) is the length of time between the FDC admission date and the filing initiation date of the case involving the new criminal charge (if there is an associate level case the filing initiation date for that case is used). The admission date is used because an equivalent admission date for the comparison group can be more accurately estimated than an equivalent exit date.
- FDC cases that cannot be linked by party ID directly to a juvenile case with the VCTPC docket entry are not excluded from the analysis. Case statistics indicate that 12 percent of FDC cases with an exit date between January 1, 2009, and July 9, 2014, cannot be matched to a juvenile case with this docket entry.
- Only new criminal cases that are filed in the same circuit as the FDC case are included.

Comparison Group

- Includes individuals (putative father, legal mother, natural mother, grandparent, step parent, natural father or legal father) that are parties in a formal status offense, delinquency, or child abuse and neglect case (CA/N) with a "child taken temporary protective custody" (VCTPC) docket entry and a filing initiation date between January 1, 2006, and December 31, 2010. The majority of participants in the FDC cohort have contract signed dates during this period.
- Individuals with any type of treatment court exposure (not just FDC) are excluded from the comparison group.
- Individuals included in the comparison group have a drug-related criminal charge (with a guilty plea or outcome and charge level of felony or misdemeanor A) with a charge date of no more than one year prior to OR two months after the filing of the original case with the VCTPC docket entry. The charge date is used to make this determination and not the date the criminal case was filed. One year was chosen as the cut-off date to exclude older drug-related charges that may not be related to the filing of the CA/N case. Two months was chosen as the other cut-off date because this is a reasonable amount of time to expect all related charges for an individual to be entered in JIS.
- Recidivism is defined as a plea or finding of guilt for a felony or class A misdemeanor that occurs after an "equivalent" treatment court admission date. FDC case statistics indicate there is an average of 81 days between the filing initiation date of the case with the VCTPC docket entry and the treatment court contract signed date.
- Recidivism rates for the comparison group are broken down by gender because between 2009 and 2011 about 87 percent of the participants admitted to FDC programs were female.

Criminal Justice Recidivism Rates of FDC Participants and Comparison Group

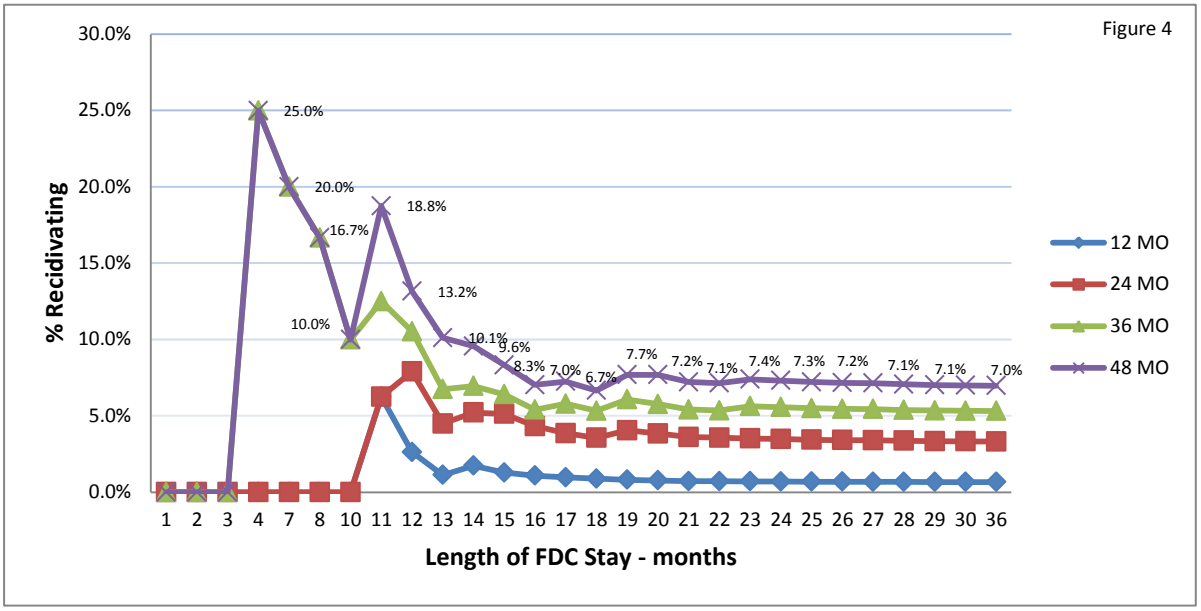
Table 1

Program	Exit Status	# of Exits	% Recidivism (within 12 Mo)	% Recidivism (within 24 Mo)	% Recidivism (within 36 Mo)	% Recidivism (within 48 Mo)
Family Drug Court	Grad.	304	0.7%	3.3%	5.3%	6.9%
	Term.	362	6.9%	13.5%	17.4%	19.1%
	Total	666	4.1%	8.9%	11.9%	13.5%
Comparison Group	Female	176	6.8%	13.1%	17.6%	18.8%
	Male	221	7.7%	13.6%	19.5%	23.1%
	Total	397	7.3%	13.3%	18.6%	21.1%

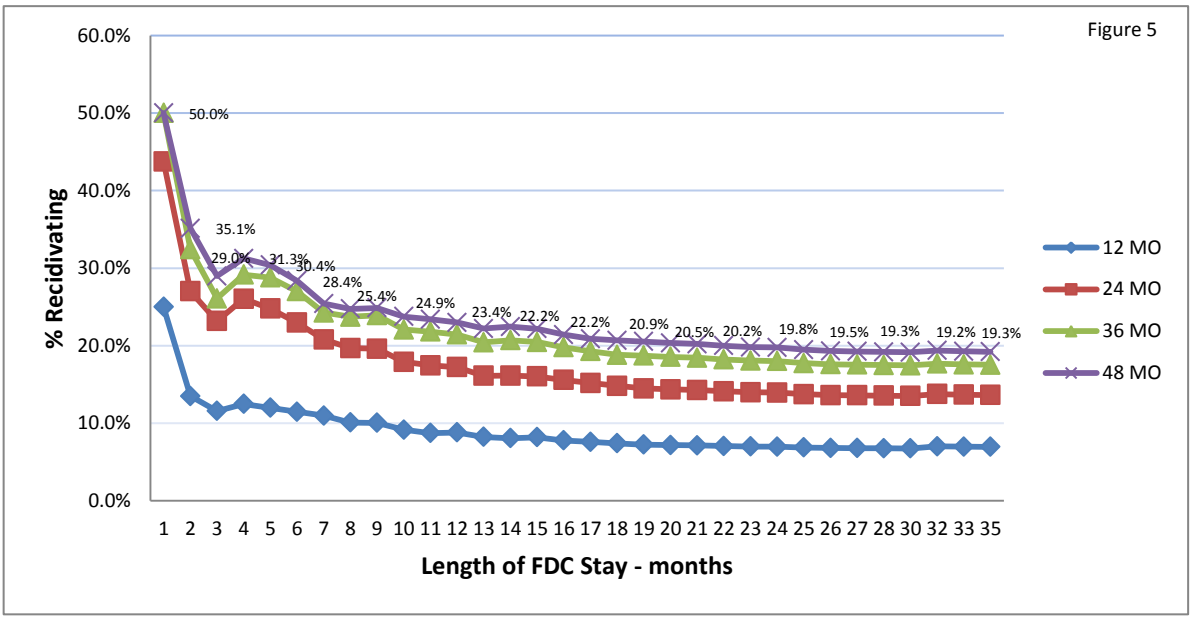
Recidivism data was extracted from JIS on June 19, 2014.

- For FDC program graduates (Figure 4), the largest reduction in criminal justice recidivism occurs during the first 16 to 18 months of the program. Recidivism continues to decline, but at a much lower rate, for longer stays.
- For individuals who are eventually terminated from the program (Figure 5), the largest reduction in criminal justice recidivism occurs during the first 3 to 4 months of the program. Recidivism continues to decline, but at a much lower rate, for longer stays.

Criminal Justice - Cumulative Recidivism Rates of FDC Graduates



Criminal Justice - Cumulative Recidivism Rates of Terminated FDC Participants



Child Welfare Outcome – Table 2

- This information is available for Fostering Court Improvement (FCI) sites, which include circuits 2, 5, 11, 12, 13, 19, 22, 23, 25, 26, 31, 35, 42 and 45. The FCI sites with FDCs are 11, 22, 23, 31, 35 and 45. The five circuits with FDCs that are not FCI sites include circuits 16, 21, 32, 33 and 40.
- FCI is a court-agency model promoting a working partnership between the courts, child welfare agencies, the legal community and other key stakeholders. It includes the implementation of an on-going collaborative "team" approach to implement, at the local level, system reforms designed to improve safety and permanency outcomes for children in foster care. Participation is voluntary (Family Court Committee, 2014).
- The child welfare outcome is defined as the percentage of youth exiting care by exit type, with emphasis on reunification and the average number of days until reunification and permanency occur. The average number of days until reunification or other permanency is calculated as the average time from removal (filing date of the VCTPC docket entry) until the date of exit from care (the ordered date on the Program/Services form (CZAPROG) in JIS).
- It includes youth for whom a CA/N exit program code and outcome code is entered with an ordered date between January 1, 2009, and December 1, 2013. All youth exiting care during this period are included, even those who are in care for only part of the reporting period. A youth can have only one permanency outcome per calendar year. The same youth can have multiple outcomes if the exits occur in different calendar years.
- To be part of the family or other drug court group, at least one parent that is a party to the case with the VCTPC docket entry was a treatment court participant. To be counted as a graduate, one or both parents graduated from a treatment court program. A youth is counted only once even if both parents are treatment court participants.
- There are no requirements placed on the timing of events such as the filing date of the VCTPC docket, treatment court admission date or date of exit from treatment court, such as requiring that a youth be in temporary protective custody prior to a parent being admitted to a treatment court program.
- The comparison group includes only cases with a VCTPC docket entry where neither parent has exposure to any type of treatment court program, even if the admission date is several years before the filing of the case with the VCTPC docket entry. Cases are included if the treatment court admission date is after the permanency ordered date.
- All types of outcomes are included in the days to any permanency calculation: adoption, deceased, independence, legal guardianship, reunification, runaway, transfer to division of youth services, transfer to other jurisdiction and other.

Permanency Outcomes for Youth Exiting Care and Parental Drug Court Status

Table 2

Program	Exit Status		C2009	C2010	C2011	C2012	C2013	5 Year Avg
NO DRUG COURT - all FCI Circuits	(includes drug related and non-drug related charges)	# Achieving Permanency	N = 1739	N = 2025	N = 2033	N = 2088	N = 2075	N = 9960
		% Reunified	52.0%	50.3%	49.1%	50.8%	48.4%	50.1%
		Days to Reun	422	401	369	414	387	398
		Days to Any Permanency	826	804	785	756	724	777
NO DRUG COURT - FCI Circuits with FDCs	(includes drug related and non-drug related charges)	# Achieving Permanency	N = 1222	N = 1428	N = 1396	N = 1430	N = 1300	N = 6776
		% Reunified	49.3%	50.2%	48.4%	49.1%	46.6%	48.7%
		Days to Reun	442	403	363	411	397	403
		Days to Any Permanency	902	848	822	792	782	828
NO DRUG COURT - FCI Circuits with FDCs	(includes drug related charges only)	# Achieving Permanency	N = 58	N = 84	N = 91	N = 82	N = 115	N = 430
		% Reunified	67.2%	77.4%	48.4%	56.1%	52.2%	59.1%
		Days to Reun	492	395	333	339	421	395
		Days to Any Permanency	466	424	384	486	465	444
FAMILY DRUG COURT	Grad.	# Achieving Permanency	N = 31	N = 41	N = 36	N = 58	N = 57	N = 223
		% Reunified	96.8%	92.7%	97.2%	98.3%	98.2%	96.9%
		Days to Reun	541	487	570	526	517	526
		Days to Any Permanency	524	496	560	521	511	520
	Term.	# Achieving Permanency	N = 17	N = 43	N = 38	N = 24	N = 61	N = 183
		% Reunified	58.8%	46.5%	47.4%	66.7%	47.5%	50.8%
		Days to Reun	564	485	593	895	608	623
		Days to Any Permanency	526	559	593	888	570	610
OTHER DRUG COURT Participants – all FCI Circuits	Grad.	# Achieving Permanency	N = 11	N = 13	N = 13	N = 26	N = 22	N = 85
		% Reunified	100.0%	92.3%	100.0%	73.1%	68.2%	82.4%
		Days to Reun	504	358	523	422	576	476
		Days to Any Permanency	504	484	523	442	673	529
	Term.	# Achieving Permanency	N = 11	N = 12	N = 30	N = 19	N = 21	N = 93
		% Reunified	72.7%	41.7%	46.7%	73.7%	38.1%	52.7%
		Days to Reun	942	437	347	349	353	455
		Days to Any Permanency	822	499	493	338	598	525

Data was extracted from JIS on July 15, 2014.

Conclusion and Recommendations

These results provide an initial look at the impact of FDCs using outcome measures other than just the program graduation rate. Further analysis is recommended to validate and expand some of these findings, especially for the child welfare outcomes.

Major findings include:

- Criminal justice recidivism is almost 12 percentage points lower for FDC program graduates than for a comparison group of female offenders with drug-related criminal charges and no treatment court exposure.
- For youth exiting care, the rate of reunification is nearly 38 percentage points higher if at least one of the parents is a FDC graduate although it takes an average of a little over four months longer to get to that point.
- The FDC program graduation rate is below that of the statewide average for adult drug court programs by nearly 20 percentage points.

Recommendations for future analyses include:

- Non-matched comparison groups are used in this analysis. Future analyses should focus on the impact of gender, race/ethnicity, criminal history, number of children, age, drug of choice, risk and needs level, and other factors on graduation and recidivism.
- Develop a foster care recidivism measure to look for new removals following a reunification outcome.
- Include termination of parental rights statistics for both FDC participants and a comparison group.
- At some point provide circuit level detail for all performance measures.

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