

# Developing a Statewide Drug Court Data Tracking System: The Why, What, & How of It

The Center for Court Innovation has been an active player in the drug court field, developing New York City’s first drug court, providing technical assistance across the country, and advancing knowledge through research, reflection, and technology.

## Overview

Although research and evaluation are among the 10 key drug court components, many drug courts find it exceptionally challenging to implement an ongoing program of research. Staff often lack both the necessary time and expertise; and even in places where independent evaluations have been performed, there is often little thought about creating permanent systems for tracking performance.

This fact sheet is intended as a brief overview of the how and why of creating a sustainable statewide system for tracking key drug court data.<sup>1</sup> It first outlines the primary reasons for tracking data using automated data management information systems (MIS). Next, specific data fields that should be included by sites developing their own MIS (or adapting an existing MIS) are identified, along with specific research questions this information may help answer. Finally, sample screen shots from two existing systems – the Universal Treatment Application (UTA) developed by the Center for Court Innovation and the New York State Office of Court Administration and the Drug Court Case Management (DCCM) system developed by Advanced Computer Technologies and used in nine states across the U.S. – are presented. These screen shots taken from working drug court MIS will provide readers with a better idea of how such systems might look in practice.

## Why Create a Statewide Drug Court MIS

For many, the first thing that comes to mind when thinking about drug court research is the type of large-scale independent evaluations

designed to answer the “bottom line” questions: do drug courts reduce recidivism and drug use, and do they save money over the long haul? But to examine *how* drug courts work, *for whom* they work, *for how many* people they work, and what changes might lead drug courts to work better, a different research model is needed – one that gives drug court teams an integral role in defining the questions to be answered. This model is called “action research” and it places a premium on using data to inform operations and on creating a sense of vibrant partnership between researchers and administrators.

Action research is designed to provide immediate and useful feedback about everyday program operations and performance. Action research does not just evaluate whether a drug court is working, but how, why, for whom it is working, and how it can improve. Since drug courts vary in their target populations and operational resources, questions of interest can also vary across different sites. That said, questions commonly addressed through action research include:

1. *Is the drug court meeting its volume projections? How many defendants are screened, assessed, and enrolled each year? How does this compare with target objectives? Are certain categories of defendants – for instance, defendants arrested on certain charges or with certain characteristics – routinely found ineligible?*

2. *What is the profile of drug court participants?*

What is the distribution of participant characteristics (e.g., drug use and treatment history, primary drug of choice, demographics, employment status, criminal history, current charges, and mental health status)? Does the actual participant profile mirror the intended target population?

3. *What is the course of treatment and recovery?*

How common is relapse? How long does it generally take for participants to become drug-free? Are there key warning signs that a participant is about to fail? What is the average time to graduation?

4. *What are the core outcomes?* How many participants are retained (graduated or still active in the program) one year after enrolling in the drug court? After two years? After three years? What is the graduation rate?

5. *Which participants succeed?* Are certain categories of participants more likely to graduate than others (e.g., based on their drug use, treatment, or criminal histories, demographics, or other characteristics)?

6. *What are the policy implications?* Are there clear and tangible policy implications that can be drawn from the answers to the above? How can local practice be improved?

Even with limited resources, drug court administrators and staff can use data productively to monitor their everyday operations, report essential performance information, identify areas of success, and bring to light problem areas or ways to improve. Information collected in the interest of action research can provide necessary reporting information to funding agencies, support external evaluators, and—perhaps most importantly—enable project staff to reflect upon and improve their court.

## What Information to Include in a Statewide Drug Court MIS

The decision about which of the seemingly infinite number of possible variables to track in a standardized MIS can seem overwhelming. The list below includes key data elements that will enable courts to evaluate key questions about their volume, participants, process, and outcomes and will, thus, allow courts to inform and improve their own performance. The list below includes 13 categories of information that courts should track; for each of these categories, a selection of sample questions these elements will enable courts to answer and a list of specific data elements a drug court MIS should include are identified. This list should serve as a starting point and does not include all the elements that could inform court operations.

*Participant Profile at Intake:* What does the drug court population look like? Does the actual population match the court's target population? What is the severity of addiction for participants served by the court? What other needs (e.g., educational, vocational, housing) does the population have? Specific data elements include:

- Sex (male, female, transgender)
- Date of birth
- Ethnicity (Black/African-American, Hispanic/Latino, White, Asian/Pacific Islander, Native-American)
- Primary drug (marijuana, alcohol, crack, cocaine, methamphetamine, heroin/opiates, benzodiazepines, steroids, barbiturates)
- Any drug use in past 30 days (series of yes/no fields):
  - Any alcohol use
  - At least 4 alcoholic drinks in the same day
  - Marijuana
  - Crack
  - Cocaine (powder)
  - Heroin
  - Methamphetamine
  - Other with text field
- Attained high school degree or GED (yes/no)
- Current employment status (e.g., employed full-time, employed part-time, not employed)
- Current educational status (e.g., in school full-

- time, in school part-time, or not in school)
- Marital status (e.g., married, single, separated, divorced)
- Number of prior drug treatment episodes
- Ever homeless (yes/no)
- Currently homeless (yes/no)
- Number of children
- Number of children with primary care responsibility

Importantly, many jurisdictions utilize evidence-based risk-needs assessment tools to determine the baseline risk of re-offending of each participant, as well as each participant’s needs in critical domains, which include substance abuse, criminal history, antisocial personality, pro-criminal thought patterns, anti-social peers, education/employment, family issues, and leisure activities. In fact, use of such tools is an important recommended practice for all drug courts. At a minimum, if your jurisdiction is using an evidence-based assessment tool, it will be important to record the summary risk scores and risk classifications (e.g., low, medium, or high) that the tool produces; it may also be important to record sub-scores (e.g., in the substance abuse domain, in the criminal history domain, and so forth) as well as individual question items.

*Identifying Criminal Justice Information:* Does the defendant have simultaneous cases or re-arrests? How much time passed between arrest and drug court participation (or refusal)? Are defendants with particular criminal histories/charge types more or less likely to become drug court participants? Are they more likely to be re-arrested? Specific data elements to conduct such analyses include:

- ID number (generated by database)
- State ID #: person-based criminal justice identifier (to be merged with state SAC data)
- Case-level arrest number or docket number
- Court ID #: court-based identifier (to distinguish from participants in other courts)
- Arrest Date
- Last name
- First name
- Social security number

- Address
- City, state, zip code
- Telephone
- Arrest date
- Intake date (date of first contact with drug court program)
- Top arrest charge
- Top arrest charge severity (e.g., felony, misdemeanor)

*Drug Court Status:* What percent of screened defendants ultimately enroll in the drug court program? Why do some screened defendants not ultimately enroll? What is the court’s retention rate at different periods of time? How do drug court participants differ from non-participants? Why do defendants decline to participate in the drug court? Who chooses to enter the drug court program? How do participants typically progress through the program? Do participants who progress in ways other than the standard have different outcomes than more “typical” participants? How long does it take on average to graduate from the drug court (for those who graduate) or to fail (for those who are terminated or drop out)? Specific data elements to answer these questions include:

- Participant status (drug court participant yes/no)
- If not participating, reason not participating (e.g., D.A. ineligible, not addicted, refused to participate, severe mental illness, severe medical problem, other)
- Enrollment date (if participating)
- Legal status at enrollment: pre-plea, post-plea/deferred sentence, sentenced to probation, other sentence (with text field to clarify sentence), probation violator/new arrest, probation violator/technical violation, post-incarceration (reentry)
- Top charge severity (all except pre-plea) (e.g., felony, misdemeanor)
- Phase of Treatment: Pre-Enrollment, Phase One, Phase Two, Phase Three, Phase Four, Aftercare
- Phase start date (for each phase)
- Time in Phase: auto-calculated once participant enters new phase or exits program

from start date to end date

- Program status: active, absconded, graduated, terminated, other (with text field)
- Reason for termination (if terminated): dropped-out voluntarily, terminated for noncompliance, terminated for re-arrest, incarcerated on another case, other with text field for “other”
- Closed date (date that latest program status was effective)

*Case Management:* Who provides case management for the court? How intensive/regular is case management for drug court participants? Does this differ for different types of offenders? Specific data elements include:

- Type of case management (check all that apply): court case manager, probation, parole, other (with text field)
- Case manager
- Probation/parole officer (probation officer who provides probation/parole supervision)
- Case management contact date
- Contact type (e.g., court, home visit, phone)
- Contact notes (text field)

*Absconding/Warrants:* What does overall participant compliance look like? Does early noncompliance predict drug court failure? Specific data elements include:

- Date(s) bench warrant issued
- Date(s) of return on warrant

*Drug Testing:* How closely does the court monitor drug use? How prevalent is drug use at different phases of participation? Does early relapse prevent ultimate drug court success? Specific data elements include:

- Date of each drug test
- Result of each drug test (positive or negative)
- Drugs tested positive (if positive): drop-down (e.g., alcohol, marijuana, methamphetamine, cocaine, heroin)
- Days sober (auto-calculated since enrollment date or last positive drug test if followed enrollment date)

*Infractions, Sanctions, and Incentives:* How does the court respond to noncompliance? Are sanctions swift, certain, and severe? Are incentives? Is noncompliance/relapse a standard part of recovery? Specific data elements include:

- Program violation (drop-down TBD)
- Program violation date
- Sanction (drop-down TBD)
- Sanction date
- Achievement (drop-down TBD)
- Achievement date
- Incentive (drop-down TBD)
- Incentive date

*Treatment Linkages:* Does the court draw from a broad spectrum of treatment providers? How frequently are participants up/downgraded to respond to need? How many treatment modalities do participants receive? Does the court favor more severe treatment upfront or start with the lowest appropriate modality? Specific data elements include:

- Modality (e.g., residential, short-term rehabilitation, intensive outpatient, outpatient, self-help groups, aftercare)
- Program name (drop-downs unique to each program provider)
- Program start date
- Program end date

*Ancillary services:* What types of additional services are available? Which services are utilized? Do participants with additional service needs (as identified in the participant profile) receive service referrals? Specific data elements include:

- Criminal thinking intervention (check if applicable)
- Halfway house (check if applicable)
- Other supportive housing (check if applicable)
- Individual therapy (check if applicable)
- Family therapy (check if applicable)
- GED class (check if applicable)
- Vocational training (check if applicable)
- Employment readiness (check if applicable)
- Parenting class (check if applicable)

*Court Appearances:* Does the court utilize judicial monitoring? Are monitoring appearances graduated in response to participant compliance? How many court appearances, on average, do participants make before ultimate graduation/failure? Specific data elements include:

- Date of each scheduled court appearance
- Present/absent/excused for each scheduled date

*Achievements:* What other achievements are associated with drug court participation? Specific data elements include:

- Drug-free baby
- Obtained GED
- Completed vocational/training program

*Exit Status:* Has the participant profile changed at drug court completion (graduation/failure)? Do participants with vocational/educational needs see an improvement during their time in the drug court? Specific data elements include:

- Employment status (e.g., employed f/t, employed p/t, not employed)
- School/Training program status (e.g., enrolled f/t, enrolled p/t, not enrolled)
- Still attending treatment program (yes/no)

*Recidivism:* Do drug court participants re-offend? Do they re-offend at a different rate than non-participants? Are subsets of the participant population particularly likely to re-offend? Note that for most purposes, recidivism information is only informative when assessed in light of results for a comparison group; thus, recidivism information is not essential for ongoing performance monitoring, although it becomes quite essential when performing a formal evaluation with a comparison group. Data elements include:

- New arrest date
- New arrest top charge
- New arrest severity (felony, misdemeanor)

## Conclusion

Automated tracking of key information is an essential piece of operating a reflexive drug court and will enable such projects to continue to develop and improve their program. This type

of action research need not be left to those with a formal background in program evaluation or research, but can be manageably undertaken by drug court administrators and staff, who will benefit from the ongoing ability to monitor everyday court operations, identify successes, and shed light on problem areas.

Moreover, the creation of a *statewide* data tracking system will enable states to engage in rigorous research and evaluation efforts – either state-led or in collaboration with external evaluators. A statewide MIS provides an essential tool for state administrators seeking a complete picture of the drug courts in the state; by standardizing data collection, administrators gain the ability to compare sites, report across sites, and identify trends and promising practices that might not be apparent when looking at data from a single site. The domains identified in this memo should provide a starting point for states developing a data collection plan to undertake their own research or inform the statewide administration of drug courts.

## About

The Center for Court Innovation has been an active player in the drug court field, developing New York City's first drug court, providing technical assistance across the country, and advancing knowledge through research, reflection, and technology. In recognition of this work, the Center received the National Leadership Award from the National Association of Drug Court Professionals. The Center's research staff has completed numerous drug court studies, including two evaluations of New York State's drug courts (Rempel et al. 2003; Cissner et al. 2013), and, with Urban Institute and Research Triangle Institute, NIJ's Multi-site Adult Drug Court Evaluation (Rossman et al. 2011). For more information about drug courts, visit: [www.courtinnovation.org/topic/drug-court](http://www.courtinnovation.org/topic/drug-court)

## References

1. A more detailed discussion of the topics touched upon in this fact sheet is available in *Action Research: Using Information to Improve Your Drug Court* (Rempel 2010).