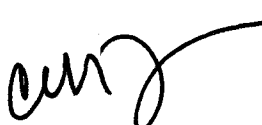




DISTRICT OF COLUMBIA
COURT SERVICES AND OFFENDER SUPERVISION AGENCY &
PRETRIAL SERVICES AGENCY
RESEARCH REVIEW BOARD

MEMORANDUM

DATE: August 21, 2002
TO: Susan Shaffer
CC: Paul Quander
FROM: Claire Johnson 
RE: Study of Estimates of Drug Court Recidivism Rates

The Research Review Board (RRB) has reviewed the research proposal submitted by John Roman of The Urban Institute to include the District in a national study of estimates of drug court recidivism rates. Our recommendation is for PSA to support the study, with conditions, and the statement supporting this is attached.

Please indicate your acceptance or non-acceptance of this recommendation by August 28, 2002, so that we may inform the researchers of the outcome of our review.

If you have any questions, please feel free to contact me at 202-220-5553 or Claire.Johnson@csosa.gov.

Thank you.

Enclosures: Research Proposal
RRB Recommendation Statement

Approved
JWS
8/21/02

Research Review Board

Janice Bergin, Director of Operations, PSA • Calvin Johnson, Director of Research and Evaluation, CSOSA • Claire Johnson, Director of Community Justice Programs, PSA • Carolyn Peake, Senior Program Analyst, Planning, Analysis and Evaluation, PSA • George Pruden, General Counsel • Thomas Williams, Director of Community Supervision Services, CSOSA



**DISTRICT OF COLUMBIA
COURT SERVICES AND OFFENDER SUPERVISION AGENCY &
PRETRIAL SERVICES AGENCY
RESEARCH REVIEW BOARD**

RECOMMENDATION STATEMENT

I. RESEARCH PROPOSAL SUMMARY

Investigator(s): John Roman and Wendy Townsend

Title: Estimates of Drug Court Recidivism Rates

Institutions: The Urban Institute, Washington, DC, (Roman) and Caliber Associates, Fairfax, VA (Townsend)

Type of Data: Archival information in Agency offender/defendant records that does not reveal the identity of individual subjects

Subjects: Defendants - Sample of 40 DC Drug Court graduates from the first 80 post-1999 graduates

Description: The proposed project is part of a national evaluation that involves estimating the recidivism rate for a sample of post-1999 drug court graduates. Researchers from Caliber and Associates and the Urban Institute have already begun the process of implementing this study with the other 110 funded/previously funded drug court sites. The researchers will select a sample of 40 DC drug court graduates from the first 80 post-1999 graduates. Identifying information from each sampled graduate will be sent to NCIC to retrieve criminal history data. Researchers will then use this information to estimate the rate of recidivism among the national drug court sample.

II. RECOMMENDATION

The RRB recommendation for this study:

Support

Support with Conditions

Do Not Support

Conditions include the following:

- Researchers must submit a supplement detailing how the transfer of data will be conducted; and
- Researchers must provide a statement indicating that the definition for rearrest will be explicitly stated in the report of findings.

**CSOSA/PSA RESEARCH REVIEW BOARD
RECOMMENDATIONS STATEMENT**

- Researcher must provide a list of the identifying information that is required for the sample subjects.

III. SUPPORTING INFORMATION

The proposed study is compliant with Federal regulations regarding the protection of human subjects as certified by the Urban Institute Institutional Review Board (Federal Assurance #0189) on June 10, 2002.

The proposed research shows no evidence of non-compliance with Agency policies pertaining to research.

The proposed research is consistent with Agency priorities and/or interests as follows:

- Data generated by this research will be useful to PSA given that the Agency has not conducted long-term rearrest/recidivism studies of Drug Court graduates.

Outstanding questions, issues or concerns about the proposed study include:

- Agency-specific protocols for handling data from criminal justice records are inconsistent. The Caliber protocol states that data sets will be sent to Urban without "any personal identifying information. Instead, a random assigned graduate identification code...will be created." The Urban protocol states that data files will be delivered [from Caliber] and "a copy of the files will be created and personal identifiers will be removed from copies and replaced by the Research ID."
- The researchers' definition of rearrest/recidivism is different from the Agency's and not stated thoroughly enough in the proposal (e.g., Does it include no papered or dismissed cases? Does a rearrest have to result in a conviction? Does it include bench warrants for which there are no new charges? Does it include traffic cases and regulatory charges?) It is critical that the definition is stated explicitly in the study findings in order to have a clear context for interpreting drug court success.
- The demographic information that is readily available from PSA includes the defendant's name, date of birth, race, sex and PDID. In order for NCIC record checks to be conducted, the researcher will need additional identifying information (e.g., social security number). PSA is able to provide limited staff support to obtain the additional information and will have to schedule this according to staff availability.

**Research Proposal Submission for Non-Agency Research
to the District of Columbia**

Caliber Associates and its subcontractor, The Urban Institute, are conducting a study entitled *Estimate of Drug Court Recidivism Rates* on behalf of the National Institute of Justice (NIJ) and the Drug Court Program Office (DCPO). The purpose of this study is to assess the impact of drug courts by generating national estimates of drug court recidivism rates. We are requesting that the District of Columbia Adult Drug Court participate in this study and provide us with information on the first eighty drug court graduates after January 1, 1999. Per the requirements of the District of Columbia's Court Services and Offender Supervision Agency Research Review Board, we are submitting this research proposal to obtain permission to conduct this non-agency research.

1. Summary Statement

a) Names and current affiliations of the researchers:

Caliber Associates
10530 Rosehaven Street, Suite 400
Fairfax, VA 22030

Wendy Townsend
Co-Principal Investigator
703-219-4329

Stacey Sexton
Research Assistant
703-219-4338

The Urban Institute
2100 M Street, NW
Washington, DC 20037

John Roman
Co-Principal Investigator
202-261-5774

fax 659-8985

- b) **Study Title:** Estimates of Drug Court Recidivism Rates
- c) **Purpose:** To assess the impact of drug courts by generating a national estimate of drug court recidivism rates.
- d) **Location:** The study is being conducted nationwide with a stratified sample of DCPO-funded drug courts.
- e) **Duration:** The study is expected to last six months, however, the amount of involvement requested by the D.C. Adult Drug Court should not surpass the equivalent of two days time.
- f) **Research Methods to be Employed:** We are sampling a total of 110 drug courts nationwide to obtain names and identifying information for a total of approximately 1,500 drug court graduates. For these graduates, we will obtain recidivism data from the FBI's NCIC database.

From the DC Drug Court, we are requesting the names and identifying information on the first 80 individuals who graduated from the D.C. Drug Court after January 1, 1999.

- g) **Same Size Required and/or Time Frame for Sample Collection:** See above for sample size required. We expect the study to be completed by November 2002; we would like to obtain data from the D.C. Drug Court by August 15, 2002.
- h) **Number of Agency Staff Needed to Support this Study:** We estimate that one staff person should be able to complete our request in a matter of hours.
- i) **Indication of Risk or Discomfort to Subjects:** We will not have any direct contact with subjects. We will have access to their criminal records; however, we strictly follow measures for 42 CFR and have obtained approval from the Urban Institute's IRB to conduct this study.
- j) **Anticipated Results:** We expect to estimate a drug court recidivism for graduates of drug courts.
- k) **List of Deliverables:** A final report will be delivered to the National Institute of Justice.

2. Detailed Statement

- a) **Review of Related Literature:** Reported rates of recidivism from extant drug courts vary widely as do those reported by individual drug courts, contributing to a debate over the effectiveness of drug courts. Differences in reported rates of recidivism may be attributable to methodological differences including sample inclusiveness, criminal records, definitions of recidivism, and variations in the period over which recidivism is measured. In addition, drug courts can, independently of methodology, be expected to have quite different recidivism rates resulting from the policies and practices adopted by the court. Still other variation in recidivism rates may be related to drug court characteristics, such as size, duration, and location. There is a significant need to eliminate differences in estimates of recidivism across drug courts by adopting a common methodology.
- b) **Detailed Description of the Research Method:** We plan to generate recidivism rates based on criminal records following drug court graduation. A sample of 116 DCPO funded (or previously funded) drug courts was identified, and these courts were contacted by telephone and mail to obtain data on court characteristics and identifying information about graduates. Once graduate data is collected from all courts, data will

be submitted to the FBI in order to obtain NCIC data. We will analyze these data to determine an overall recidivism rate and generate a report that presents the findings.

- c) **Significance of Anticipated Results and Their Contribution to the Advancement of Knowledge:** This study will provide valuable information on the success of drug courts. It will be the first study of its kind to provide standardized data on drug court graduates recidivism.
- d) **Benefits of Research and/or Participation to CSOSA/PSA:** As an agency administering one of the larger drug courts in the country, CSOSA/PSA will have an opportunity to include its drug court graduates in an independent study of drug court effectiveness. Once completed, CSOSA/PSA will be able to access the results of the study and the studies methodology for use in future CSOSA/PSA evaluative efforts.
- e) **Specific Resources Required from the Agency:** We are requesting that CSOSA/PSA assign a staff person to provide us with identifying information on the first 80 graduates after January 1, 1999. Please see the attached document entitled “**Drug Court Graduates: First 80 after January 1, 1999**” for the types of information we need.
- f) **Description of All Possible Risks, Discomforts, and Benefits to Individual Subjects:** We will not have any direct contact with subjects. We will have access to their criminal records; however, we strictly follow measures for 42 CFR and have obtained approval from the Urban institute’s IRB to conduct this study.
- g) **Description of Steps Taken to Minimize Any Potential Risks or Discomforts:** We follow all requirements for 42 CFR. All staff participating in the study with access to graduate identifying information and/or criminal records have signed a confidentiality pledge adhering to the Privacy Act of 1974.
- h) **Description of Physical and/or Administrative Procedures to be Followed:** All data received either from the drug courts or from NCIC will be secured, including:
- Paper copies of completed questionnaires;
 - Computerized data files;
 - Computerized files that link research ID numbers to personal identifiers.

Data will be collected via telephone interviews or fax. A dedicated fax machine has been assigned to this project and is housed within Caliber’s principal investigator’s locked office. All data (in any form – hard copy,

diskette, cd, etc.) will be stored in a locked file, which can only be accessed approved staff.

All computerized data files will be password protected. The final data files will not include any personal identifying information. Instead, a random assigned graduate identification code, which does not contain any meaningful information that could potentially recreate personal identifiers, will be created.

Upon completion of a research project, data security will be protected by physical destruction of all copies of identifiable materials.

- i) **Description of Any Anticipated Effects of the Research Project on Agency Programs and Operations:** None.
- j) **Relevant research materials:** Please see attached documents.
- k) **Statement Indicating that Copies of All Deliverables Will Be Provided To CSOSA/PSA:** Once approval for release of the studies results is received from the Department of Justice, the study results will be sent to CSOSA/PSA.
- l) **Statement that Copies of Datasets Will Be Provided to CSOSA/PSA at the Conclusion of the Project:** Aggregated data will be available to CSOSA/PSA within the final project report, and additional aggregated data may be produced, upon request. No individual-level data will be publicly or privately available.