

Specifics & Findings

- **In this brief:** Our review of DWI-Drug Court clients, Probation Division comparison group members, and Sandoval County DWI and Prevention Program comparison group members focused on determining differences in the re-arrest rates for DWI and time to re-arrest for DWI.

Main Findings:

- Being younger at intake and being male increased the odds of being re-arrested for DWI.
- Being younger at intake and being male increased the odds of being re-arrested sooner for DWI.
- Sandoval County DWI and Prevention Program comparison group study members were more likely to recidivate before DWI-Drug Court group members.
- Neither Probation comparison group members nor Sandoval comparison group members were statistically more likely to be arrested for a new DWI compared to DWI-Drug Court study group members.
- Probation comparison group members were not statistically more likely to be arrested before DWI-Drug Court study group members for a new DWI.
- Sandoval County DWI & Prevention Program comparison groups study members included a larger percent of males, Native Americans and offenders referred with an offense of a 3rd DWI or above.

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Report in Brief: Bernalillo County Metropolitan Court DWI-Drug Court Intent-to-Treat Outcome Study Stage 2

The goal of this study is to better understand the effectiveness of the Bernalillo County Metropolitan Court DWI-Drug Court in reducing the recidivism rates of participants (graduates and non-graduates) compared to two matched comparison groups. Program effectiveness is defined as a reduction in re-arrest for DWI and increased time to arrest for participants after entering the program when compared to the two matched comparison groups. This report includes data from a matched comparison group of Metropolitan Court Probationers and clients served in the neighboring Sandoval County DWI and Prevention Program.

This study incorporated two stages. Stage 1 included a broad examination of the DWI-Drug Court and an outcome evaluation of the DWI-Drug Court, which compared program participants (graduates and non-graduates) with a matched comparison group of individuals who were referred and eligible for the program but chose not to enter the program. Both the Stage 1 and Stage 2 outcome study is focused on analyzing two different outcomes:

- Recidivism-defined as official re-arrest for DWI.
- Time to re-arrest for DWI.

Stage 2 expands Stage 1 by including a second comparison group comprised of similarly situated individuals (DWI offenders convicted of similar offenses with similar characteristics such as age, gender, and race-ethnicity) served by a DWI program in neighboring Sandoval County. The inclusion of this second comparison group is particularly important because it provides us a comparison to another type of treatment and supervision program. This is different than

the 'business as usual' Metropolitan Court Probation program comparison group.

Literature Review

Drug courts emerged in the late 1980s as a response to rapidly increasing felony drug convictions that placed a serious strain on the Nation's courts as well as its jails and prisons. (National Institute of Justice, 2006). Drug Courts are specialty dockets designed to handle cases involving addicted citizens under the adult, juvenile, family, and tribal justice systems. The drug court model represents a blending of justice, treatment, and social service systems to actively intervene and break the cycle of substance abuse, addiction, crime, delinquency and child maltreatment (National Drug Court Institute, <http://www.nadcp.org/>).

Methodologically rigorous studies have consistently shown that drug court programs are effective in reducing recidivism and improving treatment retention (Belenko, 1998; Cissner & Rempel, 2005; Goldkamp, 2003; Harrell, 2003; Marlowe, Dematteo & Festinger, 2003; Roman, Townsend & Bhati, 2003).

Methodology

As noted earlier the study incorporates two stages. Stage 1 comparison group individuals were part of the Metropolitan Court's Probation Division and so were part of the "business as usual" process. This process typically included mandatory minimum jail time, formal probation supervision, and abiding with standard and additional conditions of probation, which typically include alcohol treatment.

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Stage 1 Findings:

- The Bernalillo County Metropolitan Court DWI-Drug Court follows national standards. This includes the ten key components for Drug Courts and ten guiding principles for DWI Courts.
- Our review did not study the extent to which the program follows these standards, or how the different components of the program contribute to successful outcomes, or whether the program follows best practices.
- Overall, methodologically sound studies have consistently shown that drug court programs are effective in that they reduce recidivism and improve treatment retention.
- Almost 75% of the sample graduated from the DWI-Drug Court, while 17.7% were terminated, and 8.8% absconded. Clients were in the program an average of 332 days. The average length of stay was longer for graduates (359 days) and shorter for non-graduates (255 days).
- A client that did not graduate from the program was 2.3 times more likely to recidivate than a client who graduated from the program.
- Graduation compared to not graduating was not a statistically significant predictor of the time to recidivism. When graduates recidivated they did so in about the same amount of time as non-graduates.
- **Target Audience:** Administrative Office of the Courts staff, Metropolitan Court Judges and staff, Legislators and legislative staff; state and local government policymakers; law enforcement agencies; prosecution and defense attorneys; and criminal justice researchers.

This report concludes Stage 2 which includes the addition of a second comparison group of clients served by the neighboring Sandoval County DWI Prevention Program comprised of similarly situated individuals (i.e. DWI offenders convicted of similar offenses with similar characteristics such as age, gender, and race/ethnicity). This program serves DWI offenders sentenced by various courts and provides substance abuse treatment, alcohol/drug testing, case management, and probation supervision.

DWI-Drug Court clients were matched with eligible Metropolitan Court Probation and Sandoval County DWI Prevention Program clients using propensity score matching. This technique ensured subjects in the DWI-Drug Court group and both comparison groups were as similar as possible, based on available information, and reduced selection bias between the two groups.

Data Collection

Data collection occurred on two different levels. First, we collected information at the program level including policies and procedures, a survey of the program, and surveys of DWI-Drug Court team members that described the program and its development. Second, we collected information on study group members that included DWI-Drug Court clients and Probation comparison group members. We collected DWI-Drug Court referral, admission, treatment service, court, and probation data on DWI-Drug Court clients and available court and probation data on Probation comparison group members.

Program Description

Our brief review of the Bernalillo County Metropolitan Court DWI-Drug Court indicates the program follows national standards. This includes the ten key components for Drug Courts and the ten guiding principles for DWI courts. Our review did not study the extent to which the program follows these standards, how the different components of the program contribute to successful outcomes, or whether the program follows best practices.

The program is located in Bernalillo County with a current design capacity of 350 clients and includes three judges who hold eight hearings bi-weekly. Four of the hearings are regular DWI-Drug court hearings and four are special track hearings (two Spanish, one Native American, and one Co-Occurring). The program is designed to be nine months in length with three phases and a transitional care phase; has been in operation since 1997; and uses a local, private, for-profit alcohol/substance abuse treatment agency.

The program accepts offenders convicted of a second or third DWI, offenders who are convicted of a first DWI that was originally charged as a second DWI or higher, and offenders charged and convicted of a first DWI that have previous convictions for a first DWI. The program has mandatory treatment requirements that vary by phase and are partly based on individual progress and compliance with program and court requirements.

Findings

This section provides a brief description of the study sample that includes the DWI-Drug Court study, the Probation Division comparison study group, and the Sandoval County DWI and Prevention Program comparison study group.

Using propensity score matching we were able to match 497 Probation comparison group members and 180 Sandoval comparison group members to 677 DWI-Drug Court study group members. The study group only includes individuals who were exposed to re-arrest for DWI (recidivism) for a minimum of 365 days and a maximum of slightly more than 1,460 days (4 years). This was done in order to control for exposure time for the study sample.

Almost 80% of the sample was male and 20% were female. A slightly smaller percent of the DWI-Drug Court study group was male (77%), a larger percent of the Sandoval treatment study group was male (87.8%), and 80.7% of the Probation sample was male.

A much larger percent of the Sandoval study sample was Native American compared to the other two groups. There were also smaller percents of Hispanics and Whites in the Sandoval study sample compared to the other two groups.

Slightly more than 64% of the DWI-Drug Court study group members were referred with a 1st DWI or 1st aggravated DWI, while 74.1% of the Probation study group members were charged with these offenses, and 41.7% of the Sandoval study sample was charged with this offense. A much larger percent of the Sandoval study sample was referred with an offense of a 3rd DWI (11.7%) compared to DWI-Drug Court (4.1%) and Probation (1.0%) study group members.

DWI-Drug Court and Probation Comparison Matched Study Sample

The DWI-Drug Court matched treatment sample includes individuals who were in the program a minimum of 90 days and includes graduates and non-graduates. The Probation comparison group sample includes individuals who were referred to the program, were deemed eligible to become clients, but chose not to participate. These individuals became clients of the Metropolitan Court’s Probation Division. The Probation Division comparison group does not include individuals who were determined to be ineligible by DWI-Drug Court program staff. Similar to the other two study groups, the Sandoval County DWI and Prevention Program comparison group sample includes individuals who were sentenced to the program and were convicted of a second or third DWI, convicted of a first DWI that was originally charged as a second DWI or higher, and offenders charged and convicted of a first DWI that were known to have previous convictions for a first DWI.

Table 1 reports the relationship between the three study groups and re-arrest for DWI. There were no statistically significant differences between the three study groups and re-arrest for DWI. This means members of all three groups were re-arrested for DWI at similar rates. Within the 4 year exposure period, 11.7% of all DWI-Drug Court study group members were re-arrested for DWI, 12.1% of Probation study group members were re-arrested, and 15.2% of

	DWI-Drug Court Group		Probation Group		Sandoval Group	
	Count	Percent	Count	Percent	Count	Percent
No Re-Arrest for DWI	598	88.3	437	87.9	151	84.8
Re-Arrest for DWI	79	11.7	60	12.1	27	15.2

chi-square= 1.663, df=2, p=.442

Sandoval study group members were re-arrested for DWI.

This finding is different from Stage 1 study findings where the re-arrest rates for DWI between the DWI-Drug Court study group and Probation comparison study group were statistically significantly different with Probation study group members being re-arrested for DWI at a higher rate.

Variable	Odds Ratio
Demographic Variables	
Age at Intake into Study Group	***0.965
Female	**0.601
Race/Ethnicity	
White	0.914
Native American	1.017
Referring Offense	
DWI	0.886
Study Group	
Probation Division	1.045
Sandoval DWI and Prevention Program	1.324
Constant	0.524
Included in Analysis	1,354

*p<0.1, **p<0.05, ***p<0.01, ****p<0.001

As indicated in Table 2 two significant variables effecting recidivism were age at intake into the three programs and being female. Being a member of one of the comparison groups (Probation study group or Sandoval study group) did not statistically significantly increase the odds of a new arrest for DWI. With each year increase in age at intake, study group member’s odds of recidivating were reduced by 3.5%. Younger study group members at intake had higher odds of recidivating. The odds of males recidivating was 1.5:1 compared to females.

Age at intake, being female and being a member of the Sandoval DWI and Prevention Program study group were the only variables that had an effect on time to recidivism (Table 3). There were no statistical differences between being a member of the Probation study group or DWI-Drug Court study group and time to recidivism.

The odds of Sandoval study group members recidivating before DWI-Drug Court study group members were 1.6:1 and the odds of males recidivating before females

Table 3. Cox Regression Model of Time to Recidivism	
Variable	Hazards Ratio
Demographic Variables	
Age at Intake Date into Study Group	***0.973
Female	**0.595
Race/Ethnicity	
White	0.998
Native American	0.869
Referring Offense	
DWI	1.058
Study Group	
Probation Division	0.975
Sandoval DWI and Prevention Program	**1.634
Included in Analysis	1,354

*p<0.1, **p<0.05, ***p<0.01, ****p<0.001

was 1.5:1 (or approximately 46% sooner). Age was also statistically significant with younger study group member's recidivating more quickly. With each year increase in age at intake study group members time to recidivism increased by 2.7%.

accomplished by reviewing publicly available information on the Administrative Office of the Courts (AOC) website for each of the re-arrested study group members. Upon completing this review we removed a number of records from all three study groups that were bad matches for a new arrest for DWI. Together, these three factors are the primary cause for the difference from the Stage 1 to Stage 2 findings.

Conclusion

We found, in our analysis a number of variables statistically significantly increased the odds of re-arrest for DWI. These variables were being younger at intake and being male. We also found that being a member of the DWI-Drug Court group or Probation group, being older at intake, and being female increased the time to re-arrest for DWI.

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In Stage 1 Probation study group members were statistically significantly different with greater odds of being re-arrested for DWI. Probation study group members also had a greater odds of being arrested sooner.

This difference primarily occurred for three reasons. First, there is a slight, but important, difference in the Probation Division study group sample from Stage 1 to Stage 2. After completing the collection of the Sandoval County DWI and Prevention Program study sample we discovered we mistakenly included Probation Division study group members who had arrests within the first 90 days of their intake date into Probation in the Stage 1 analyses. Because we excluded DWI-Drug Court study group members who were not in the program a minimum of 90 days it is important to also control for this with the comparison groups. By removing Probation study group members who were arrested in the first 90 days we effectively control for this difference. This was also done with the Sandoval treatment group. This oversight is the primary cause for the change in the number of Probation Division study group members re-arrested for DWI.

Second, the exposure time period for re-arrest was expanded by one year. This increased exposure time resulted in an increase in the number of study group members who were re-arrested for DWI and the effect was slightly larger on the DWI-Drug Court study sample.

Third, we decided to manually review each study group member who we matched electronically to the Motor Vehicle Division Citation Tracking System (CTS) for re-arrest for DWI. This manual review was

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