
Issue Brief – Drug Court

DRUG COURT AND DRUG BOARD

NUMBERDHS-09-09

DRUG COURT

The Drug Courts and the Administrative Offices of the Courts request an additional \$1,300,000 (\$1,131,000 Drug Courts and \$169,000 Administrative Offices of the Courts) from General Fund in FY 2009 for substance abuse treatment services for 378 individuals. This funding request is comprised of two components: a conversion of one-time funding of \$1,000,000 from FY 2008 to ongoing to continue serving 291 individuals; and \$300,000 for projected growth of 87 additional substance abuse offenders. The Analyst recommends the Subcommittee place \$1,000,000 in General Fund (\$870,000 for the Department of Human Services for treatment services and \$130,000 for the Administrative Office of the Courts for court administration) for FY 2009.

OBJECTIVE

The objectives of the Drug Court Program are to reduce substance abuse, promote public safety and integrate treatment services with judicial case processing.

DISCUSSION AND ANALYSIS

Drug Courts are part of the judicial process offering nonviolent drug offenders intensive drug treatment with court supervision as an alternative to jail or prison. Offenders enter a plea in abeyance with charges dismissed upon the successful completion of the drug treatment program. The participants work closely with court personnel, treatment providers, law enforcement and correction officers and case management personnel. Local substance abuse authorities and private contractors provide the treatment services.

Funding History

The first drug court was started in 1996, in Salt Lake County, with funds from the U.S. Department of Justice, local government grants and funding within existing court budgets. Over time, additional Drug Courts were created with federal grants, local government grants, private contributions and funding from existing court budgets. Until FY 2007, the major source of funding was from the Tobacco Settlement General Fund Restricted Account of \$1,296,300.

In the 2006 General Session, the Legislature transferred \$800,000 of federal Substance Abuse Prevention and Treatment (SAPT) grant from the Division of Substance Abuse and Mental Health to Drug Courts for treatment programs. Since FY 2006, the Legislature has appropriated \$2,175,000 (\$780,000 one-time) in General Fund. There is also funding transferred from the Commission on Criminal and Juvenile Justice (CCJJ). For FY 2008, the Legislature provided \$2 million (\$1 million one-time) for Drug Courts.

Section 78-3-32 of the Utah Code, states that 87 percent of the funding is to be allocated to DHS for testing, treatment and case management and 13 percent to is allocated the Administrative Office of the Courts for increased judicial support costs.

The current funding level (FY 2009 Base Budget) will serve about 1,268 individuals without additional monies as shown in the following table:

FY 2009 Drug Court Base Funding			
Program	Allocation of		
	Funding Request	New Cases	Case Rate
Family/Dependency Drug Court	\$693,840	138	\$5,028
Felony Drug Court	\$2,394,728	827	\$2,896
Parolee Drug Board	\$350,900	133	\$2,638
Juvenile Youth Drug Court	\$478,732	170	\$2,816
Treatment Total for DHS	\$3,918,200	1,268	\$3,090

Drug Court Models

There are currently 32 Drug Courts operating in the State. However, DHS only provides funding to 22 of the 32 Drug Courts. The courts not funded by DHS rely on direct time-limited discretionary grants, local funding and dedicated credits. In FY 2007, there were 1,205 defendants enrolled in treatment services and a total of 2,150 served. Drug Courts have four distinct models with three receiving State funding:

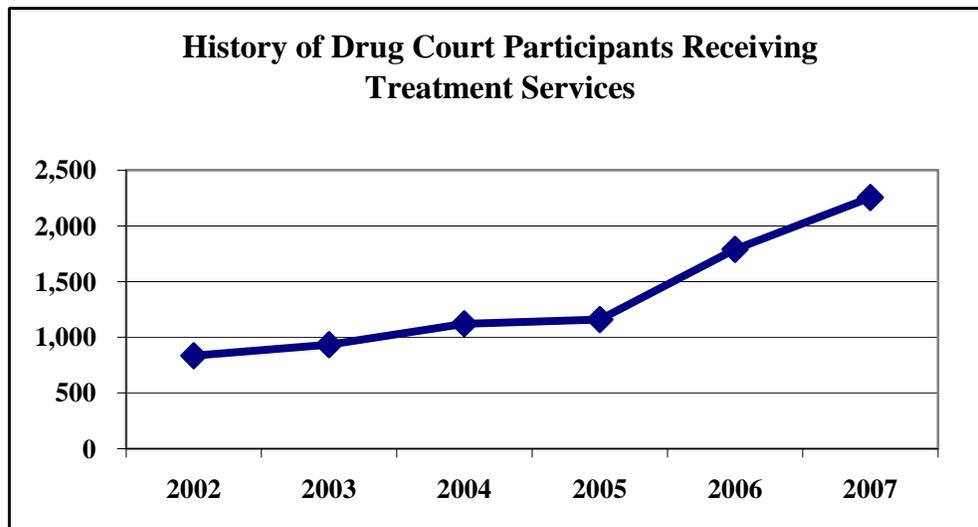
1. Adult Drug Courts – Treatment programs for adult felons (1,681 served statewide in FY 2007);
2. Juvenile Drug Courts – Treatment programs for minors with involvement of parents and schools in creation of the treatment plan (230 served statewide in FY 2007);
3. Misdemeanor Drug Courts – Treatment programs focus on offenders who have been arrested on alcohol or marijuana charges. Salt Lake and Davis Counties have six misdemeanor drug courts operated at the Justice Court level and receive no State funding.
4. Dependency Drug Courts – Treatment focuses on parents with substance abuse addictions to try to preserve the family unit (204 served statewide in FY 2007).

Substance Abuse Statistics

The following table shows the participants in the Drug Court program for FY 2007:

FY 2007 Drug Court Participation				
Status of Participants	Adult	Juvenile	Dependency	Total
Number of graduates from the program	551	89	60	700
Number of participants that did not complete the program	183	43	65	291
Total number of participants	734	132	125	991

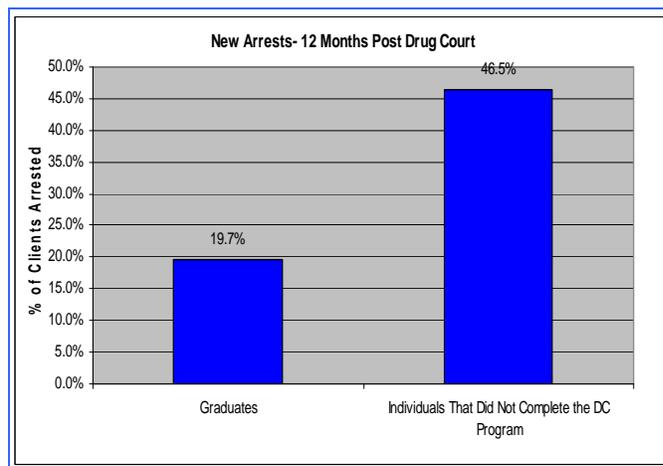
Drug Court participation has more than doubled since July 1, 2002 as shown in the following chart:



The following statistics can be used to measure the outcomes of Drug Courts:

- 67 percent of the participants graduate
- 69 percent of all participants report abstinence at discharge (this includes non-completers)
- Adult Drug Court participants between admission and discharge had an employment rate increase by 7 percentage points
- 84 percent of the participants report zero arrests while in Drug Court.

The following chart is based on an evaluation of the Salt Lake County Adult Felony Drug Court in 2005. The study compared arrest rates after 12 months for individuals who graduated from drug court and individuals who did not complete drug court. Individuals who graduated were arrested 19.7% compared to 46.5% for individuals who did not complete or were terminated from drug court.



Annual Costs of Substance Abuse & Treatment

The cost of substance abuse treatment is between \$3,500 and \$4,200 annually per individual. In contrast, the cost of incarceration is \$26,000 per prisoner and the cost of foster care per child is \$30,200.

Expansion and Enhancement of Drug Courts

There are about 3,000 eligible offenders unable to enroll in the Drug Courts because of budgetary constraints. In the past three years, three Drug Courts (Uintah Juvenile, Davis County Juvenile and Box Elder Felony) closed because of insufficient funds. The Drug Courts and Administrative Offices of the Courts are requesting the funding to provide treatment services to 378 individuals as shown in the following table:

FY 2009 Drug Court Funding Request					
Program	Conversion of FY 2008 One-time to Ongoing	FY 2009 Growth Funding	Total FY 2009 Request	New Cases	Case Rate
Family/Dependency Drug Court	\$87,900	\$26,400	\$114,300	23	\$5,028
Felony Drug Court	\$562,400	\$168,700	\$731,100	252	\$2,896
Parolee Drug Board	\$35,150	\$10,500	\$45,650	17	\$2,638
Juvenile Youth Drug Court	\$184,550	\$55,400	\$239,950	85	\$2,816
Treatment Total for DHS	\$870,000	\$261,000	\$1,131,000	378	\$2,303
Administrative Office of the Courts	\$130,000	\$39,000	\$169,000		
Total Funding Request	\$1,000,000	\$300,000	\$1,300,000		

RECOMMENDATION

The Analyst recommends that the Subcommittee place \$1,000,000 from the General Fund (\$870,000 for the Department of Human Services for treatment services and \$130,000 for the Administrative Office of the Courts for court administration) on the priority list for FY 2009 to continue treatment services for 291 individuals.