

**An Adult Recidivism Outcome Evaluation  
of  
North Dakota's Juvenile Drug Court**

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## Executive Summary

This report summarizes findings from an adult recidivism study of North Dakota's Juvenile Drug Court. Two drug courts were implemented in North Dakota in May of 2000. The sites chosen included the East Central Judicial District (Fargo) and the Northeast Central Judicial District (Grand Forks). A one-year juvenile recidivism study completed in 2001 showed that drug court participants recorded significantly fewer juvenile referrals than a group of substance abusing juveniles not participating in drug court. This evaluation examines whether similar patterns surface four years later when the majority of these juveniles had reached the age of majority. Separate analyses were undertaken for the two courts because there were, and continue to be marked differences in the manner in which the two drug courts were implemented and there are modest differences between the two courts regarding the characteristics of participants.

By July 31, 2004, 133 of the original juvenile drug court participants and comparison group subjects had reached the age of at least 17. The comparison group included juveniles who met criteria for admission to drug court and resembled the drug court participants in terms of court history and relevant background characteristics. The average age of these individuals by July 31, 2004 was 19.5 years. Among drug court participants (N = 90), 44 (49%) completed the objectives of drug court and graduated, 46 (51%) were dismissed from drug court for either non-compliance with program objectives or reached their 18<sup>th</sup> birthday prior to completing drug court.

Subjects were tracked using three sources: (1) the North Dakota State Court Data Warehouse; (2) the Fargo Police Department computer tracking system, and (3) the state's AS400 computer software. Multiple methods were employed in order to avoid missing cases and to allow for cross-records checking. Recidivism measures included: (1) any arrest as an adult for a Class A misdemeanor or higher; (2) any arrest as an adult for a substance use related offense; (3) any conviction as an adult for a Class A misdemeanor or higher, and (4) any conviction as an adult for a felony.

The highest recidivism rate among the six groups (two courts x three groups) in the study was recorded by drug court graduates in the East Central Judicial District (EC). The lowest recidivism rate was recorded by graduates from the Northeast Central Judicial District (NEC). Overall, terminated participants had higher recidivism rates than subjects from the comparison group.

The data suggest that there are two interpretations why drug court graduates in the EC court had higher recidivism in adulthood: (1) that the length of stay in the EC drug court was too brief at 7.8 months, compared to the NEC graduates where the length of stay was 11.1 months and (2) that juveniles are being admitted too late to the EC drug court. Other differences between the courts were not associated with adult recidivism.

## **Introduction**

### **Background**

In May of 2000 a juvenile drug court (JDC) was implemented in the East Central Judicial District (hereafter EC) and Northeast Central Judicial District (hereafter NEC). The planning effort began with a statewide Juvenile Drug Court Study Committee in the fall of 1998, commissioned by the Juvenile Justice Policy Board. This committee was chaired by Justice Mary Muehlen Maring and consisted of representatives from juvenile court, law enforcement, the Department of Public Instruction, the Department of Human Services, the Division of Juvenile Services, the Department of Corrections, and the Turtle Mountain Adult and Juvenile Drug Courts.

The Study Committee recommended that a juvenile drug court be planned and implemented in North Dakota. Following this recommendation, the North Dakota Supreme Court applied for and received a planning grant from the Office of Justice, Drug Courts Program Office. This grant facilitated training for a juvenile drug court team. This second planning and implementation team was comprised of representatives from the schools, juvenile court, treatment agencies, the state court administrator's office, academia, the judiciary, public defenders office, and the state's attorney's office. A project coordinator assisted Justice Maring in coordinating the meetings and workshops for the drug court planning committee. Planning team members attended a number of federally planned and sponsored workshops throughout the year in order to properly implement the juvenile drug court. In addition, staff from both judicial districts observed and interacted with a mentor court in Las Cruces, New Mexico in February of 2001.

On May 1, 2000, the first juveniles appeared in drug court. In the EC Judicial District, participation in drug court was initially voluntary. After receiving participation refusals from at least half of all eligible juveniles, the EC district began court-ordering juveniles into the program in February of 2001. In the NEC Judicial District, juveniles were court-ordered into the program. In both judicial districts, the drug court process/model was explained to each juvenile and his/her guardian(s). Juveniles participating in drug court signed a juvenile drug court contract, a consent for disclosure of confidential substance abuse information, and a confidentiality notification of alcohol and drug abuse patient records agreement.

One of the chief goals of juvenile drug court is to facilitate an offense-free lifestyle for juveniles. To assess this outcome, a recidivism report was released in June of 2001 comparing recidivism rates between juvenile drug court participants and a comparison group of substance abusing juveniles not participating in drug court. This report revealed that drug court participants had significantly lower juvenile recidivism rates than non-participants, controlling for small differences between the groups.

Because drug court should yield sustained recidivism effects, a four year follow-up study was initiated to determine if drug court participants continued to maintain an offense-free lifestyle in adulthood relative to the comparison group. This study addresses whether juveniles participating in juvenile drug court recorded fewer arrests and

convictions as adults relative to a comparison group of substance abusing juveniles who did not participate in juvenile drug court during the same time period.

### **Structure of the North Dakota Juvenile Drug Court**

The JDC was structured similarly to other JDC models. The JDC team was composed of a judge, treatment provider, school representative, probation officer, Drug Court Coordinator, defense counsel, law enforcement representative, and states' attorney.

In the EC court, three paths were established to allow juveniles to progress after meeting certain JDC requirement criteria. It was estimated that a juvenile meeting all JDC requirements could graduate from drug court after roughly 6-9 months. The NEC district required participants to move through four paths, spending roughly 7-10 months in drug court after meeting all criteria for graduation. Sanctions and incentives were established to motivate juveniles. Each path carried different expectations.

Juveniles were required to attend school while school was in session or complete summer school requirements. Juveniles who dropped out of school were encouraged by the judge to pursue a GED. Those who had dropped out were required to discuss their employment progress with the judge. Juveniles were required to undergo random drug/alcohol screens and maintain contact 1-2 times per week with their probation officer. Community service was ordered as part of participation in drug court. Finally, JDC participants were required to meet with treatment providers to establish and follow a treatment plan (e.g., individual therapy).

It was decided that the JDC staff would hold weekly meetings to staff JDC cases. At staffing, new cases were scrutinized and discussed and established cases reviewed. Review hearings were then held immediately following staffing.

Both courts maintained a drug court coordinator whose chief task involved information processing. The coordinators were responsible for providing the drug court teams with sufficient information regarding the progress of drug court participants. In so doing, they were responsible for maintaining adequate files and ensuring that proper services were rendered to participants.

### **Selection Process/Criteria**

The JDC planning team established eligibility criteria for drug court (targeting). These guidelines are consistent with those recommended by federal authorities. In order to be eligible for drug court, juveniles had to meet the criteria below:

1. Referring offense may be either drug or non-drug related.
2. Juvenile must be between the ages of 13 and 17.
3. No prior violent felony level adjudications or pending petitions alleging violent felony level delinquent acts.
4. No dangerous anti-social behavior as determined by the Juvenile Drug team.

5. No previous referral to JDC.
6. No prior or pending charges of selling and/or manufacturing controlled substances.
7. Admission to the offense and/or a court order to the program.
8. An assessment must be completed indicating a drug and/or alcohol abuse problem.
9. The JDC team has some flexibility as to who is eligible depending on their age, drug and/or alcohol history and nature of their prior convictions, to enter the JDC program.

JDC is a post petition/post adjudication program with the option of dismissing the charges in the petition after the participant successfully completes the JDC program.

### **Research Design**

A quasi-experimental design was chosen to examine adult recidivism differences. JDC participants comprised the experimental group. A comparison group was used in the juvenile recidivism study to assess whether drug court was more effective than standard probation and treatment. This group included a court simultaneous group of substance abusing juveniles referred to the South Central Judicial District (SC) and the East Central Judicial District. The SC juvenile court consented to participate in the project as part of the research evaluation. In so doing, the evaluator requested a court order from the district judge and was allowed access to juvenile court files. A copy of the JDC selection criteria was forwarded to the SC staff and described to them. Court services officers then selected juveniles for inclusion in the comparison group who met JDC eligibility criteria. These files were reviewed by the evaluator to determine whether or not these juveniles met drug court eligibility criteria. Several juveniles initially selected for inclusion were eliminated because they did not meet these criteria. Because the EC District Drug Court was initially voluntary, a number of juveniles opted not to participate in the program who met JDC eligibility criteria. These juveniles were included as part of the comparison group with the SC district juveniles. A total of 43 juveniles were then tracked as part of the comparison group in both judicial districts.

Subjects were tracked using three sources: (1) the North Dakota State Court Data Warehouse; (2) the Fargo Police Department computer tracking system, and (3) the state's AS400 computer software. Multiple methods were employed in order to avoid missing cases and to allow for cross-records checking. Four recidivism measures were employed. These included (1) any arrest as an adult resulting in a charge classified as a Class A misdemeanor or higher, (2) any conviction for a Class A misdemeanor, (3) any arrest as an adult for a substance use charge, and (4) any felony conviction as an adult. The North Dakota Century Code was consulted to determine the classification of the charge (felony vs. misdemeanor). The substance use charges included any class B misdemeanor charge or higher involving alcohol or a controlled substance.

Recidivism analysis of the drug courts was conducted separately for the EC and NEC courts because the structure and process of the two courts differed. These differences included the following: (1) at its inception, the NEC court required juveniles

to participate in drug court while participation in the EC court was initially voluntary, (2) the NEC court drug tested juveniles more frequently, (3) the NEC court included larger numbers of subjects who were enrolled in school, (4) The NEC court required participants to complete four paths rather than the three mandated by the EC court, and (5) the NEC court kept graduates much longer in drug court (11.1 months vs. 7.8 months).

### **Characteristics of Study Subjects – East Central Judicial District**

Table 1 describes the characteristics of study subjects for the East Central District and comparison group. Subjects were included in the study if they had reached their 17<sup>th</sup> birthday by July 31, 2004. In North Dakota, 17 year olds can be arrested for and charged with crimes at the discretion of the county attorney. Hence, we included all subjects for scrutiny if they were over the age of 17. A total of 45 subjects formed the experimental (drug court) group and 43 subjects comprised the comparison group. Twenty subjects graduated from drug court as a result of completing program objectives. Twenty-five subjects were dismissed from drug court due to non-compliance with program objectives. Several of these juveniles were dismissed from drug court upon failing to complete program objectives by their 18<sup>th</sup> birthday.

Overall, the study subjects were mostly male, Caucasian, lived with both parents, and were about 14 years of age when first referred to court. The bulk of these referral charges stemmed from substance use violations involving minor in possession/consumption, DUI, and controlled substance violations, although referrals were also somewhat common for criminal mischief, vandalism, and shoplifting. Participants were almost 17 years of age when admitted to drug court and averaged more than five referrals at the time they were admitted to drug court. The majority of all subjects were in school at the time they were admitted to drug court. A majority of subjects met criteria for dual diagnosis, meaning that they had a clinically diagnosed mental health disorder in addition to their substance abuse disorder.

Overall, the two drug court groups (graduates, terminated) differed slightly on two characteristics. One difference surfacing was in the proportion of participants who reported being enrolled in school at the time of drug court entry. Only 60% of the terminated group reported being enrolled compared to 90% of graduates. The terminated group also differed from the graduates by indicating a higher number of positive mental health diagnoses (90%) in this group relative to graduates (59%). Both of these factors could have contributed to their higher likelihood of failing to complete the drug court program.

In examining the comparison group we see that this group consisted of a higher proportion of females relative to the two drug court groups. The comparison group also averaged fewer referrals (mean = 4.1) than both drug court groups (means = 5.6, 5.9) but also were referred at an earlier age (13.9) than the drug court groups (14.2, 14.7).

**Table 1. Characteristics of East Central Study Subjects<sup>a</sup>**

	<i>EC Graduates</i>	<i>EC Terminated</i>	<i>Comparison Group</i>
Number	20	25	43
Gender			
Male	15 (75%)	21 (84%)	25 (58%)
Female	5 (25%)	4 (16%)	18 (42%)
Ethnicity			
Caucasian	19 (95%)	22 (88%)	35 (90%)
Ethnic Minority	1 (5%)	3 (12%)	4 (10%)
Average age at time of study (July 31, 2004)	19.6	19.7	20.3
Average age first referred to juvenile court	14.7	14.2	13.9
Average age admitted to Drug Court	16.9	16.9	N/A
Years between first referral and drug court	2.2	2.7	N/A
Family Living Arrangement			
Both parents	7 (37%)	7 (29%)	17 (43%)
One parent	12 (63%)	17 (71%)	23 (57%)
Average number of juvenile referrals	5.9	5.6	4.1
In School at time of drug court			
Yes	18 (90%)	15 (60%)	19 (86%)
No	2 (10%)	10 (40%)	3 (14%)
Mental Health Diagnosis			
Yes	10 (59%)	19 (90%)	N/A
No	7 (41%)	2 (10%)	
Amount of Time Spent in Drug Court (in months)	7.8	8.0	N/A

<sup>a</sup> Some cells may not add up to the N for the group due to missing values.  
N/A = Not applicable because of comparison group

## **Characteristics of Study Subjects – Northeast Central Judicial District**

Study subjects were mostly male, Caucasian, lived with both parents, and were about 14 years of age when first referred to court. Again, most referral charges stemmed from substance use violations involving minor in possession/consumption, DUI, and controlled substance violations, although referrals were also somewhat common for criminal mischief, vandalism, and shoplifting. Participants were almost 16 ½ years of age when admitted to drug court and averaged more than five referrals at the time they were admitted to drug court. The majority of all subjects were in school at the time they were admitted to drug court. A majority of subjects met criteria for dual diagnosis.

Table 2 shows the relevant comparisons for the Northeast Central Judicial District. The Northeast Central District drug court groups (graduates and terminated) differed on several dimensions. First, terminated participants were more likely to be ethnic minority (38% vs. 25%). There were also important differences between the two groups regarding family structure with the majority (69%) of graduates living with both parents while the majority (71%) of terminated youth lived with one parent. Terminated participants also exhibited a lengthier court history prior to being admitted to drug court (5.9 referrals vs. 4.7).

Comparing the drug court subjects with the comparison group reveals that the comparison group was more heavily female (42% vs. 24% & 29%), were referred at an earlier age to court (13.9 vs. 14.2 & 14.6), averaged fewer prior referrals (4.1 vs. 5.9 & 4.7), and were more likely than the terminated group to reside with both parents (43% vs. 29%).



**Table 2. Characteristics of Northeast Central Study Subjects<sup>a</sup>**

	<i>NEC Graduates</i>	<i>NEC Terminated</i>	<i>Comparison Group</i>
Number	24	21	43
Gender			
Male	17 (71%)	16 (76%)	25 (58%)
Female	7 (29%)	5 (24%)	18 (42%)
Ethnicity			
Caucasian	18 (75%)	13 (62%)	35 (90%)
Ethnic Minority	6 (25%)	8 (38%)	4 (10%)
Average age at time of study (July 31, 2004)	19.8	19.6	20.3
Average age first referred to juvenile court	14.6	14.2	13.9
Average age admitted to Drug Court	16.6	16.5	N/A
Years between first referral and drug court	2	2.3	N/A
Family Living Arrangement			
Both parents	15 (68%)	5 (29%)	17 (43%)
One parent	7 (32%)	12 (71%)	23 (57%)
Average number of juvenile referrals	4.7	5.9	4.1
In School at time of drug court			
Yes	21 (88%)	20 (95%)	19 (86%)
No	3 (12%)	1 (5%)	3 (14%)
Mental Health Diagnosis			
Yes	8 (40%)	11 (58%)	N/A
No	12 (60%)	8 (42%)	
Amount of Time Spent in Drug Court (in months)	11.1	7.4	N/A

<sup>a</sup> Some cells may not add up to the N for the group due to missing values.  
N/A = Not applicable because of comparison group

### **Correlates of Recidivism**

Table 3 displays the bi-variate correlations between subject characteristics and Class A misdemeanor conviction. The left side of the Table displays the correlates that are significant and the right side lists the correlates that are not significant. Ten correlates were examined based on literature that would predict that these factors might be associated with adult recidivism. Overall, four correlates were significant: these included

gender, age at time of admittance to drug court (for drug court participants only), current age, and age of first referral. Specifically, being male, beginning drug court at a later age, being older at the time of the study, and being referred to juvenile court at a *later* age was associated with being convicted of a Class A misdemeanor as an adult. This meant that school status, dual diagnosis status, ethnic/racial classification, family living arrangement, prior referrals, and juvenile recidivism after being admitted to drug court were not significant correlates of adult recidivism.

**Table 3. Significant and Non-Significant Correlates of a Class A Misdemeanor Conviction in Adulthood.**

<b>Significant Correlates</b>	<b>Non-Significant Correlates</b>
<ul style="list-style-type: none"> <li>➤ <b>Gender</b> Males had a higher conviction rate than females</li> <li>➤ <b>Age at time of Drug Court Admittance</b> Older participants had a higher likelihood of recidivating</li> <li>➤ <b>Current Age</b> Older subjects had a higher likelihood of recidivating than Younger subjects</li> <li>➤ <b>Age at first juvenile referral</b> The older a juvenile was at first referral, the higher the likelihood of adult recidivism</li> </ul>	<ul style="list-style-type: none"> <li>➤ <b>Family Living Arrangement</b></li> <li>➤ <b>Racial/ethnic Status</b></li> <li>➤ <b>School Enrollment Status</b></li> <li>➤ <b>Dual Diagnosis Status</b></li> <li>➤ <b>Number of Juvenile Referrals</b></li> <li>➤ <b>Juvenile Recidivism following initial study (June 2001)</b></li> </ul>

**Recidivism Analysis by Judicial District**

This section examines recidivism rates for the EC and NEC drug courts and compares these rates to the comparison group. Table 4 reports the recidivism rates for the EC court and comparison group. In the EC district there were 20 graduates over the four year period of time. Of these participants, 12 or 60% were charged with an adult crime, classified as a Class A misdemeanor or higher. The terminated group in the EC district reported 13 out of 25, or 52% of subjects being charged with an adult crime. The lowest rate was recorded by the comparison group with 19 out of 43 (44%) subjects being charged with an adult crime. The patterns regarding the other three measures were somewhat similar with the drug court graduates recording a slightly higher recidivism rate than the terminated group for Class A misdemeanor convictions and substance use related charges. Overall, the comparison group recorded a lower recidivism rate than the other two groups. The difference involving the substance use related charges was

significant at the  $p < .05$  level, meaning that the lower recidivism rate for the comparison group was more than a chance occurrence.

**Table 4. East Central Judicial District**

	<i>EC Graduates (N=20)</i>	<i>EC Terminated (N=25)</i>	<i>Comparison Group (N=43)</i>
Arrested – Class A Misdemeanor or Higher	12 (60%)	13 (52%)	19 (44%)
Convicted of Class A Misdemeanor or Higher	8 (40%)	9 (36%)	8 (18%)
Convicted of Felony	2 (10%)	3 (12%)	3 (7%)
Charged w/ Substance Use Violation*	10 (50%)	12 (48%)	9 (21%)

\* Significant at  $p < .05$

Table 5 provides a recidivism comparison for the NEC groups relative to the comparison group. The NEC drug court graduates recorded an arrest recidivism rate of 21% (5/24). This rate was markedly lower than the rate for both the terminated NEC participants (52%) and the comparison group (44%). This difference was significant at the  $p < .10$  level. Similar patterns emerged for the other three measures with the largest difference being reported for substance use related charges. Only 12% of NEC graduates were arrested on substance use related charges as an adult compared to 38% and 21% for the terminated group and comparison group, respectively.

**Table 5. Northeast Central Judicial District**

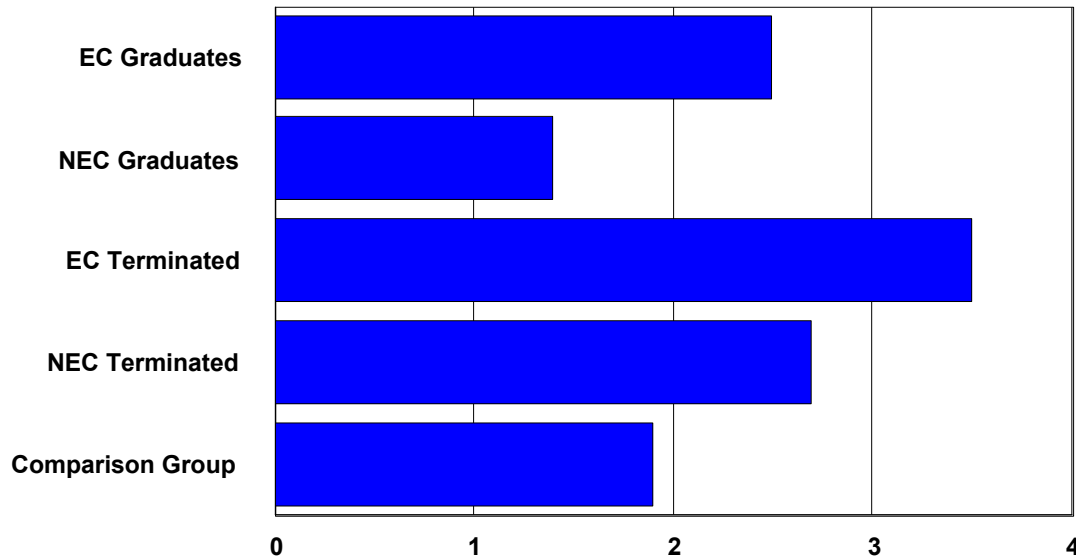
	<i>NEC Graduates (N=24)</i>	<i>NEC Terminated (N=21)</i>	<i>Comparison Group (N=43)</i>
Arrested – Class A Misdemeanor or Higher*	5 (21%)	11 (52%)	19 (44%)
Convicted of Class A Misdemeanor or Higher	4 (17%)	7 (33%)	8 (19%)
Convicted of Felony	1 (4%)	1 (5%)	3 (7%)
Charged w/ Substance Use Violation	3 (12%)	8 (38%)	9 (21%)

\* Marginally significant at  $p < .10$

Figure 1 shows the average number of arrests for each of the five groups. The table includes only those juveniles who were arrested as an adult. The fewest number of arrests among arrestees was recorded by NEC graduates who averaged 1.4 arrests per participant. This rate was followed by the comparison group at 1.9 arrests, EC graduates

at 2.5 arrests, NEC terminated participants at 2.7 arrests, and EC terminated participants at 3.5 arrests.

**Figure 1. Average Number of Adult Arrests per Participant (Arrested Subjects only).**



Overall, NEC graduates were much more likely than all participants to sustain an offense-free lifestyle in adulthood. The question is, why did NEC graduates fare so much better in adulthood in remaining free from arrest and conviction? One answer is revealed in Table 6. This table examines the correlations between length of stay in drug court and recidivism for both graduates and terminated participants for each of the four recidivism measures. The table shows that for drug court graduates, length of stay in drug court was significantly inversely related to recidivism. This means that the longer the court retained a drug court graduate, the lower the probability that juvenile would recidivate as an adult. The association was not significant for substance use related charges but the coefficient was in the same direction (negative). For the terminated group, the association between length of stay and recidivism was positive, but none of the coefficients were significant. Nevertheless, the direction of all the coefficients was the same, suggesting cautiously that retaining a terminated participant longer could actually increase their probability of recidivating.

**Table 6. Days spent in drug court and recidivism (correlation coefficients).**

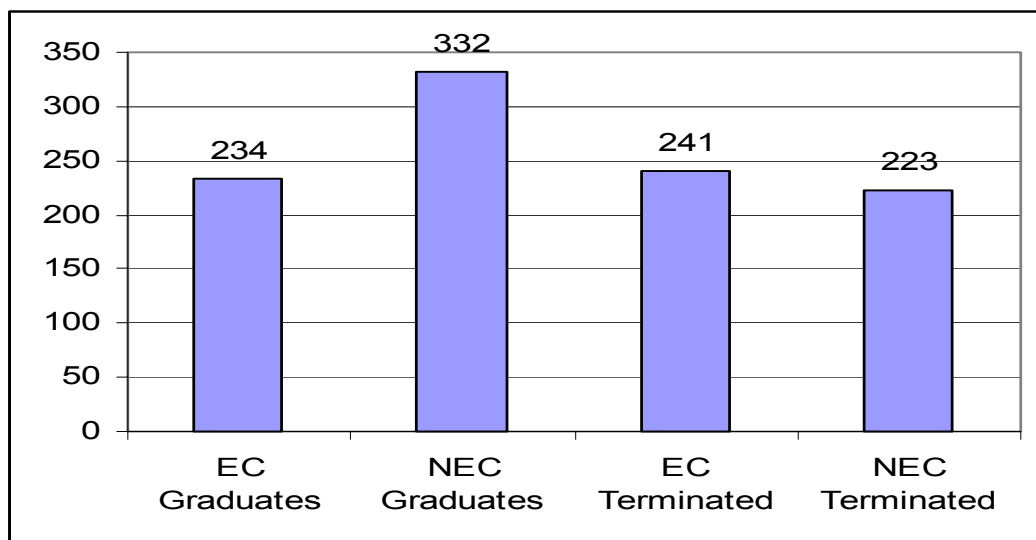
	<i>Drug Court Graduates</i>	<i>Terminated Group</i>
Arrested – Class A Misdemeanor or Higher	-.394**	.039
Convicted of Class A Misdemeanor or Higher	-.213*	.133
Convicted of Felony	-.371**	.141
Charged w/ Substance Use Violation	-.071	.038

\* Significant at  $p < .10$

\*\* Significant at  $p < .05$

Figure 2 displays the average length of stay in drug court for each of the four groups. Clearly, NEC graduates are spending much more time under the auspices of drug court than any of the other three groups. On average, NEC graduates were retained in drug court for 11.1 months compared to 7.8 months for EC graduates. Given the previous correlation between length of stay and recidivism, this could perhaps be one of the reasons why NEC graduates had lower rates of recidivism than EC graduates. This could signal that the EC court is simply releasing participants prematurely. Once these graduates are released, they are not ready to live an offense-free lifestyle because they continue to lack the requisite cognitive and emotional skills to avoid re-offending. Regrettably, we do not know how frequently these graduates continue to use and abuse chemicals but based upon the high rate of substance use violations recorded by EC graduates and terminated participants (Table 3), we can speculate that a large number of them have sustained a chemical abusing lifestyle upon reaching adulthood.

**Figure 2. Average Number of Days Spent in Drug Court by Location**



The only other characteristic that visibly differed between the courts was the average age at which participants commenced drug court. On average, NEC participants commenced drug court about four months (16.5 years) earlier than EC participants (16.9 years). Given that being older at drug court entry was highly associated with all four measures of recidivism, this could help account for the lower recidivism rates among NEC graduates and the lower rate among terminated NEC vs. EC participants for substance use arrests and felony convictions. While to some, this four month difference may seem trivial, it is not when considering that adolescent criminality begins to skyrocket around the 15<sup>th</sup>-17<sup>th</sup> years. Consequently, the earlier that criminality-prone juveniles are thrust into a treatment program, the easier it is to prevent future criminality.

We do not believe that we can ascribe recidivism differences between the two courts to other characteristics of participants that varied between the courts since none of these factors was related to recidivism. For instance, the EC court admitted a higher proportion of juveniles who were not in school at the time of admission but school status was not a significant correlate of recidivism. By the same token, the NEC court recorded a higher percent of juveniles who were residing with just one parent but this factor also was not correlated with recidivism. Consequently, we must settle on the conclusion that the adult recidivism differences between graduates of the two courts was due to two factors: a longer length of stay in drug court and earlier referral to drug court.

### **Summary and Recommendations**

Juvenile drug courts were established because substance abusing juveniles who have experiences with the juvenile justice system have a difficult time in adjusting to conventional lifestyles in adolescence and adulthood. Drug court is supposed to provide juveniles with the necessary tools to lead a chemical free life, to forge stronger community bonds, to establish relationships with caring adults, to enhance school achievement, and to modify a negative identity. Accumulating this social capital should move juveniles away from an offending way of life once they reach adulthood.

The chief question we ask in this report is whether juvenile drug court can facilitate an offense-free lifestyle for participants when they reach adulthood. The data suggest that the answer to this question is a qualified “yes.” Results show that the NEC drug court has been effective in reducing the probability that juvenile drug court graduates will re-offend as adults. Overall, graduates from the NEC court recidivated at a lower rate, recorded fewer felony convictions, were less likely to be brought up on substance use related charges, and recorded a lower mean number of offenses than NEC terminated participants, graduates and terminated participants from the EC court, and subjects from the comparison group.

Terminated participants from both courts seemed to fare more poorly than the comparison group in terms of these recidivism measures. Nevertheless, one of the chief reasons why these juveniles were terminated from the program was because of repeated failure to comply with program objectives – a symptom that apparently carries baggage into adulthood. We do know that juveniles who fail to complete drug court are likely to

reside with one parent, be referred to court an earlier age, be less likely enrolled in school, and be diagnosed with a mental health disorder. However, these factors were not associated with recidivism in this study. Because drug court is often viewed as a program of last resort, these juveniles are frequently admitted to drug court under the guise that the drug court team can “rescue” them from a life of chemical abuse and offending. These data suggests that it may be important to identify and screen these juveniles earlier so that they are not as deep-ended by the time they commence the drug court program.

The initial interpretation of data from the EC juvenile drug court is that the court may not effectively deter juveniles from engaging in crime once they reach adulthood. The EC court can correct this concern by admitting juveniles earlier to drug court and lengthening their stay in drug court once they are admitted. A reasonable recommendation would be to target substance abusing juveniles for admittance between 15 ½ and 16 ½ years of age and extending the drug court process by at least three months. In addition, neither court has developed a strong plan of attack to provide aftercare treatment and mentoring for drug court participants. Aftercare has been a component lacking from the juvenile drug court from its inception. The drug court teams have recognized this weakness and have attempted to strategize to come up with a plan to more effectively provide follow-up treatment for drug court juveniles. These data suggest that a plan should be developed soon. A third recommendation would be to consider transitioning juveniles into adult drug court once they leave the juvenile drug court program. It is not clear how this might work for juveniles who are terminated from the drug court program but there is certainly evidence to develop some kind of treatment plan for this high recidivism group.

There are a few limitations regarding this data. First, if a subject has moved to another state, they would be less likely to have an opportunity to appear in the North Dakota arrest data base. For instance, it may be that a significant minority of subjects have moved out of state. These individuals could continue to offend but appear in the arrest data base in a different state. Second, we relied heavily on both local and statewide computer software systems to provide us with reliable and accurate counts of arrests. Any errors in inputting would hopefully be random, meaning that errors would not systematically bias the data in one direction. Nevertheless, with small counts such as these, a few minor inputting errors could significantly modify the study findings.

Overall, these findings are disappointing for the EC court. Nevertheless, recognition of some of the factors why EC drug court juveniles are unable to remain offense-free in adulthood can go far toward reducing adult recidivism. This should at least include admitting juveniles to drug court at an earlier age, hanging on to them longer, and providing some aftercare programs for them once they leave the program.

