

Recidivism in Alaska's Therapeutic Courts for Addictions

and

Department of Corrections Institutional Substance Abuse Programs

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Acknowledgments

In 2008, the Alaska Criminal Justice Working Group and the Institute of Social and Economic Research at the University of Alaska Fairbanks conducted a study on the effectiveness of evidence-based programs in the criminal justice system. This report provides a detailed overview.

The Alaska Judicial Council supported the work of the Institute of Social and Economic Research in conducting this study. The Council's support was instrumental in the development and implementation of the study.

We thank the Department of Corrections and Public Safety and the Alaska Court System for their cooperation in providing the data used in this report. The Alaska Judicial Council, the Alaska Court System, and the Department of Corrections provided funding for the report. Members of the Working Group have been instrumental in the development and implementation of the study. We also thank Michelle Batey, the Chief of the Department of Corrections, and Steven King, the Director of the Office of Substance Abuse Programs, for their help in providing the data used in this report.

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Part 1

Introduction

This report describes findings about two types of substance abuse treatment programs available to some offenders in the criminal justice system. Both the Alaska Court System (heapeutic court) ¹ and the Department of Corrections (substance abuse treatment for incarcerated persons) ² offered programs in which participants were chosen through a combination of voluntary action on the part of the participant and screening for various characteristics on the part of those offering the programs. The heapeutic courts have been operating since 1999; the DOC substance abuse treatment programs since mid-2009.

At the request of the Criminal Justice Working Group, the Alaska Judicial Council (Council) and the Institute of Social and Economic Research at the University of Alaska Anchorage (ISER) conducted a research and economic evaluation of these programs after they completed Anchorage 7.98 12 743 Tw

Second, relatively small data sets are available for only a few programs. The therapeutic community has the most data, with about 500 offenders over the years in this program. The DOC has data on about 322 of them to analyze for effectiveness. The DOC also has data on about 100 offenders in the new life long-term information system available for the participants.

Third, measures other than recidivism and re-arrest should be a priority to measure the effectiveness of programs such as the therapeutic community and the DOC balance program. For example, because addiction is a chronic, relapsing disease, increasingly longer times between relapses and lessening severity of relapses are often used to measure effectiveness of balance and treatment. Increased good behavior in institutional settings is

Part 2 Methodology

The Judicial Council and ISER viewed data provided by the Department of Corrections about participants in DOC institutional programs during FY 2010, and data provided by the Alaska Court System about participants in therapeutic courts from January 2000 through June 2010. Data about offenders prior to their initial histories and convictions and release dates were obtained from the Department of Corrections.

B. Department of Corrections data ⁹

The study included 326 participants who had been released for at least one year

Of the 326, 199 had an underlying felony and 127 had an underlying misdemeanor

The Department of Corrections also conducted an internal study of the participants in substance abuse programs using different methods and parameters (Alaska Department of Corrections *Substance Abuse Treatment Services Status Report*, January 2012. Available from the Alaska Department of Corrections). The DOC study looked at whether released participants who had completed a program were remanded back to DOC custody for any reason during a period after release, the length of which varied depending on the release date. All FY 2011 participants had been out of DOC custody for at least three months when the analysis was performed in October of 2011, but not all had been out for at least a year. DOC was unable to track participants between programs. Some participants did not complete a program in a specific institution, but did complete a comparable program in a different institution. Because of the inability to track between programs, DOC only looked at participants who completed a program.

DOC drew comparison groups from offenders in the general DOC population who had not participated in any substance abuse programs and served at least four months in a DOC institution, and who were released during the same fiscal year as the groups of participants whom they were being compared. The selection and partial voluntariness of participation in both types of programs could affect the outcomes.

Despite differences in methodologies and measures, both studies found that people who participate in substance abuse programs are less likely to recidivate. There also were differences in how DOC tracked participants and they did not have demographic, prior record, or underlying type of offense data about each participant. The studies used different methods to view the data. The studies cannot be directly compared.

Part 3 Data Issues

Alaska's criminal justice system has made an effort over the past decade to move toward using practices and programs based on evidence that they have been successful in other jurisdictions. Because Alaska's criminal justice system and populations are unique, policymakers must know what the same programs are achieving here. Success in history has not been the only means of accomplishing his goal. The only means of accomplishing his goal is to compile and analyze data about the Alaska programs.

Like other states, Alaska has experienced many challenges in its collection of data. Improved data collection will enhance the state of its evaluations. Areas in need of improvement are identified below.

A. Recording data and recording it consistently

Information not recorded: Some of the information that would be most useful for evaluating programs is never recorded. This includes information about the socioeconomic status of participants and information about their substance abuse and physical or mental health issues. Examples of information that might not be recorded in a central file for a program participant would be history of substance abuse or mental health problems and past assessment and treatment information.

Information only in paper files, and not consistent: Often, information about substance abuse and physical or mental health issues is recorded only in paper files. Those paper files may or may not be accessible through one of the criminal justice agencies. Retrieving information from paper files is time-consuming at best and made difficult by the fact that the data are often in the form of notes made by individuals who may be recording the participant's problems using unique perspectives, both hand and typed, of describing information, or who may record only partial information. Additional information that is often only in paper files may include dates and outcomes of program participation events such as hearings.

Missing information in electronic sources: Information that is in electronically recorded in an electronic database may be missing much of the time. One example of this is the APSIN ID number, a number used by all personnel (including juveniles). It is consistently recorded in the Department of Public Safety APSIN database, but often is not recorded by other agencies even when there is a field in the agency database for it.

Information within an agency database is inconsistently recorded: When the information is recorded in a single agency database, it is often recorded inconsistently from one entity to the next. Thus, a single person in any one of the major criminal justice databases may have the first or differentiation of his or her name in a single database in a middle initial, in the first and last names recorded, in one of the names slightly misspelled, in a different format such as "Junior." That same person also may have several variations on the date of birth, and other possible identifying numbers or pieces of data.

Inconsistent formatting of information: Most databases have a name or piece of information be encoded in a certain format. For example, lastname, firstname, middle

The criminal justice agencies have agreed to the Department of Public Safety
AP SIN ID number in all databases. Although the number is present in all Department of Public
Safety records and recently in all criminal cases filed in the Alaska Court System, it will be
some time before all agencies are able to obtain and record the number. The Department of
Public Safety is working on a system that will allow authorized staff from other agencies to
enter in other basic matching information (name, date of birth, and sex) and find the correct
AP SIN ID number.

To be able to evaluate evidence-based programs, agencies will need to ensure that
contacts for treatment programs or other people compiling data related to programs also
identifying information that is both consistent with the agency and consistent with the standards
being used throughout the criminal justice system. That will require consistent methods for
entering name, date of birth, court case number, and other identifying information. It also will
require a list of AP SIN ID numbers by all persons responsible for collecting data about people in
evidence-based programs.

Part 4 Findings

The findings reported below compare rates and conviction rates for program participants (graduates and non-graduates) to rates and conviction rates for comparison offenders. Appendix A illustrates the amount of time elapsed for program participants and the comparison groups until rates or conviction. Typically about half or more of both the rates and the convictions occurred by the end of six months.

A. Therapeutic courts

1. Misdemeanants

Misdemeanants in therapeutic courts were convicted of a variety of offenses including violent alcohol and drug, and other unknown types of offenses. The graduation rate for the misdemeanants in therapeutic courts was 53%, compared to a graduation rate of 62% for the felons in therapeutic courts. Table 1 summarizes the outcomes for misdemeanor participants in therapeutic courts.

	Graduates and non-graduates combined	Graduates	Non-graduates	Comparison Misdemeanants
Rearrests	36%	23%	51%	36%
Reconvictions	245.44	0.7	9	66

2. Felons

Almost all felons in therapeutic courts were convicted of alcohol and drug offenses. The graduation rate for felons in therapeutic courts was 62%. Table 2 shows that graduates had lower rearrest and conviction rates than the comparison felons.

Table 2
Rearrests and reconvictions during first year after release, felons in therapeutic courts

2. Felons

Table 4
Rearrests and reconvictions during first year after release,
felons in DOC substance abuse programs

Completed and

Appendix A





