



Implementing Multiple Tracks in Your Treatment Court Program

Introduction and Selecting and Using Risk Tools

Shannon Carey, Ph.D. Hon. Peggy Davis

Disclaimer

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ADULT DRUG COURT BEST PRACTICE STANDARDS

VOLUME I



NATIONAL ASSOCIATION OF DRUG COURT PROFESSIONALS ALEXANDRIA, VIRGINIA

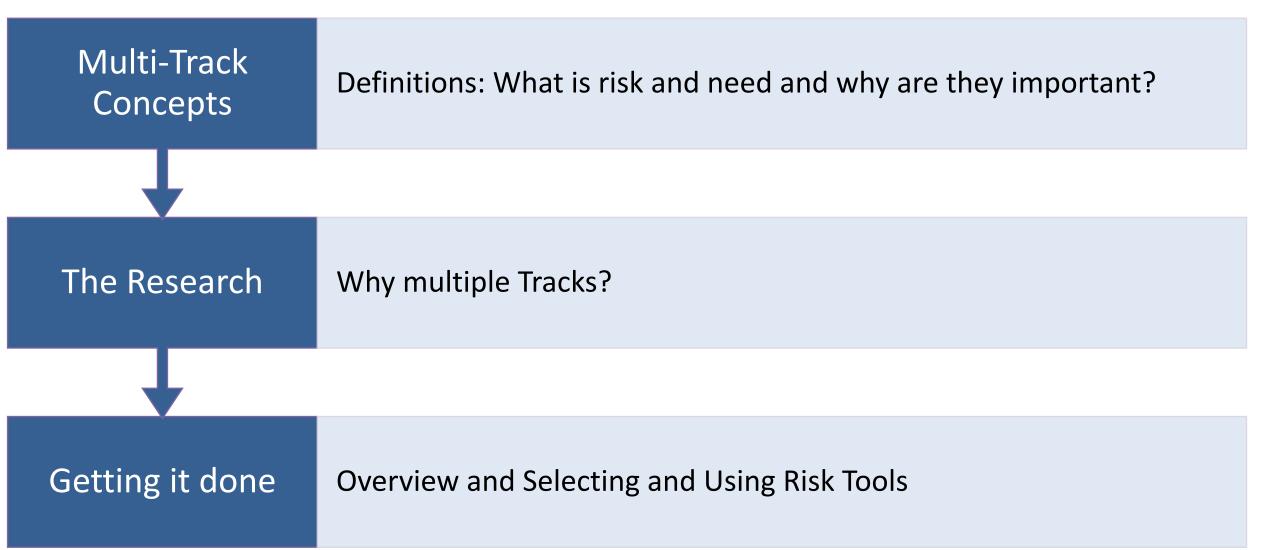


Target high-risk high-need (Biggest impact on recidivism)

What about everyone else?



Separate participants into multiple tracks



Overview

What is Risk?

Risk

The likelihood that a person will get re-arrested and/or fail on probation

Risk:

- **≠** Dangerousness
- ≠ Crime type
- ≠ Failure to appear
- ≠ Sentence or disposition
- ≠ Custody or security classification level

Central 8

- 1. History of antisocial behavior (Criminal History)
- 2. Antisocial Attitudes
- 3. Peer Associations
- 4. Antisocial Personality
- 5. Education/Employment
- 6. Substance Abuse
- 7. Leisure/Pro-social activities
- 8. Family/Marital

Important, but STATIC

DYNAMIC

Criminogenic Needs

Clients have a variety of Criminogenic needs:

- Subset of risk factors
- Dynamic, live and changeable

Criminogenic Needs

- Needs related to criminal behavior.
- They important because:
 - They can change and therefore are viable intervention targets
 - When they change (due to intervention) recidivism will decrease



NON-Criminogenic Needs

Needs NOT related to criminal behavior (e.g., self-esteem)

They important because:

- Changing them will NOT reduce recidivism
- However, some must be addressed before interventions for criminogenic needs can be effective
 - Medical Health
 - Mental Health
 - Food



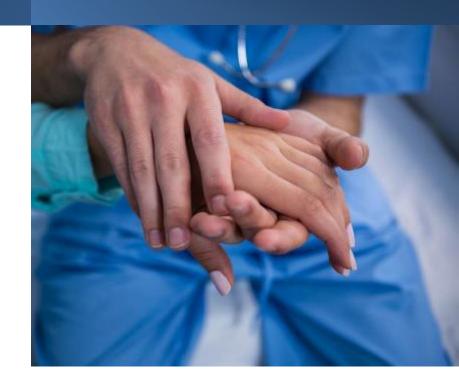
Mixing risk levels is contraindicated

Risk is contagious

What is Need?

Clinical Need:

- = Diagnosed Substance Use Disorder (Mod to Severe)
- = Diagnosed Mental Health Disorder
- = Both



CLINICAL Needs

Substance Use

- ✓ Is also one of the Central 8 Risk factors/Criminogenic needs
- The higher the need level, the more intensive the treatment or rehabilitation services should be; and vice versa
- Mixing need levels is contraindicated

Principle

Risk Principle

Needs Principle

Responsivity Principle

Principle

Risk Principle

Match the intensity of individual's intervention to their risk of reoffending (Supervision Level)

Needs Principle

Responsivity Principle

Principle

Risk Principle Match the intensity of individual's intervention to their risk of reoffending (Supervision Level)

Needs Principle

Target criminogenic needs, such as antisocial behavior, substance abuse, antisocial attitudes, and criminogenic peers (WHAT to target)

Responsivity Principle

Principle

Risk Principle

Match the intensity of individual's intervention to their risk of reoffending (Supervision Level)

Needs Principle

Target criminogenic needs, such as antisocial behavior, substance abuse, antisocial attitudes, and criminogenic peers (WHAT to target)

Responsivity Principle

Tailor the intervention to the learning style/disability, motivation, culture, demographics, and abilities of the individual (HOW to best target)

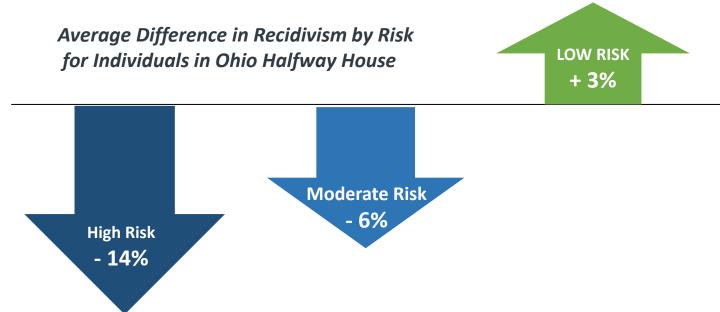
THE RNR PRINCIPLE ARGUES THAT:

Higher risk/Higher need clients warrant increased level of supervision, Case Management and intervention.

Lower risk/Lower need clients may have *poorer* outcomes with too *much* supervision, case management and intervention.

THE IMPORTANCE OF RISK PRINCIPLE

Failing to adhere to the risk principle can **increase** recidivism



Source: Presentation by Dr. Edward Latessa, "What Works and What Doesn't in Reducing Recidivism: Applying the Principles of Effective Intervention to Offender Reentry"

Addressing Risk Factors (Need) as Part of Behavioral Health Services

Dynamic Risk Factor (Central 8)	Need/Case management/Services	Service Examples
History of antisocial behavior (Criminal History)		
Antisocial personality pattern (Check trauma history)		
Antisocial cognition		
Antisocial associates		
Family and/or marital discord		
Poor school and/or work performance		
Lack of engagement in leisure activities (prosocial activities)		
Substance abuse		

Addressing Risk Factors (Need) as Part of Behavioral Health Services

Dynamic Risk Factor (Central 8)	Need/Case management/Services	Service Examples	
History of antisocial behavior (Criminal History)	Build and practice positive/healthy behaviors	By intervening in the 7 below	
Antisocial personality pattern (Check trauma history)	Learn problem solving skills, practice anger management	CBT (Seeking Safety)	
Antisocial cognition	Develop more pro-social thinking	MRT, Thinking for Change	
Antisocial associates	Reduce association with criminal others (learn refusal skills)/increase time with pos peers	Peer Mentors, sober community activities	
Family and/or marital discord	Reduce conflict, build positive relationships	Family therapy	
Poor school and/or work performance	Work on good employee/study/performance skills	Job skills training, GED, community college	
Lack of engagement in leisure activities (prosocial activities)	Connect participants with peer support and prosocial activities in the community	Sober community support groups, faith community	
Substance abuse	Reduce use through integrated treatment	SUD treatment, education	

IN SUMMARY...



Focus resources on:

• People *most likely* to reoffend and with the *highest* criminogenic behavioral health needs



OR

Put people in alternate tracks based on risk and need level

MULTIPLE TRACKS – THE BASICS

	High Risk	Low Risk
High Need	High Risk (Q1) Track 1 Likely to be rearrested High Need Mod to severe MH/SUD	Low Risk (Q2) Track 2 Unlikely to be rearrested High Need Mod to severe MH/SUD
Low Need	High Risk (Q3) Track 3 Likely to be rearrested Low Need Mild to no MH/SUD	Low Risk (Q4) Track 4 Unlikely to be rearrested Low Need Mild to no MH/SUD



WHY MULTIPLE TRACKS?

BECAUSE IT WORKS!

- Evaluation of four programs implementing all 4 tracks in Missouri
- Process, Outcome and Cost Evaluation

FOCUS GROUPS Showed qualitative differences



Q1 – HR/HN

- Complainers but more likely to say program saved them
- Called each other on their B.S.

Note: Probation burnout

Q2 – LR/HN

- Appreciative of the variety of services offered
- More supportive of each other

FOCUS GROUPS Showed qualitative differences



Q3 - HR/LN

- Working on criminal thinking
- Never fit in in treatment groups
- High collateral needs

Q4 - LR/LN

- Better dressed
- Frightened of court
- Scared of other people in the program

Different Requirements for Different Tracks

Tracks varied based on risk and need

Court Sessions (HR = more frequent, LR = less frequent)

- Different days of the week
- Different portions of the day

Separate Therapy Groups

- Separate by risk level
- Separate by need (services differed according to need)
- Separate by agency

Probation Officers/Case Managers

- Assigned to separately tracks
- And/or understand differences in risk and need



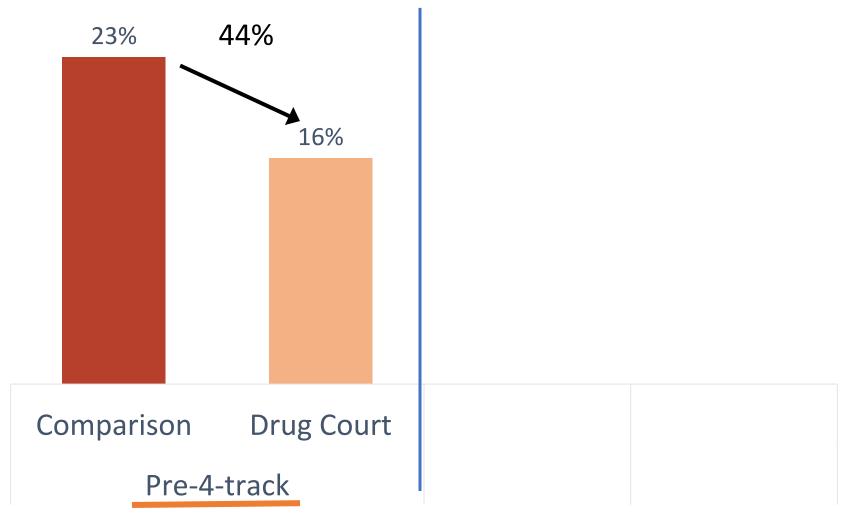
Average Cost per Participant by Quadrant

Transaction	All GCATC	Q1-HR/HN	Q2-LR/HN	Q3-HR/LN	Q4-LR/LN
Case Management Days	\$3,974	\$4,377	\$4,740	\$3,361	\$1,468
Court Appearances	\$1,699	\$1,565	\$587	\$3,570	\$186
Treatment ^b	\$8,289	\$10,120	\$9,576	\$4,541	\$1000(est.)
Drug Tests	\$956	\$865	\$1,009	\$1,103	\$1,009
Jail Sanctions	\$71	\$1,672	\$613	\$1,172	\$243
Program Fees ^c	(\$1,424)	(\$1,096)	(\$2,088)	(\$1,640)	(\$2,161)
TOTAL	\$13,565	\$17,503	\$14,437	\$12,107	\$7,701



Recidivism Outcomes 4-tracks ADC - MO

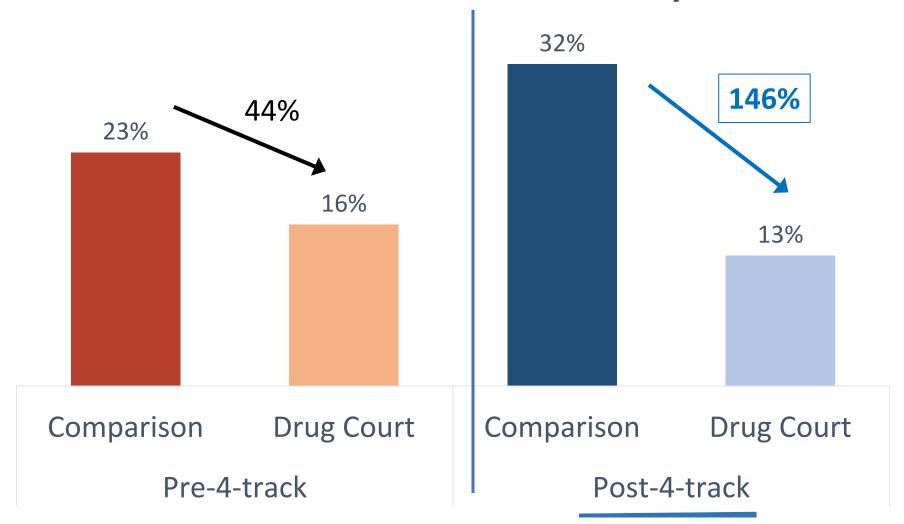




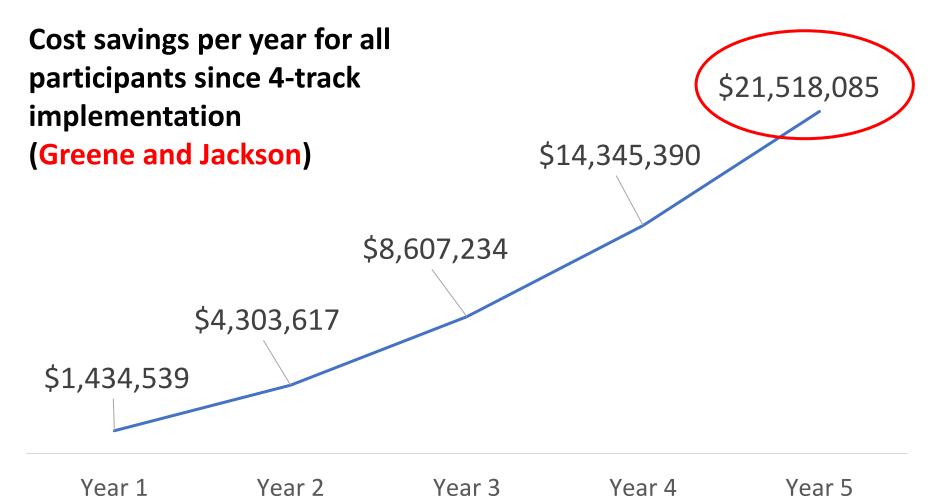


Recidivism Outcomes 4-tracks ADC - MO

Rearrests at 2 Years Post Entry



COST SAVINGS ALL 4 TRACKS







What about other court types?

Potential persons in various treatment courts

- <u>Traditional drug courts</u>: take persons by diagnosis of High Risk AND High Needs
- <u>DWI Courts:</u> take persons by diagnosis of High Risk for DWI AND High Needs, but risk for DWI is not the same as risk for other criminal arrests
- Veterans Courts take persons by Veteran status, regardless of risk level or diagnosis.
- Mental Health Courts: take persons who have mental health issues, and may, or may not, be high risk, or have high needs related to substance use.
- <u>Family Treatment Court</u>: take persons who are involved in child welfare system high risk to abuse or neglect a child not necessarily high criminal justice risk high needs on substance use

Many treatment court types take a mixed risk and need levels

Does Research show the Same Findings for DWI Court Participants as Adult Drug Court?

MN DWI

Court

Study

9 Sites

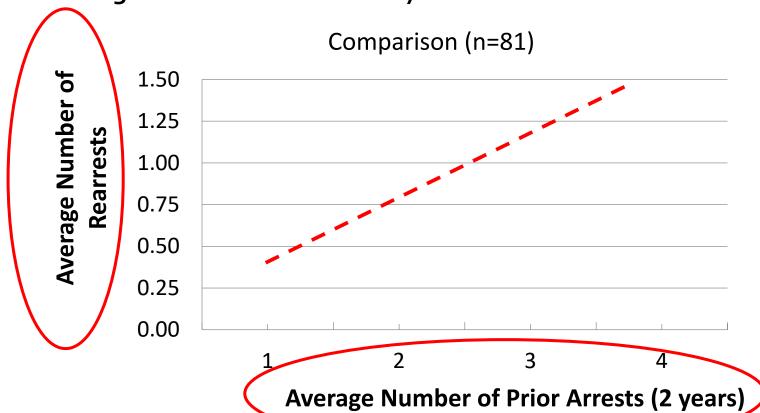
NHTSA funded

Does Research show the Same Findings for DWI Court Participants as Adult Drug Court?

Average Number of Rearrests by Number of Prior Arrests at 2 Years

MN DWI Court Study 9 Sites

NHTSA funded



*Past behavior is the best predictor of future behavior

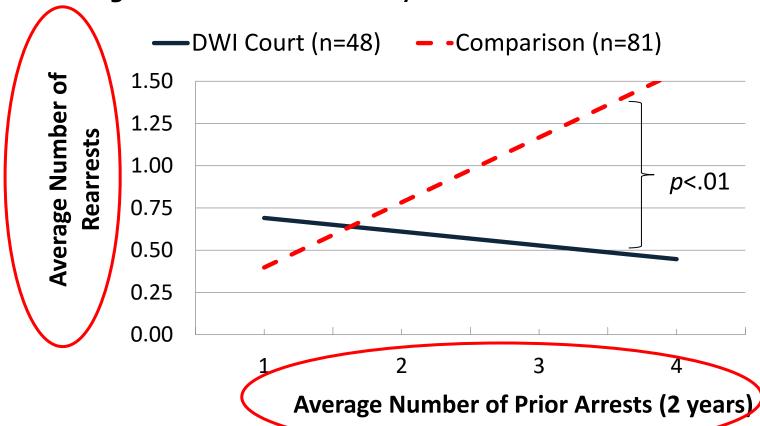


Does Research show the Same Findings for DWI Court Participants as Adult Drug Court?

Average Number of Rearrests by Number of Prior Arrests at 2 Years

MN DWI Court Study 9 Sites

NHTSA funded





Predictors of Risk - Central 8

Risk Factors for new criminal arrest

- 1. Criminal History
- 2. Antisocial Attitudes
- 3. Antisocial Personality
- 4. Peer Associations
- 5. School/Employment
- 6. Substance Abuse
- 7. Leisure/Prosocial Activities
- 8. Family/Marital

Risk Factors for new DWI

- 1. DWI History
- 2. Antisocial Attitudes
- 3. Antisocial Personality
- 4. Peer Associations
- 5. School/Employment
- 6. Substance Abuse
- 7. Leisure/Prosocial Activities
- 8. Family/Marital
- 9. BAC Level
- 10. Traffic Violations



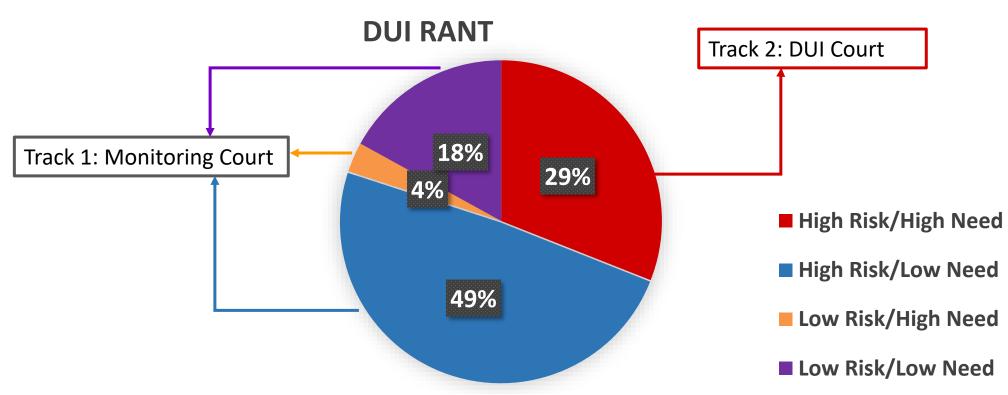




Research: San Joaquin County DUI Court Example

All second time DUIs and higher

RANT STATS FOR REPEAT DWI OFFENDERS (N=1,133)



~80% of repeat DWI offenders were high risk for a new DWI. Require intensive monitoring for public safety ~20% of repeat DWI offenders who score as high risk for a DWI score as low risk on traditional probation risk tools

Track 1: Court Monitoring Track

69% High Risk/Low Need 6% low risk/high need 25% low risk/low need

- Report to Case Manager verifies compliance
- Added probation conditions (complete DMV class)
- Court reviews scheduled for 1 mo; 6 mo; 1 yr
- Court appearance added with non-compliance
- Immediate response to non-compliance
- Recognition for compliance
- Alcohol/drug monitoring for 1 year
- Continued non-compliance results in participant re-assessment and move to Track 1

Track 2: Full Traditional DUI Court Model

High Risk/High Need~ 1/3 of all repeatDUI population

- Full assessment for risks and need and appropriate placement in supervision and treatment according to assessment results
- Regular case management appointments
- Court appearances every other week
- Immediate response to non-compliance
- Recognition for compliance
- Substance use monitoring for 1 year

MONITORING TECHNOLOGIES

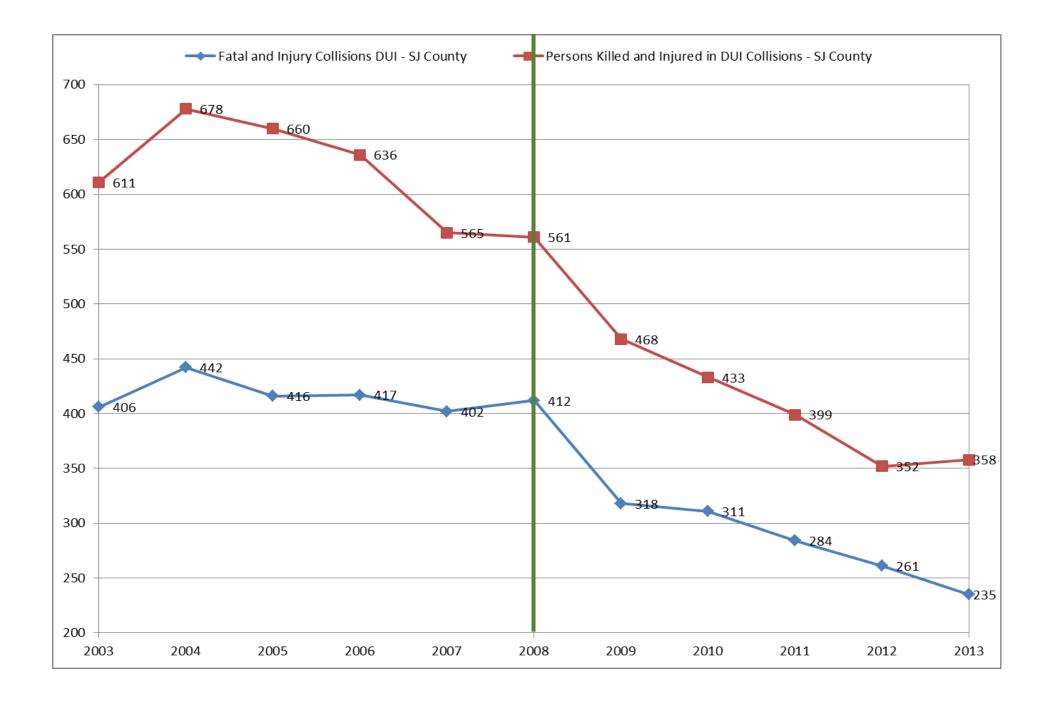
- Transdermal Monitoring (ankle bracelet)
- Ignition Interlock Device
- Remote Testing (cell phone)
- Daily Testing (24/7 program)
- Urine Drug Testing

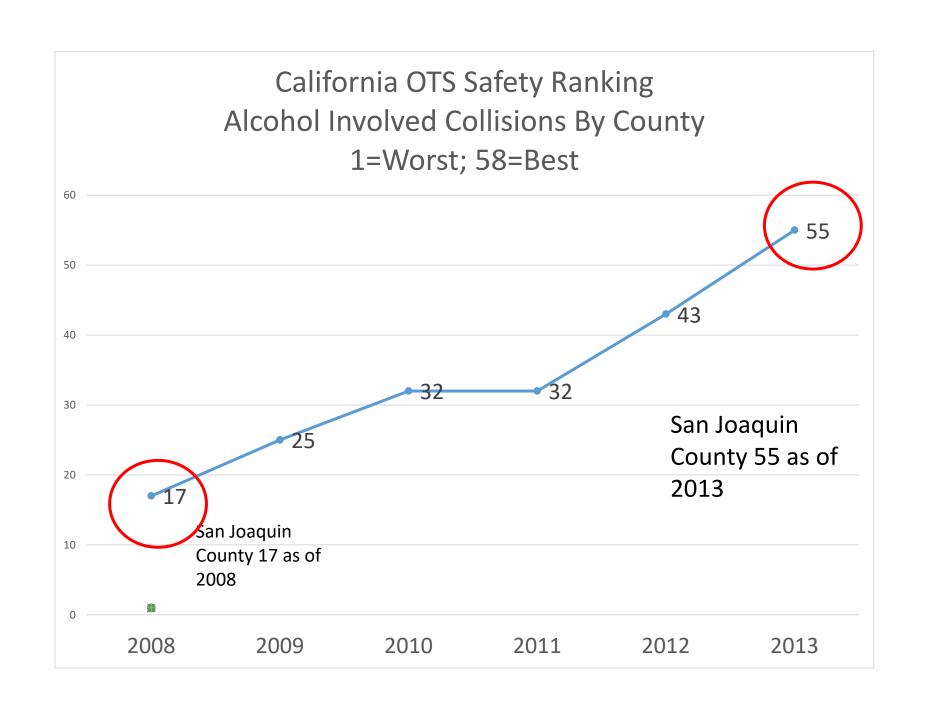


San Joaquin DUI Court Results



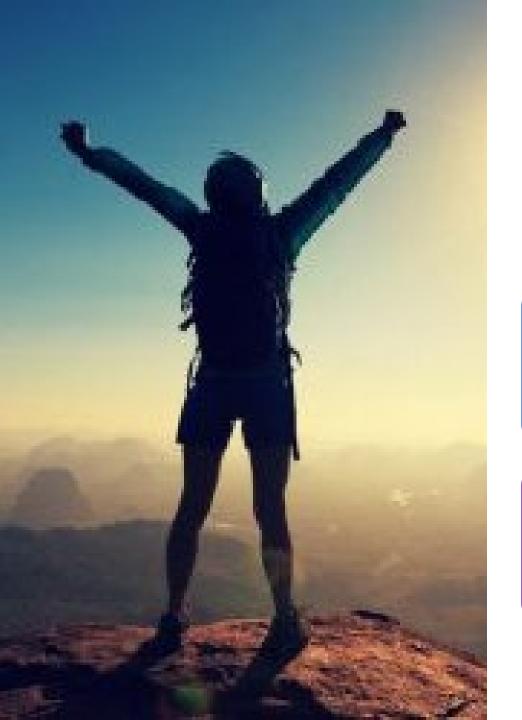
DOES IT WORK?





Participants in the SJ DUI Court had Fewer DUI Arrests 6 Years After Program Entry







DUI convictions in San Joaquin went from 3,300 in 2009 to 1,100 in 2016

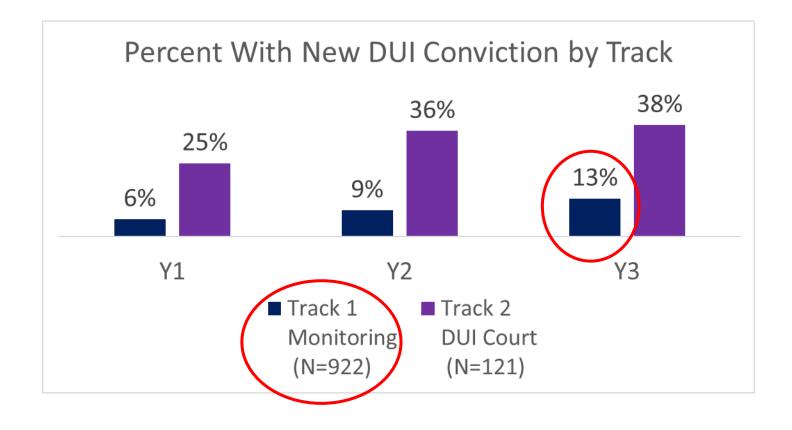


San Joaquin DUI program has decreased from a peak of around 1,000 to 480 active participants.

Track 1
(HR/HN)

vs

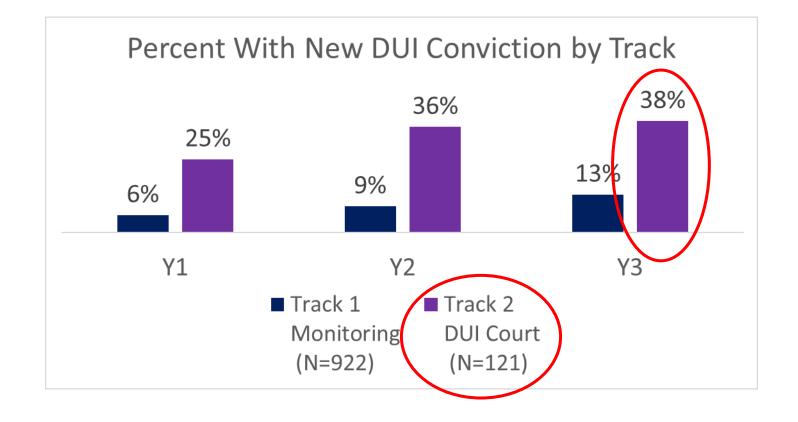
Track 2
(Majority HR/LN)



Track 1
(HR/HN)

vs

Track 2
(Majority HR/LN)



Taxpayer Costs per Participant (Program)

Track 1 Track 2 \$1,722 \$11,847

Track 1: ~70% of Participants - 15% of the costs

So, how do you do this?









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For questions contact: Shannon M. Carey, Ph.D. NPC Research carey@npcresearch.com



HOW TO IMPLEMENT A MULTI-TRACK MODEL IN YOUR TREATMENT COURT

HOW-TO MANUAL

STEP #1: ENGAGE IN TRAINING AND TECHNICAL ASSISTANCE

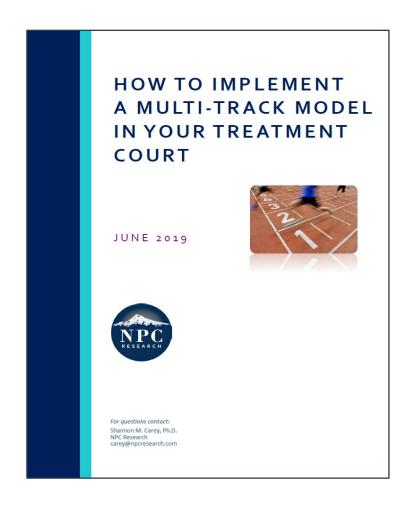
- All key team members and stakeholders should be trained in the treatment court model and multiple tracks prior to implementation.
- Training should include the traditional topic areas for the drug and DWI court model, with an additional emphasis on modifications that might occur in different tracks according to risk-needresponsivity principles.
- Training resources through NDCI and NPC Research are listed in the how-to manual





Practical Considerations in Creating tracks

How tracks are implemented varies based on program size and what services are available



Alternate Court Sessions

- Different days of the week
- Different portions of the day/hour

Separate Therapy Groups

- Separate by risk level
- Separate by type of services needed
- Separate by agency
- Small programs may need to focus on individual sessions

Probation Officers/Case Managers

- Assigned to separately tracks
- And/or understand R/N differences

IDENTIFY ALL KEY STAKEHOLDERS

Consider the broad implications of multitrack implementation and include all entities that may be affected by the change in the planning process to get buy in



See How-To Manual for the full list

Step #2: Identify All Key Stakeholders New or existing treatment providers and their DWI/Treatment court judicial officer supervisors and directors Presiding treatment court judge State court offices (State Court Administrator, Back-up treatment court judge State Treatment Court Coordinator, etc) Community agencies (Employers, local Magistrates and Commissioners businesses, local schools, churches, etc) Clerk staff Local chapters of AA/NA, other self-Court administrator help/recovery groups Bailiffs/court security Ancillary/wraparound services and programs: Judicial assistant/clerk Job assistance agencies Information technology (IT) personnel Housing assistance agencies Defense attorney/Public Defender/Local Medical care and/or referral agencies defense bar (entire bar) Educational assistance agencies District Attorney/Prosecuting attorney's Daycare assistance agencies office Transportation assistance Probation/Parole officers (district, regional, state, county, and city) Clothing assistance agencies Law enforcement Child welfare agency staff/decision makers Homeless shelters Current treatment provider's counselors, treatment provider supervisors/directors Transitional housing organizations/partners



IDENTIFY AN INDIVIDUAL(S) TO LEAD PLANNING AND IMPLEMENTATION

- The judicial officer is generally in a position of authority to take the lead. Depending on the jurisdiction, other stakeholders may assume this leadership role.
- The leader lends legitimacy, respect, authority, experience, and knowledge to the idea of implementing the multi-track model.
- The leader <u>must</u> understand evidence-based practices and be able to articulate the importance of such practices,
- Share the work among all team members



How do you know what Track to Put Them In?

SELECT APPROPRIATE
SCREENING AND
ASSESSMENT TOOLS

APPROPRIATE SCREENING AND ASSESSMENT TOOLS

Reliable = Predicts risk consistently from person to person

Valid = Has been tested multiple times in defined population and it is accurate *(for CJ population)

Standardized = Has proscribed instructions for use that, if followed, have the same result with different users

Ease of use = Instructions easy to follow, not too long to be practical

Cost = Within acceptable price range according to resources available, some good free tools

RISK NEED AND RESPONSIVITY TOOLS

High Risk Low Risk RNR High Risk (Q1) Track 1 Low Risk (Q2) Track 2 Unlikely to be rearrested High Likely to be rearrested Risk Need High Need High Need Need Mod to severe MH/SUD Mode to severe MH/SUD Responsivity High Risk (Q3) Track 3 Low Risk (Q4) Track 4 Low Likely to be rearrested Unlikely to be rearrested Need Low Need Low Need Mild to no MH/SUD Mile to no MH/SUD

NEED TOOLS

COMMON TOOLS TO DETERMINE CLINICAL NEED

✓ RISK AND NEEDS TRIAGE (RANT)



- ✓ Addiction Severity Index (ASI)

 Developed by the Treatment Research Institute
- ✓ American Society of Addiction Medicine
 (ASAM) Assessments

Guidelines for placement, continued stay and transfer/discharge of patients with addiction and co-occurring conditions

COMMON ASSESSMENTS FOR CLINICAL NEED

EXAMPLE: Addiction Severity Index (ASI)

Severity ratings based on a 10 point scale (0-9):

- * **0-1** No real problem, treatment not indicated
- * 2-3 Slight problem, treatment probably not necessary
- * 4-5 Moderate problem, some treatment indicated
- * 6-7 Considerable problem, treatment necessary
- * 8-9 Extreme problem, treatment absolutely necessary

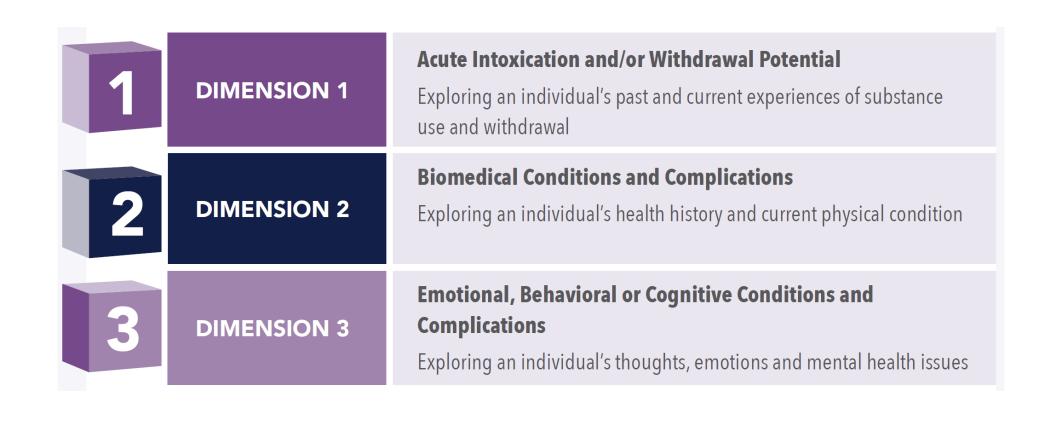
Low Need

High Need

RESPONSIVITY

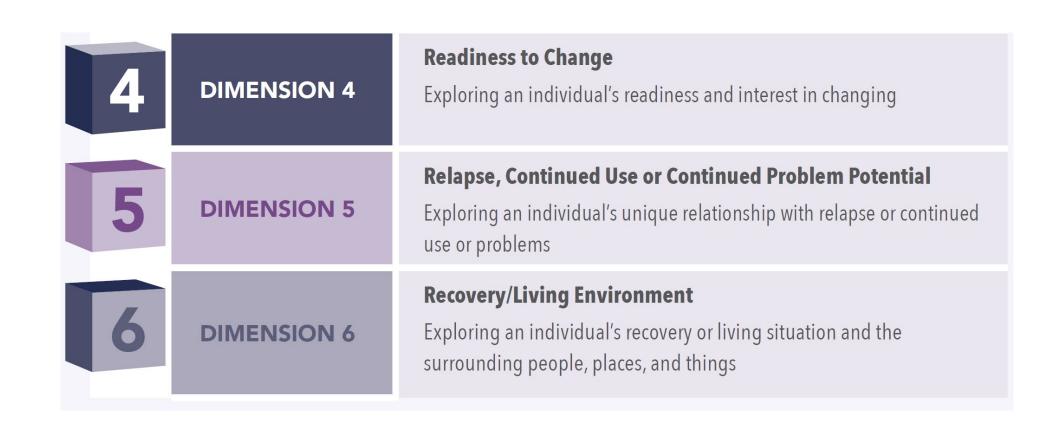
ASSESSMENTS FOR CLINICAL NEED AND RESPONSIVITY - ASAM

AT A GLANCE: THE SIX DIMENSIONS OF MULTIDIMENSIONAL ASSESSMENT



ASSESSMENTS FOR CLINICAL NEED AND RESPONSIVITY - ASAM

AT A GLANCE: THE SIX DIMENSIONS OF MULTIDIMENSIONAL ASSESSMENT



RISK TOOLS

RISK ASSESSMENT RESOURCES





Selecting and Using Risk and Need Assessments

Relph C. Serm, PhD, C.Psych, Cerleton University topher T. Lawrenkamp, PhD, University of Missouri-Kansas City

Risk Assessment: An Overview for Drug Courts

The purpose of this document is to provide Drug Court staff with a concise and current overview of important assessment and to provide a list of recommended contemporary risk instruments. Numerous risk scales are currently used in the United States (see Desmarais & Singh, 2013) to assess static risk factors and criminogenic needs (dynamic risk factors that are related to the client's propensity for criminal behaviors, of which substance abuse is but one. Almost all of these are applied to predict risk post-adjudication

Consequently, we set out to identify those risk scales best suited for use by Drug Courts. To do so, we used validity criteria widely accepted in the research literature on risk assessment (see Overview of Risk Assessment Instruments). Those that met all the criteria are described under Recommended Risk Instruments, and those that met only some of the criteria are described under Promising Risk Instruments. These sections are preceded by a general discussion of the issues pertaining to risk assessment, as well as best practices for selecting an instrument to suit a particular Drug Court's needs and capacity.

Advantages, Limits, and Usage Contemporary Practice

particular outcome (e.g., recidivism) over a specified of Risk Assessment Approaches in period of time (e.g., within three years) for an individual offender or client. Statistical scales have Through the antignment of cases to mile categories or accumbe than clinical judgment alone (see, e.g., the calculation of scures, risk assessment approaches. A gredner ret al., 2000, Bonta, Law, & Hanson, 1660. are designed to identify expected likelihood of a Hilton, Harrie, & Rice, 2006; Mechl, 1954/1996).



https://bja.ojp.gov/program/psrac/ selection/tool-selector

DWI Risk Assessments

- CARS https://www.responsibility.org/end-impaired-driving/initiatives/cars-dui-assessment-project/
- RIASI http://www.alcoholevaluation.com/research-institute-on-addictions-self-inventory
- IDA <u>file:///C:/Users/carey/Downloads/812022-Screening for Risk and Needs%20(2).pdf</u>
- DUI-RANT (screen)
 https://research.phmc.org/products/criminal-justice-tools
- (SBiRT screening for ALL DWI offenders)
 https://www.sbirt.care/tools.aspx



Me: It's not about how many times you fall, it's about how many times you get back up.

Cop: that's not how field sobriety tests work.

Common Traditional CJ Risk Assessments

• RISK AND NEEDS TRIAGE (RANT)



- OHIO RISK ASSESSMENT SYSTEM (ORAS)
- Level of Service Case/ Management Inventory (LS/CMI)



Overview of Risk Tools

https://www.criminaljustice.ny.g ov/opca/pdfs/2014-Risk-and-Need-Assessment-Update-8-20-14.pdf

ORAS AND LS/CMI ASSESSMENT DOMAINS

YOUR RISK TOOLS SHOULD BE MEASURING THE TOP 8

Top 8

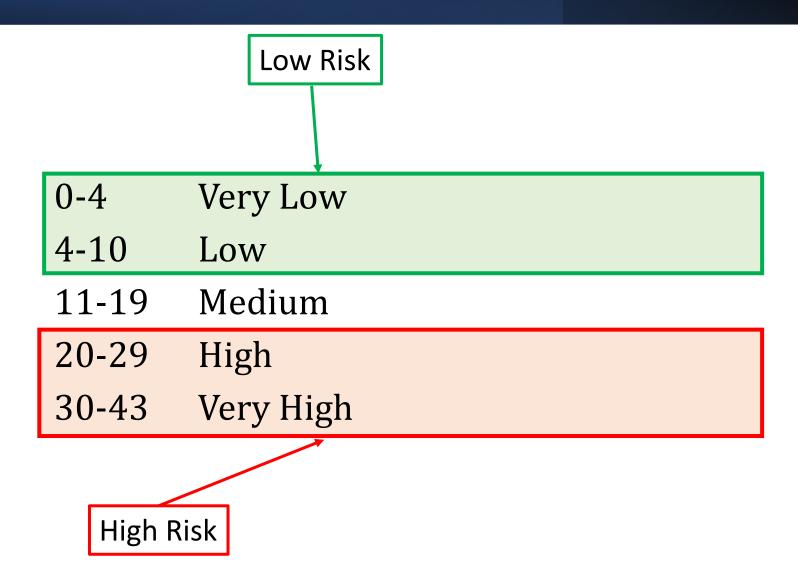
- 1. History of antisocial behavior (Criminal History)
- 2. Antisocial Attitudes
- 3. Antisocial Personality
- 4. Peer Associations
- 5. Education/Employment
- 6. Family/Marital
- 7. Leisure/Pro-social activities
- 8. Substance Abuse

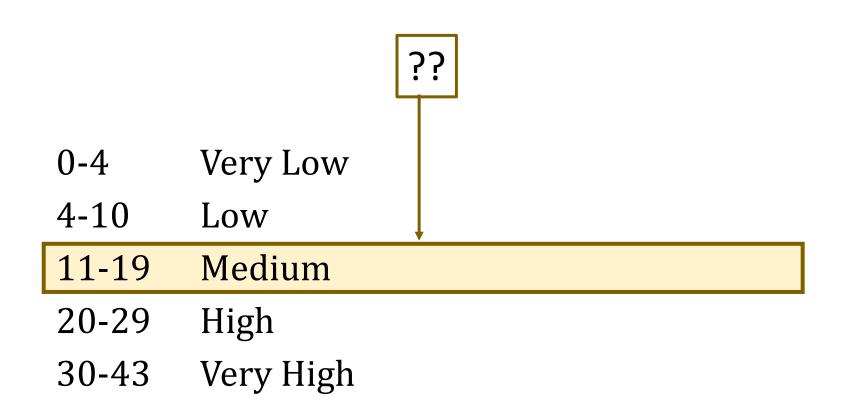
LS/CMI Domains

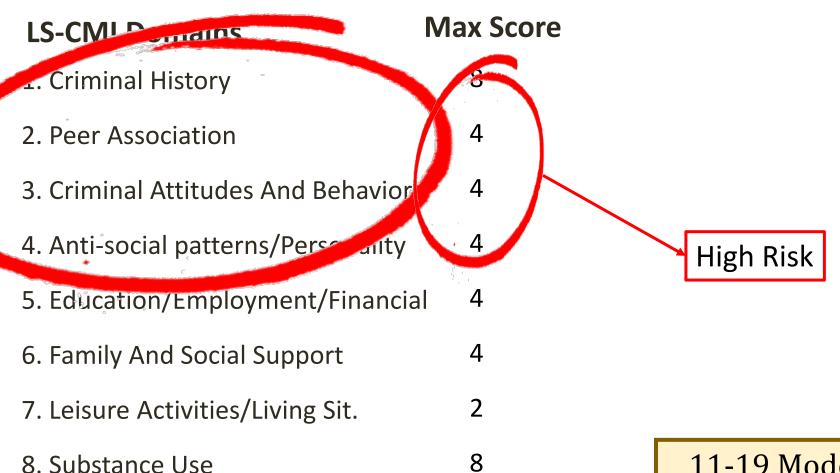
- 1. Criminal History
- 2. Pro-Criminal Attitudes
- 3. Anti-social Patterns
- 4. Anti-social Companions
- 5. Education/Employment
- 6. Family/Marital
- 7. Leisure/Recreation
- 8. Alcohol & Drug problems

ORAS Domains

- 1. Criminal History
- 2/3. Criminal Attitudes and Behavior (combines 2 and 3 of Top 8)
- 4. Peer Associations
- 5. Education/Employment/Financial
- 6. Family and Social Support
- 6b. Neighborhood Problems
- 7. Leisure/Prosocial
- 8. Substance Use

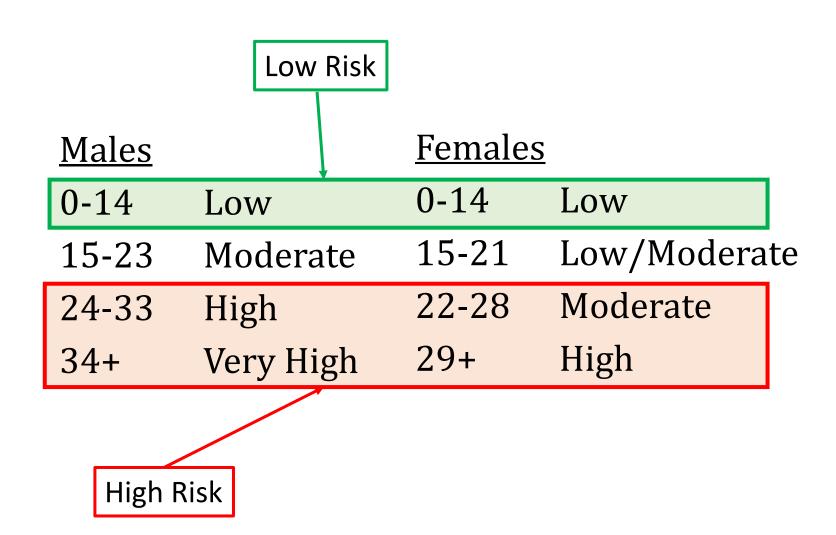




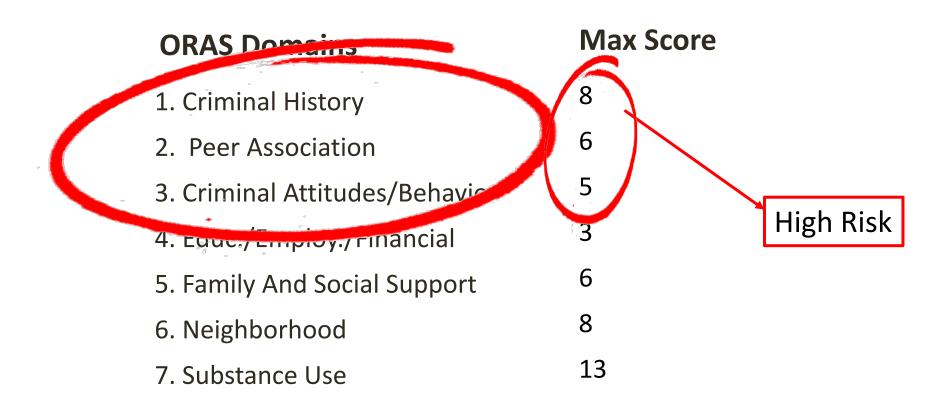


11-19 Moderate/Medium

LS-CMI Domains	Max Score
1. Criminal History	8
2. Peer Association	4
3. Criminal Attitudes And Behavior	r 4
4. Anti-social patterns/Personality	~ Low Risk
. Education/Employment/Final	ial 4
6. Family And Social Support	4
7. Leisure Activities/Living Sit.	2
8. Substance Use	8 11-19 Moderate/Medium



	55		
<u>Males</u>		<u>Females</u>	<u>S</u>
0-14	Low	0-14	Low
15-23	Moderate	15-21	Low/Moderate
24-33	High	22-28	Moderate
34+	Very High	29+	High



15-23 Moderate (Men)/15-21 Low-Moderate (Women)



15-23 Moderate (Men)/15-21 Low-Moderate (Women)

ORAS Domains	Max Score
1. Criminal History	8
2. Peer Association	6
3. Criminal Attitudes/Behavior	5
4. Educ./Employ./Financial	3
5. Family And Social Support	6
6. Neighborhood	8
7. Substance Use	13

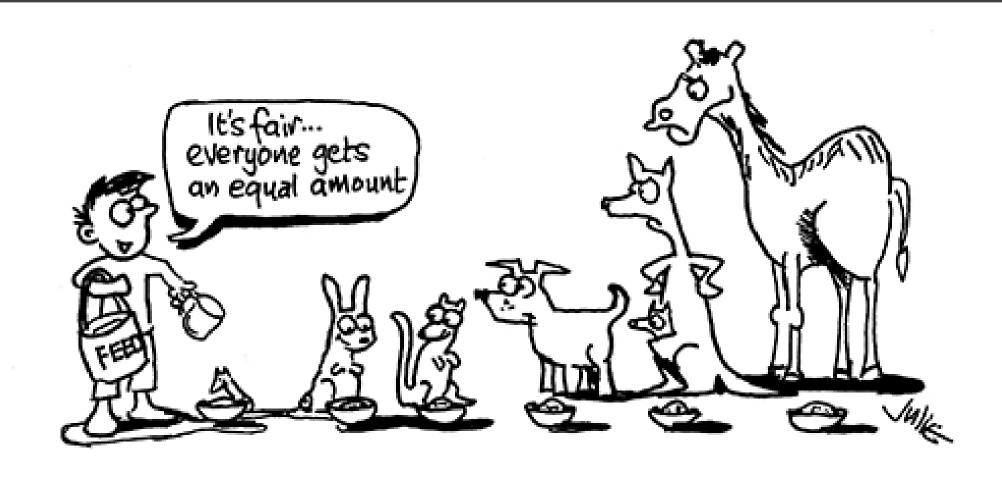
Pay attention to the score in each domain to build individualized case plans

Lessons Learned:

- Take time to plan
- Educate team members
- Develop supervision expectations specific to each track
- Develop treatment expectations specific to each track
 - Identify treatment modalities specific to each track
- Revisit expectations with team members



Individualized Justice Response Better Outcomes





AFTER

Stronger team

Energized to continue striving toward providing services that match participant needs



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- Hon. Richard Vlavianos
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- Shannon Carey, Ph.D.
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