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Can Drug Courts Save Money for Washington State Taxpayers?

In the late 1980s, with the number of drug-related cases on the rise, several courts in the United States began to experiment with new ways to process defendants charged with drug-related offenses. A key innovation was the “drug court.” The idea was to create a specialized court which, compared to regular court processing, used the power of the court to require drug treatment, coupled with strict supervision and monitoring. This strategy was expected to reduce drug use and criminal recidivism.

First introduced by Dade County, Florida in 1989, a typical drug court targets non-violent offenders whose current involvement with the criminal justice system stems primarily from substance addiction. Defendants eligible for a drug court are identified soon after arrest and, if accepted by the drug court, are referred to a treatment program. The court usually requires several contacts per week (often daily) with a treatment provider. Frequent urinalysis tests and regular status hearings with the drug court judge are key elements. Many drug courts require participants to maintain employment and honor financial obligations, including court fees and child support, as well as performing community service. As of October 1998, there were 324 operating drug courts in the United States, with 202 more planned.

Washington’s Experience

Like the rest of the nation, drug crimes have increased significantly in Washington’s criminal justice system. From 1992 to 1997, the number of controlled substance cases filed in adult and juvenile courts grew by 51 percent—from 8,965 felony filings in 1992 to 13,516 in 1997 (the latest year for which data are available).

At the state level, the number of drug offenders in prison has also grown substantially. In 1987, drug offenders occupied just 4 percent of all prison beds; ten years later, in 1997, 24 percent of all prison beds were filled with drug offenders. These trends have put a considerable strain on state and local criminal justice budgets.

Several local jurisdictions in Washington followed the national trend and established drug courts. Drug courts have operated for more than two years in King, Pierce, and Spokane Counties. Recently they were added in Clallam, Skagit, and Thurston Counties and are being planned in Kitsap, Snohomish, Whatcom, and Yakima Counties. An evaluation (summarized on *Table 1*) was conducted of King County’s court.

What Are the Bottom-Line Economics of Drug Courts?

Due to the more intensive monitoring by the court, as well as the provision of drug treatment, drug courts are more expensive than regular court processing. A typical program costs about \$2,000 more per participant. Are drug courts worth this extra cost? Do participants commit fewer subsequent crimes and thereby reduce future costs to taxpayers and crime victims? In short, what is the bottom line?

The Institute examined these questions by first reviewing national research on drug courts and then estimating the economics for Washington's criminal justice system. The Institute's findings are these:

1. **Drug courts appear to be a cost-beneficial and promising approach**, although more solid research needs to be completed before drug courts can be deemed a "proven" crime-reducing strategy. Unfortunately, most evaluations to date have not used research designs that allow a fair scientific assessment of program effectiveness. A few evaluations, however, used rigorous designs and have indicated positive results. *Table 1* lists the studies the Institute reviewed.
2. Based on these early studies, the Institute estimates that **drug courts can reduce the rate of subsequent criminal offending by about 16 percent**. What does this mean? Based on historical data, about 45 percent of felony drug offenders processed in regular courts can be expected to be convicted for another felony in Washington after a ten-year follow-up period. With an effective drug court, the Institute estimates that this felony recidivism rate can be lowered to about 38 percent. Some of the evaluations of drug courts, as shown in *Table 1*, have indicated greater reductions than the Institute's more conservative reading of the national research results.
3. **A 16 percent reduction in recidivism translates into taxpayer savings**. The Institute estimates that, because of the reduced recidivism, taxpayers in Washington can save, on average, about \$4,900 in subsequent criminal justice costs for each drug court participant. If drug courts cost an extra \$2,000 per participant, then taxpayers receive roughly \$2.45 in benefits for every dollar spent on the drug court. *Table 2* contains more information on the results of the Institute's economic analysis.
4. **These estimates are preliminary** because they are based on the relatively few well-designed studies from other locations in the United States. Before firm conclusions can be drawn about drug courts in Washington, a rigorous evaluation of programs in this state should be undertaken.

At this point, the Institute's conclusion is this: **If some of the early evaluation results can be sustained and rigorously demonstrated, then drug courts offer Washington taxpayers an effective way to save criminal justice costs.**

Table 1
Drug Court Evaluations

Research Design Scale	Indicative Effect Size	Studies Reviewed for Criminal Outcome Effects
5	-0.17	Harrell, Adele (1998), <i>Drug Courts and the Role of Graduated Sanctions</i> , National Institute of Justice Research Preview , August. This is an evaluation of Washington D.C.'s Drug Court.
4	-0.22	Deschenes, Elizabeth Piper and Peter W. Greenwood (1994), "Maricopa County's Drug Court: An Innovative Program for First-time Drug Offenders on Probation." <i>Justice System Journal</i> . 17(1): 99-115. Updated summary reported in: Belenko, Steven (1998), <i>Research on Drug Courts: a Critical Review</i> , The Center on Addiction and Substance Abuse at Columbia University, June.
3	-0.10	Gottfredson, Denise C., Kris Coblenz, and Michele A. Harmon (1996), <i>Baltimore City Drug Treatment Court Evaluation: A Short-term Evaluation of Baltimore City Drug Treatment Court Program</i> , University of Maryland, Department of Criminology and Criminal Justice, June. Summary reported in: Belenko, Steven (1998), <i>Research on Drug Courts: a Critical Review</i> , The Center on Addiction and Substance Abuse at Columbia University, June.
2	-0.32	Summary of research on the Dade County, Florida drug court as reported in Belenko, Steven (1998), <i>Research on Drug Courts: a Critical Review</i> , The Center on Addiction and Substance Abuse at Columbia University, June. Summary results also reported in GAO (1997), <i>Drug Courts, Overview of Growth, Characteristics, and Results</i> , United States General Accounting Office, July.
2	-0.18	Bell, MM (1998), <i>King County Drug Court Evaluation, Final Report</i> , Seattle, WA.
2	-0.06	Summary of research on the Travis County, TX drug court as reported in Belenko, Steven (1998), <i>Research on Drug Courts: a Critical Review</i> , The Center on Addiction and Substance Abuse at Columbia University, June. Summary results also reported in GAO (1997), <i>Drug Courts, Overview of Growth, Characteristics, and Results</i> , United States General Accounting Office, July.
2	-0.10	Granfield, Robert, Eby, Cynthia, Brewster, Thomas (1998), "An Examination of the Denver Drug Court: The Impact of a Treatment-Oriented Drug-Offender System," <i>Law & Policy</i> , 20(2): 183-202.
2	-0.31	Summary of research on the Multnomah County, OR drug court as reported in Belenko, Steven (1998), <i>Research on Drug Courts: a Critical Review</i> , The Center on Addiction and Substance Abuse at Columbia University, June. Summary results also reported in GAO (1997), <i>Drug Courts, Overview of Growth, Characteristics, and Results</i> , United States General Accounting Office, July.
2	-0.22	Summary of research on the Oakland, CA drug court as reported in Belenko, Steven (1998), <i>Research on Drug Courts: a Critical Review</i> , The Center on Addiction and Substance Abuse at Columbia University, June. Summary results also reported in GAO (1997), <i>Drug Courts, Overview of Growth, Characteristics, and Results</i> , United States General Accounting Office, July.
2	-0.36	Summary of research on the Wilmington, DE juvenile drug court as reported in Belenko, Steven (1998), <i>Research on Drug Courts: a Critical Review</i> , The Center on Addiction and Substance Abuse at Columbia University, June.
2	-0.47	Summary of research on the Riverside County, CA drug court as reported in Belenko, Steven (1998), <i>Research on Drug Courts: a Critical Review</i> , The Center on Addiction and Substance Abuse at Columbia University, June.

"Research Design Scale" is measured on a 1 to 5 scale, with 5 representing a study in which the greatest confidence can be placed. Any effects for studies with a score of 1 or 2 should be regarded cautiously, if at all. Usually, but not always, weaker research designs overstate program effects. "Indicative Effect Size" is a summary measure of the strength of the findings from a study; the larger the number, the greater the effect on criminal outcomes. The effect size statistic is roughly equal to the percentage reduction in recidivism rates that each study found.

Table 2 Analysis of Drug Court Economics

Summary of Findings

Most of the evaluations to date, as shown in *Table 1*, have relatively weak research designs. This makes it difficult to determine how effective drug courts are in reducing recidivism. A few of the evaluations, however, have been well designed and have indicated positive results. Based on these studies, the Institute estimates that drug courts can reduce the rate of subsequent criminal offending by about 16 percent. About 45 percent of felony drug offenders processed in regular courts will be convicted for another felony in Washington after a ten-year period. Therefore, with an effective drug court, the Institute estimates that this recidivism rate can be lowered to about 38 percent.

As the table below shows, the Institute estimates that, because of the expected reduced recidivism, taxpayers in Washington can save, on average, about \$4,900 in subsequent criminal justice costs for each drug court participant. With an approximate \$2,000 per participant additional cost of a drug court, this means that taxpayers get roughly \$2.45 in benefits for every dollar spent on the drug court. From a taxpayer's perspective drug courts can "break-even" if they can achieve at least a 6.6 percent reduction in recidivism. There are also crime victim benefits associated with reductions in recidivism. The Institute estimates that, in addition to the taxpayer benefits, crime victims can save, on average, between \$1,150 and \$3,450 in crime victim costs per drug court participant.

The Institute's Estimates of Program Effectiveness and Costs and Benefits

Offenses Measured and Length of Follow-Up: *Felony Re-convictions, 10-year Follow-Up*

(All Dollar Values Expressed in 1998 Dollars)

	Percentage of the Population Expected to Offend	X	Of Those Who Offend, the Average Number of Offenses	=	Total Expected Number of Offenses Per Person
Program Effectiveness					
Without the Program	45.4%	X	2.41	=	1.10
With the Program	38.0%	X	<u>2.41</u>	=	<u>0.92</u>
Difference in Offenses					-0.18
Percentage Change	-16.3%		0.0%		-16.3%
Effect Size (ES)	- 0.15 ES		0.00 ES		- 0.11 ES
Taxpayer Costs and Benefits					
Criminal Justice System Cost (Present Value) of <u>One</u> Felony Offense					\$ 27,611
Criminal Justice System Benefits of the Change in Offenses per Program Participant					\$ 4,923
Cost of the Program per Program Participant					\$ (2,000)
Net Gain (Loss) per Program Participant					\$ 2,923
Criminal Justice System Benefits per Dollar of Cost					\$ 2.46
Percent Reduction in Offenses Needed to Break Even					-6.6%
Crime Victim Benefits					
Monetary Crime Victim Benefits of the Change in Offenses per Program Participant					\$ 1,143
Cummulative Benefit (Cost)					\$ 4,066
Quality of Life Victim Benefits of the Change in Offenses per Program Participant					\$ 2,303
Cummulative Benefit (Cost)					\$ 6,368

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**Washington State
Institute for Public Policy**

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