

## Characteristics and Criminal Histories of Adult Offenders Admitted to Treatment under Washington State's Criminal Justice Treatment Account

SFY 2008 – SFY 2009

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*Report prepared for the Division of Behavioral Health and Recovery, Alice Huber, PhD, Chief, Evaluation and Quality Assurance and Earl Long, Criminal Justice Program Administrator*

**T**HE CRIMINAL JUSTICE TREATMENT ACCOUNT (CJTA) established by the Washington State Legislature pays for chemical dependency (CD) treatment for criminal offenders who are chemically dependent or have a substance abuse problem that could lead to addiction if left untreated (Revised Code of Washington (RCW) 70.96A.350(1)). The intent was “. . . to increase the use of effective substance abuse treatment for defendants and offenders in Washington in order to make frugal use of state and local resources, thus reducing recidivism and increasing the likelihood that defendants and offenders will become productive and law-abiding persons.” See RCW 9.94A.517, “Intent – 202 c 290.”

To help evaluate and monitor program effectiveness, the Department of Social and Health Services' (DSHS) Research and Data Analysis Division (RDA) is preparing a series of reports for the Division of Behavioral Health and Recovery (DBHR) about recipients of CJTA-funded treatment. This first report describes key demographic, criminal history, and geographic differences between two groups of offenders whose treatment is funded through CJTA: 1) those involved with formally established drug courts (RCW 2.28.170), and 2) those charged through non-drug court programs in either Superior Courts or Courts of Limited Jurisdiction. Subsequent reports will examine CJTA-funded treatment services and drug courts.

### OVERVIEW | Profile of offenders who received CJTA-funded treatment

This report focuses on adults who entered CD treatment funded by CJTA in State Fiscal Years (SFY) 2008 or 2009 and examines their demographic characteristics, most serious offense, criminal history, and county of filing. Of the 6,602 who entered CJTA-funded CD treatment in this period, 6,114 were adults with arrests or court filings that could be logically linked to their treatment entry date based on proximity of the prior court filing or arrest. Among this group of offenders for whom we could identify a recent court filing or arrest, we found that:

- 39 percent of the offenders who entered CJTA-funded treatment were from a drug court program.
- About one-third of offenders in both programs were young adults aged 18 to 25 years.
- A felony was the most serious charge for 94 percent of drug court offenders and 19 percent of non-drug court offenders.
- A felony *drug* offense was the most serious charge for 65 percent of those from drug courts.
- The most serious charge for half of non-drug court offenders was a traffic-related offense with 36 percent charged with driving under the influence or driving while intoxicated (DUI/DWI).
- Drug court offenders had more arrests and convictions in the prior ten years than those from non-drug court programs.
- Drug-court felons entered treatment sooner than other offenders.



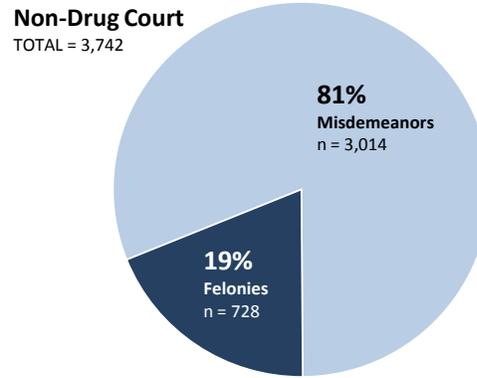
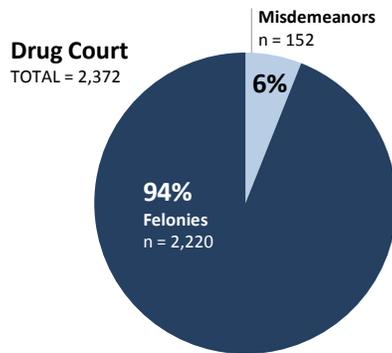
## STUDY POPULATION | Selection criteria

The Division of Behavioral Health and Recovery (DBHR) identified 7,505 clients who received CJTA-funded CD treatment in at least one month in SFY 2008 - 2009.<sup>1</sup> For these analyses we selected 6,602 who entered CJTA-funded treatment during the two years but excluded 903 people who had entered before July 1, 2007. We also excluded 400 clients with no arrest or court filing record in the two years prior to admission to CJTA-funded treatment, 72 clients who were under 18 years, and 16 with inconsistent record matches based on identifiers. We retained 6,114 clients for whom we could identify a court filing or arrest in the prior two years that appeared to lead to CJTA-funded CD treatment. In selecting an “index” court filing in adult drug court that appeared to lead to entry into CJTA-funded treatment, we gave priority to the nearest prior filing in which there was a drug court-related docket code in the Superior Court Management Information System or a charge for a felony drug or property offense (see technical notes for details). When the selected index cases were compared with actual drug court records from three courts (King, Snohomish, and Thurston), we found that the selected index case corresponded with the actual drug court case 82 percent of the time.

## FINDINGS | Classification of offense

A felony was the most serious offense for the majority of offenders who entered CJTA-funded treatment from drug court programs whereas a misdemeanor was the most serious charge for most of those who entered through non-drug court programs. For the full sample (drug court plus non-drug court), a felony was the most serious offense for slightly less than half (48 percent) of CJTA-funded treatment recipients.

### Most Serious Offense

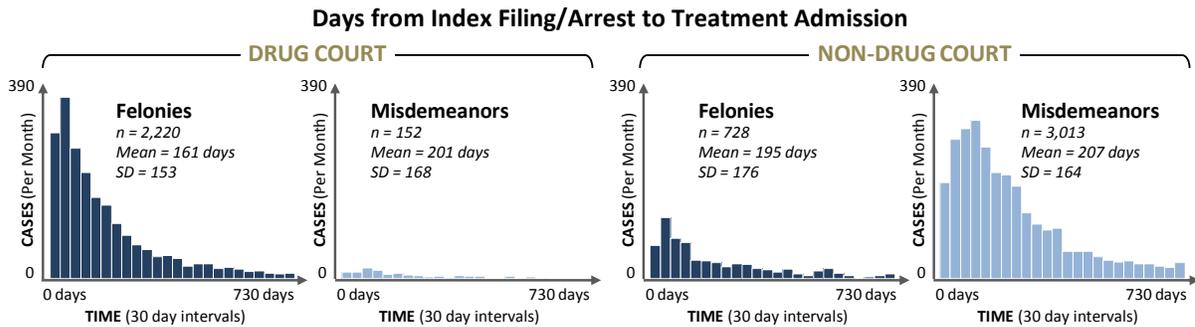


	Drug Court		Non-Drug Court		Drug + Non-Drug Courts	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>Felonies</b>	2,220	94%	728	19%	2,948	48%
<b>Misdemeanors</b>	152	6%	3,014	81%	3,166	52%
<b>TOTAL</b>	<b>2,372</b>	<b>100%</b>	<b>3,742</b>	<b>100%</b>	<b>6,114</b>	<b>100%</b>

<sup>1</sup> Division of Behavioral Health and Recovery, “Criminal Justice Treatment Account – Unduplicated Client Summary,” CJTA Panel, April 8, 2011.

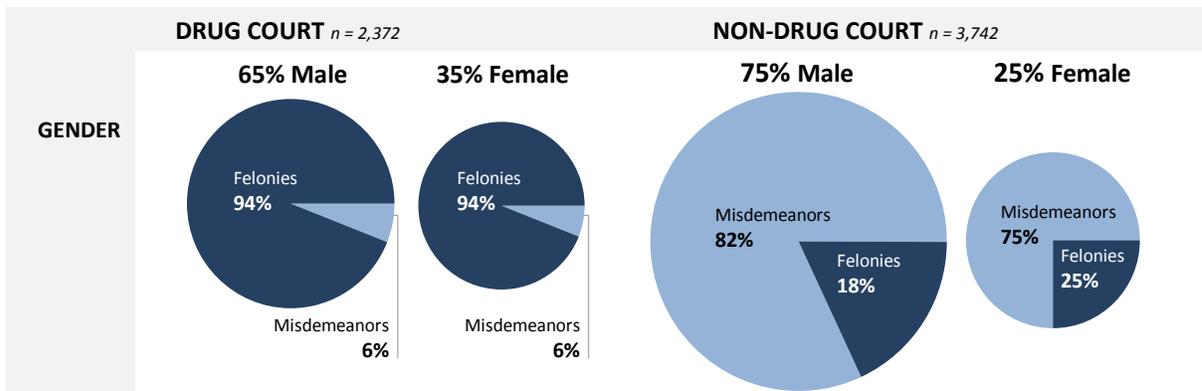
## FINDINGS | Time between filing or arrest and CD treatment admission

Offenders with a felony as their most serious charge were admitted to CJTA-funded treatment more quickly than those charged only with misdemeanors in both drug court and non-drug court programs. In drug courts, for example, the average number of days between the date of their index court filing or arrest and admission to treatment was 161 days for the offenders with a felony as their most serious charge and 201 days for the offenders for whom their most serious charge was a misdemeanor, a difference of 40 days. Smaller differences, 12 days, were found in non-drug court programs. Also, felons involved in drug courts entered treatment 34 days earlier than felons in non-drug courts.

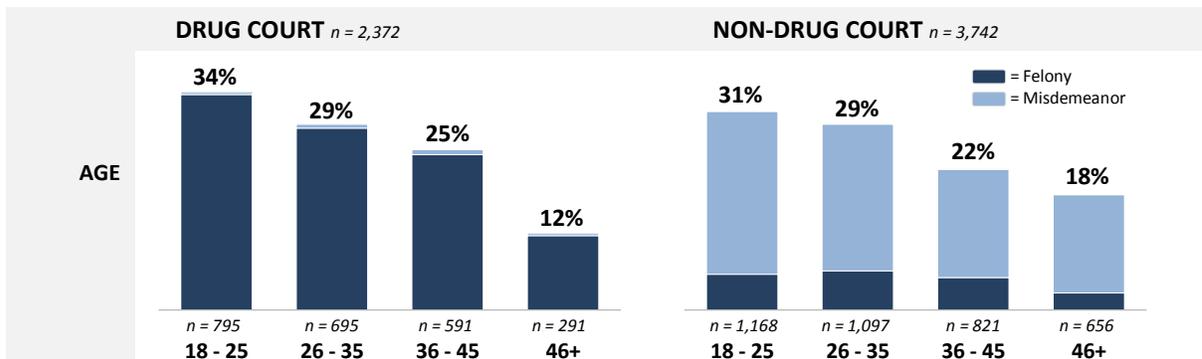


## FINDINGS | Demographic characteristics

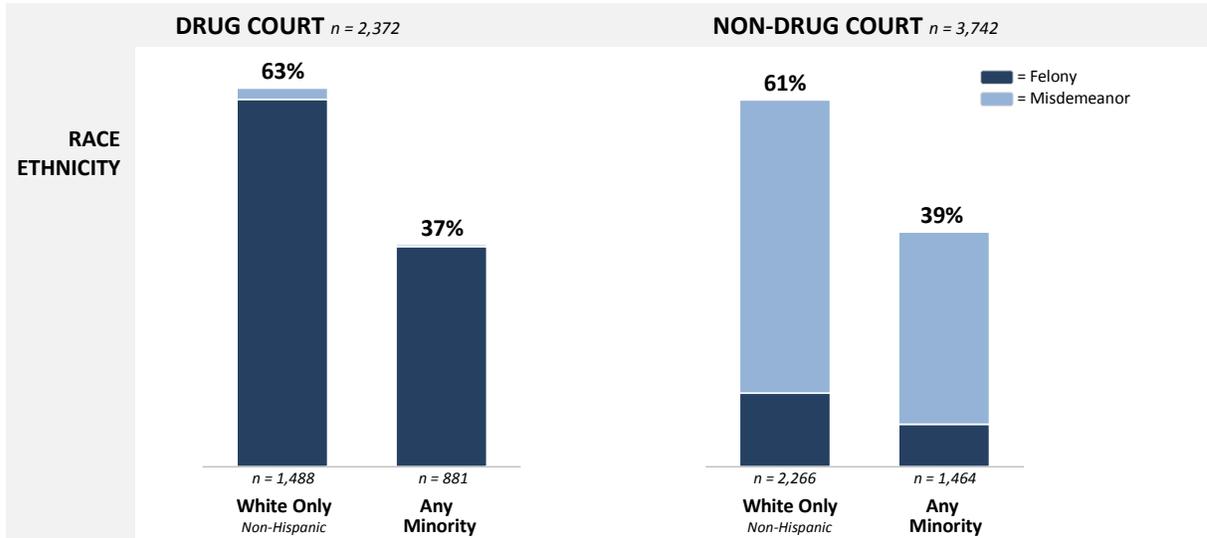
**Gender.** Males outnumbered females two to one among those who entered CD treatment from drug courts and three to one among those from non-drug court programs. Among drug court participants, the proportion with a felony as their most serious charge is the same (94 percent) for males and females. In the non-drug court programs the proportions charged with a felony was much higher for females (25 percent) than for males (18 percent).



**Age.** Young adults in the 18 to 25 year age group made up roughly one third of offenders entering CJTA-funded treatment, making them the largest single age group from both drug court and non-drug court programs. Adults aged 26 to 35 years were the next largest group with 29 percent from both programs.

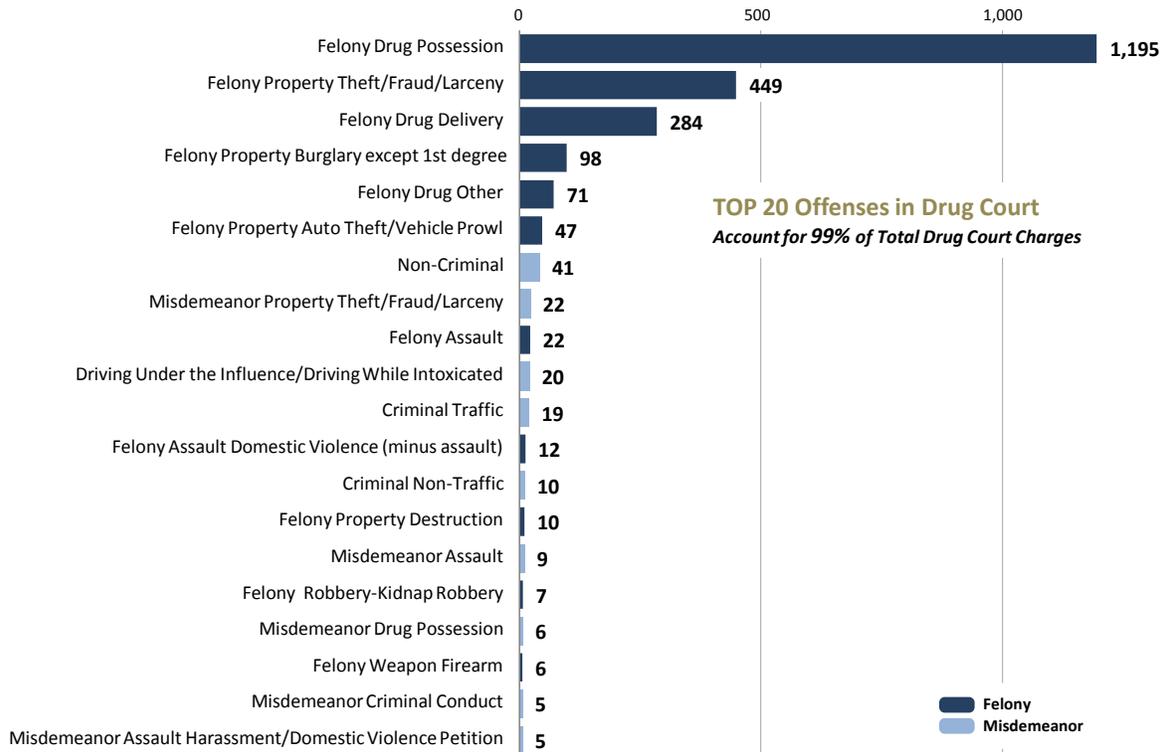


**Race/Ethnicity.** Slightly over 60 percent of offenders who entered CJTA-funded CD treatment were classified as non-Hispanic white regardless of the type of court program. Persons who identified with one or more minority group, such as African American, Hispanic, American Indian, or Asian/Pacific Islander, comprised 37 percent of offenders who entered CJTA-funded treatment from drug courts and 39 percent of those from non-drug court programs.

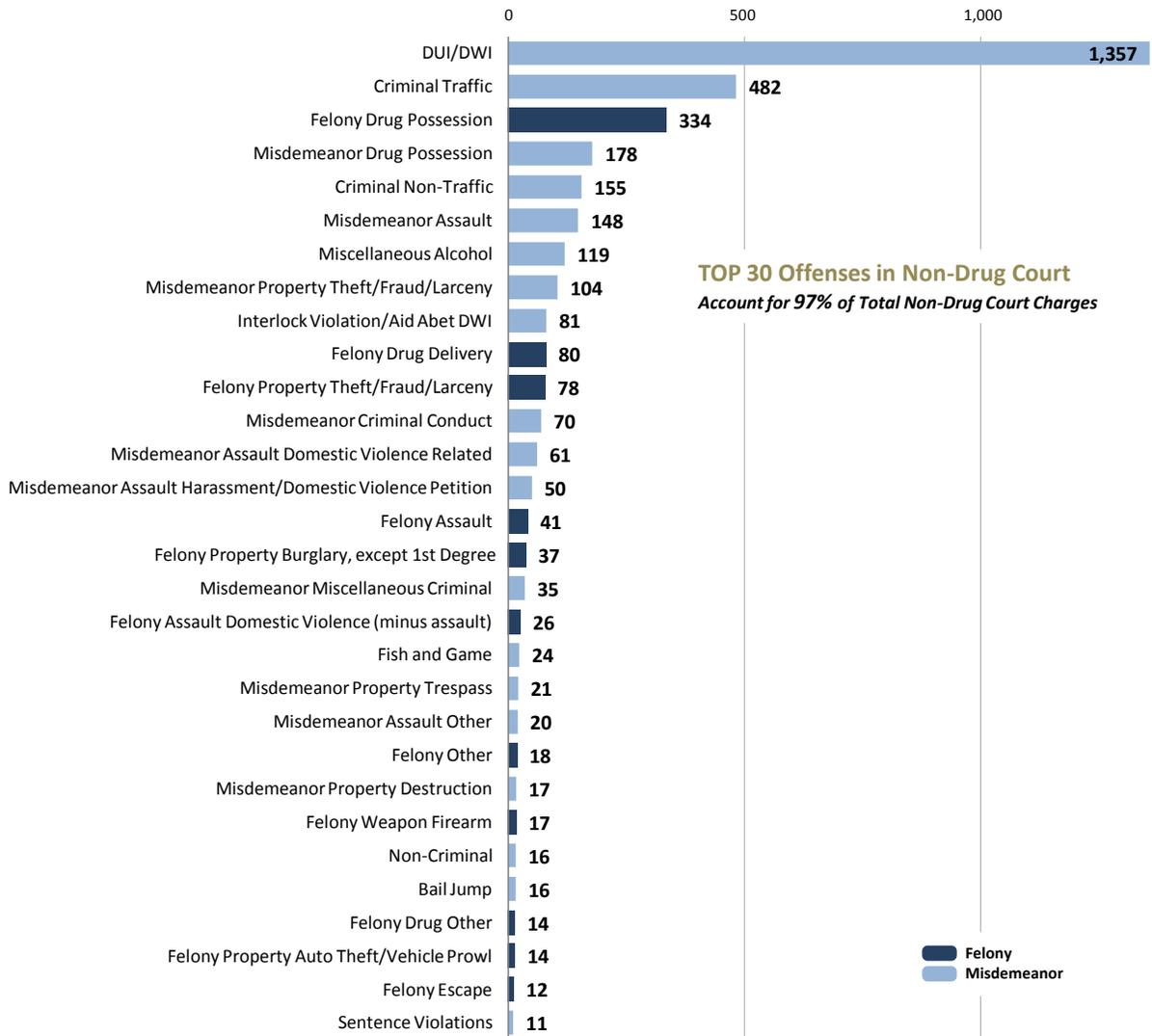


**FINDINGS | Offense associated with CJTA treatment**

Felony drug possession was the offense associated with half (1,195) of the 2,372 offenders who entered CJTA-funded treatment through drug courts. Together with charges of felony drug delivery and a general category of other felony drug charges, these three categories accounted for 65 percent of the offenders who entered drug court-ordered treatment. Several felony property crimes (theft/fraud/larceny, property burglary, auto theft or vehicle prowl, and felony property destruction) account for 26 percent of those entering CJTA-funded treatment.

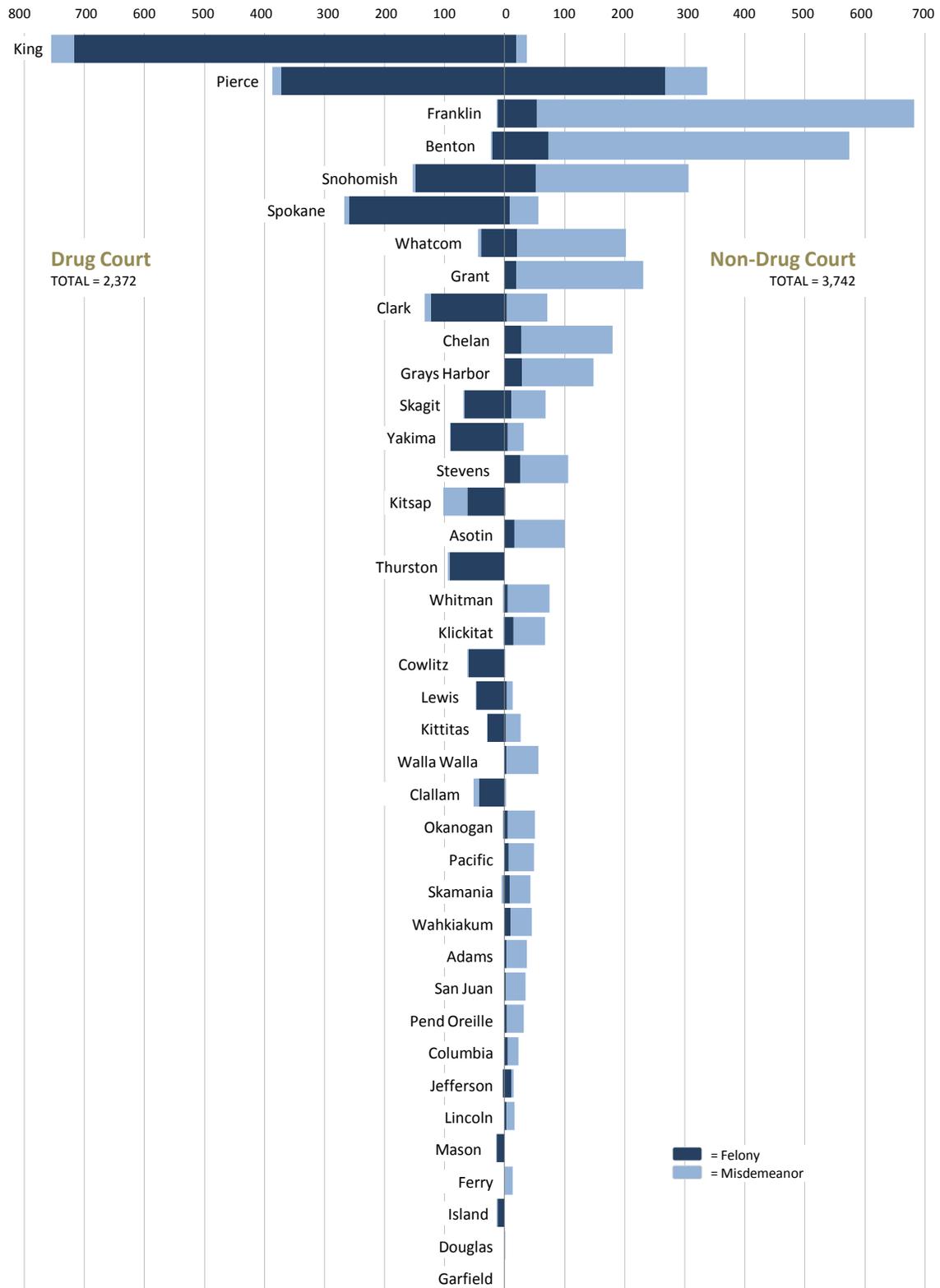


Of the 3,742 who entered CJTA-funded treatment from non-drug court programs, 1,357 (36 percent) did so as a result of a misdemeanor DUI/DWI charge. Together with criminal traffic and other DUI/DWI-related charges, these three categories accounted for over 50 percent of the offenders who entered treatment in the non-drug court group. Felony and misdemeanor drug possession accounted for 14 percent (512) of offenders in this group who entered treatment.



## FINDINGS | County of court jurisdiction for CJTA-funded treatment recipients

King County provided CJTA-funded treatment to the largest number of offenders mostly from drug court; Pierce was next with a mix of both drug and non-drug court cases, Franklin was third highest with mostly non-drug court offenders; Benton was fourth with offenders mostly from non-drug court.



## Offenders who entered CJTA-funded chemical dependency treatment by county of jurisdiction

SFY 2008 – SFY 2009

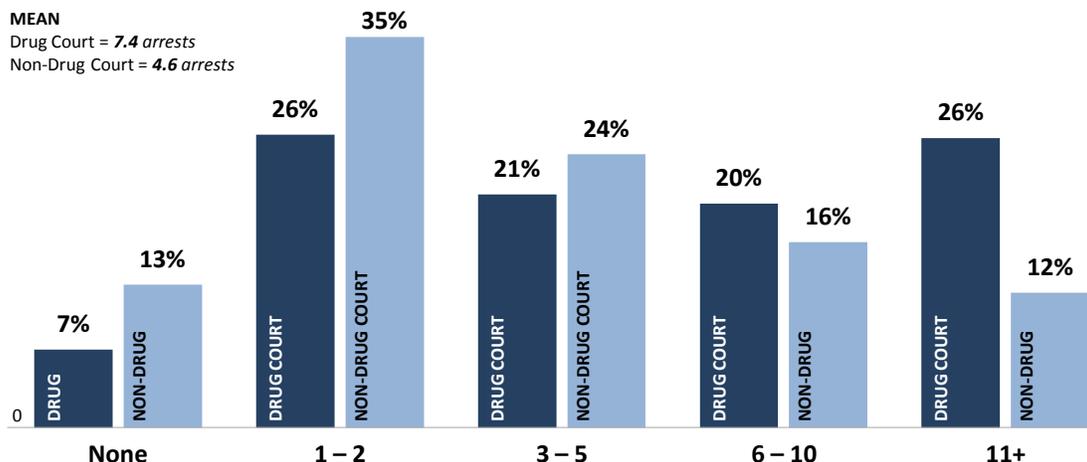
County of Jurisdiction		Drug Court			Non-Drug Court			Total CJTA Program			In drug court?
Drug Court?	Yes	Felony	Misd	TOTAL	Felony	Misd	TOTAL	Felony	Misd	TOTAL	Yes
<b>TOTAL</b>		<b>2,220</b>	<b>152</b>	<b>2,372</b>	<b>728</b>	<b>3013</b>	<b>3,742</b>	<b>2,948</b>	<b>3165</b>	<b>6,113</b>	<b>39%</b>
Adams		0	0	0	3	34	37	3	34	37	
Asotin		0	0	0	16	84	100	16	84	100	
Benton	✓	21	2	23	73	501	574	94	503	597	4%
Chelan		0	0	0	28	152	180	28	152	180	
Clallam	✓	43	9	52	0	2	2	43	11	54	96%
Clark	✓	123	10	133	4	67	71	127	77	204	65%
Columbia		0	0	0	5	18	23	5	18	23	
Cowlitz	✓	60	2	62	0	1	1	60	3	63	98%
Douglas		0	0	0	0	1	1	0	1	1	
Ferry		0	0	0	0	13	13	0	13	13	
Franklin	✓	12	1	13	54	628	683	66	629	696	2%
Garfield		0	0	0	0	0	0	0	0	0	
Grant		0	0	0	19	212	231	19	212	231	
Grays Harbor		0	0	0	29	119	148	29	119	148	
Island	✓	12	1	13	0	0	0	12	1	13	100%
Jefferson	✓	3	1	4	11	4	15	14	5	19	21%
King	✓	717	38	755	19	18	37	736	56	792	95%
Kitsap	✓	62	40	102	1	0	1	63	40	103	99%
Kittitas	✓	29	0	29	2	25	27	31	25	56	52%
Klickitat	✓	0	2	2	15	52	67	15	54	69	3%
Lewis	✓	47	1	48	4	9	13	51	10	61	79%
Lincoln		0	0	0	3	13	16	3	13	16	
Mason	✓	13	1	14	0	0	0	13	1	14	100%
Okanogan	✓	2	1	3	5	45	50	7	46	53	6%
Pacific		0	0	0	7	42	49	7	42	49	
Pend Oreille		0	0	0	4	28	32	4	28	32	
Pierce	✓	372	15	387	268	69	337	640	84	724	53%
San Juan		0	0	0	2	33	35	2	33	35	
Skagit	✓	67	2	69	11	57	68	78	59	137	50%
Skamania	✓	2	3	5	9	34	43	11	37	48	10%
Snohomish	✓	149	4	153	52	254	306	201	258	459	33%
Spokane	✓	259	8	267	9	47	56	268	55	323	83%
Stevens		0	0	0	26	80	106	26	80	106	
Thurston	✓	92	3	95	0	0	0	92	3	95	100%
Wahkiakum		0	0	0	10	35	45	10	35	45	
Walla Walla		0	0	0	3	53	56	3	53	56	
Whatcom	✓	39	5	44	21	181	202	60	186	246	18%
Whitman	✓	1	2	3	5	70	75	6	72	78	4%
Yakima	✓	90	1	91	5	27	32	95	28	123	74%
Unknown		5	0	5	5	5	10	10	5	15	

## FINDINGS | Prior arrests and convictions

### PRIOR ARRESTS

We gathered data on arrests in Washington State in the ten years prior to the index court filing or arrest leading to CJTA-funded CD treatment. Offenders who entered treatment through drug court programs averaged more prior arrests (*mean* = 7.4, *SD* = 7.6) than did those who went through the non-drug court programs (*mean* = 4.6, *SD* = 5.2). Only 7 percent of drug court participants had no prior arrests in the state over the prior ten years compared to 13 percent of the non-drug court participants. At the other end of the continuum, 26 percent of drug court offenders had 11 or more arrests recorded in the Washington State Patrol's records in the prior ten years compared to only 12 percent of the non-drug court offenders.

#### Number of Arrests in Prior 10 Years

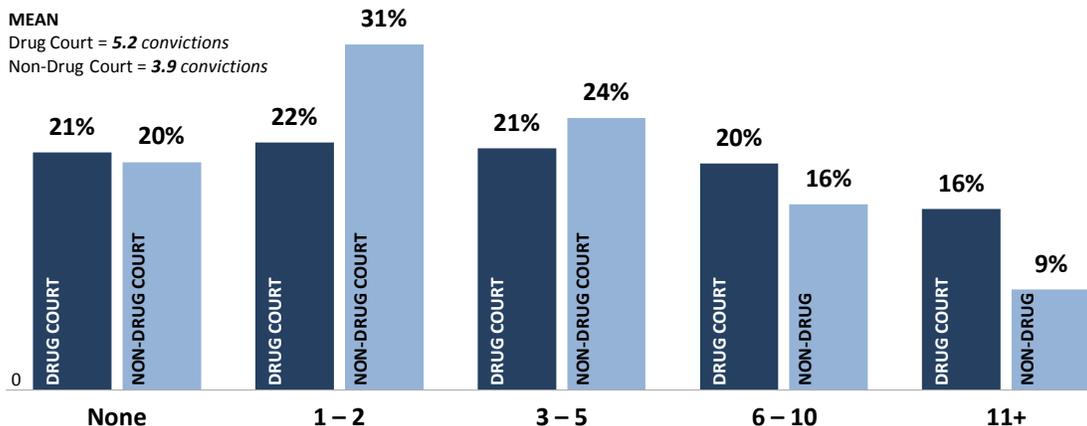


SOURCE: Washington State Patrol, Arrest Database.

### PRIOR CONVICTIONS

Prior convictions followed a similar pattern. Drug court offenders tended to have more prior convictions (*mean* = 5.2, *SD* = 5.5) than non-drug court offenders (*mean* = 3.9, *SD* = 4.4). While the percent with no prior convictions was about the same for the two groups, offenders from the drug courts were less likely to have only one or two prior convictions compared to those from non-drug court programs (22 versus 31 percent, respectively). Offenders from drug courts were more likely than those from non-drug court programs to have had more prior convictions: 20 percent of offenders from drug courts had six to ten prior convictions compared to only 16 percent of those in non-drug court programs and 16 percent had 11 or more prior convictions compared to only 9 percent of offenders from non-drug court programs.

#### Number of Convictions in Prior 10 Years



SOURCE: Washington State Institute for Public Policy, Criminal History File.

## FUTURE DIRECTIONS | Outcomes and Costs

Prior research by the Washington State Institute for Public Policy has shown that adult drug court programs operating in a number of counties in Washington State in the late 1990s were associated with significant reductions in recidivism and produced an estimated “. . . \$2.87 in benefits for each dollar of costs.”<sup>2</sup> Since that seminal report, drug courts and non-drug court programs have continued to send offenders to CD treatment in counties throughout the state. Legislation that created and continues to support the CJTA is based on the assumption that providing treatment through these programs is worthwhile and cost effective. Future analyses using available administrative data will examine the outcomes for offenders with alcohol or other drug problems who enter treatment through either the drug court or the non-drug court programs. Analyses will also address whether or not there appear to be significant cost savings associated with these programs and the CD treatment that offenders receive.

### TECHNICAL NOTES

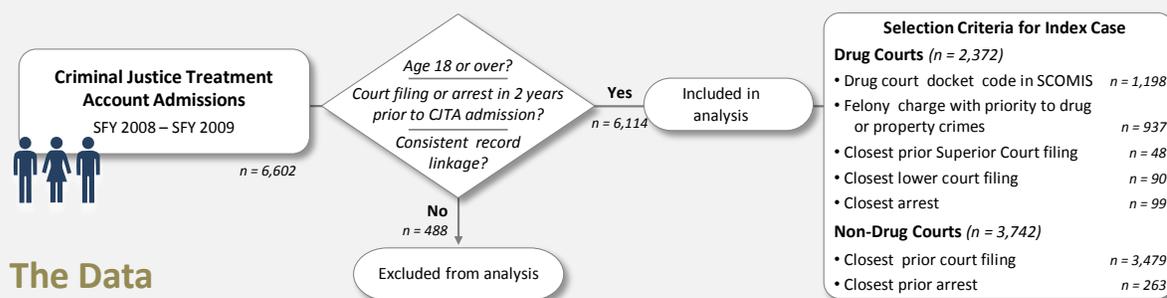
#### METHOD

##### Selection of court filing or arrest leading to CJTA-funded chemical dependency treatment

A total of 6,602 individuals who entered CJTA-funded CD treatment in SFY 2008 – 2009 were identified through the TARGET system. We included only adults age 18 or over who had personal identifiers that linked administrative data consistently across information systems. Records for 488 individuals were dropped from analyses due to age under 18 (72), lack of filing or arrest records in prior 2 years (400), or inconsistent record linkage (16).

We selected the court filing or arrest that most likely led to admission to CJTA-funded treatment using specific selection criteria. For adult drug courts operating in Superior Courts, the selection criteria were, in order of precedence: presence of a drug court docket code in the Superior Court Management Information System (SCOMIS), felony charge with precedence for drug or property crimes, and proximity of Superior Court filings in the 2 years preceding the CJTA-funded treatment admission, misdemeanor Superior Court charge, District or Municipal charge or an arrest record. We examined adult drug court records in King, Snohomish and Thurston Counties. We were unable to identify a specific drug court filing for 12 percent of the offenders who entered CJTA-funded treatment in these counties. Among the remaining drug court cases, the selection algorithm correctly identified the drug court filing leading to admission to CJTA-funded treatment for 82 percent of the cases.

For non-drug court programs, proximity of prior court filings or arrests was used as the selection criteria. If a court filing could not be found, an arrest record was used as the source of information on type of criminal charge. The number of records included in analyses based on specific case selection criteria is shown in the chart below.



#### The Data

#### DATA SOURCES

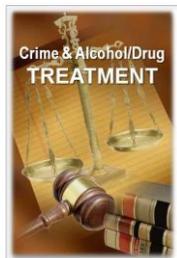
**Treatment and Assessment Report Generation Tool (TARGET), Division of Alcohol and Substance Abuse** – TARGET data was used to identify clients who received CJTA-funded CD treatment.

**Client Services Database (CSDB), Research and Data Analysis Division** – CSDB was used to link data from multiple sources and for client date of birth, race/ethnicity and gender.

**Criminal History Database, Washington State Institute for Public Policy (WSIPP)** – The WSIPP Criminal History data was used to identify court filings, associated charges and convictions for CJTA clients. These data include information from systems of the Washington State Administrative Office of the Courts and the Department of Corrections for 1984 through June 2010.

**Arrest Database, Washington State Patrol (WSP)** – The WSP data include arrests in which an arrestee is fingerprinted. Felonies tend to be more often reported in to WSP than less serious offenses, and completeness of reporting varies by jurisdiction. Arrest data covers arrests from 1975 through December 31, 2010. Data reporting for non-felonies may decline somewhat in the most recent months.

<sup>2</sup> Aos, S., Lee, S., Drake, E., Pennucci, A., Klima, T., Miller, M., Anderson, L., Mayfield, J., & Burley, M. (2011). Return on investment: Evidence-based options to improve statewide outcomes (Document No. 11-07-1201). Olympia: Washington State Institute for Public Policy.



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