

**A Cost-Benefit Analysis of North Dakota's Juvenile Drug Court:  
Youth Correctional Center, Group Residential Facility,  
and Community Supervision Cost Savings\***

Kevin M. Thompson  
Department of Sociology  
North Dakota State University  
Fargo, ND 58105  
December 2002

“This project was supported by Award No. 810-04831 awarded by the Office of Juvenile Justice Delinquency Program, Office of Justice Programs, Award No. JAIBG(S)-022 by the Juvenile Accountability Incentive Block Grant funds and the Edward Byrne Memorial Foundation Grant.”

## **Executive Summary**

This evaluation examines the costs of administering a Juvenile Drug Court Program in North Dakota relative to placing a substance-abusing juvenile with the Division of Juvenile Services (DJS). Because drug court is conceptualized as a penultimate community program prior to transferring care, custody, and control to the Division of Juvenile Services, the costs of operating a juvenile drug court were compared with the costs of DJS placement. North Dakota's juvenile drug court costs were estimated from costs to administer drug court services to 20 substance abusing juveniles per court. This rate of \$14.73 per day was compared to cost estimates provided by the Division of Juvenile Services for placing a juvenile in (1) the North Dakota Youth Correctional Center, (2) out-of-home placement in a group residential facility, or (3) community supervision. Daily costs for each of these DJS placement options were estimated at \$120 per day, \$100 per day, and \$11 per day, respectively.

Data show that juvenile drug court provides a cost savings over placing a substance abusing juvenile at the North Dakota Youth Correctional Center or in a group residential facility. The net annual cost savings for 20 juveniles per court were estimated at \$400,260 and \$303,250 respectively, relative to the latter placement sites. Net cost savings to operate two juvenile drug courts in the state for two years were estimated at \$800,520 and \$606,500, respectively, relative to these two placement options. Drug court was more costly than aftercare community supervision by \$18,212 annually but this is largely due to the more extensive court and treatment services that drug court juveniles receive.

## **Introduction**

### **Background**

As a result of a year and-a-half planning process, a juvenile drug court (JDC) was implemented in the East Central Judicial District (hereafter EC) and Northeast Central Judicial District (hereafter NEC), beginning May 1, 2000. 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.

In October of 2000, a juvenile drug court process evaluation was completed, delineating strengths and weaknesses of the current model. This document contained a series of recommendations for fortifying the drug court process. Some of these recommendations were quickly implemented such as hiring a drug court coordinator for the EC district.

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

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

The JDC staff held weekly meetings to staff JDC cases. At staffing, new cases were scrutinized and discussed and existing cases were reviewed. Review hearings were then held immediately following staffing.

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

Juveniles can be dismissed from drug court due to non-compliance with program objectives. Dismissals can include a continuing pattern of drug use, being re-arrested following drug court admission, or exhibiting a repeated pattern of non-compliance with family and school obligations.

### **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 following criteria:

1. Referring offense may be either drug or non-drug related.
2. Juvenile must be between the ages of 14 and 18.
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.

### **Division of Juvenile Services**

The mission of the Division of Juvenile Services is to provide a continuum of services to juvenile delinquent and unruly youth in North Dakota. To accomplish this mission, DJS develops treatment and rehabilitation plans for each juvenile in the least restrictive environment that also assures the safety of the child and community. The Division operates eight regional offices. These offices are staffed by Juvenile Corrections Specialists who provide assessment, case management services, and community-based correctional services to juveniles and their families. In addition, the Division is responsible for the daily operation of the North Dakota Youth Correctional Center (NDYCC). The majority of youth residing at NDYCC are referred by DJS Corrections Specialists. Juveniles placed at NDYCC receive evaluations as well as treatment services.

DJS generally receives referrals from District Court as a result of a legal custody transfer stemming from a disposition. In cooperation with the Juvenile Courts, Department of Human Services, North Dakota Association of Counties, and the

Department of Public Instruction, DJS has available an array of placement options and programs for adjudicated juveniles. Generally, DJS receives notice from the Juvenile Court of an impending transfer of custody. A DJS corrections specialist then attends the disposition hearing. Each juvenile is then assessed and classified and an individual treatment and rehabilitation plan is developed. Parents/guardians are included in planning and placement phases. Based on the risk-assessment and treatment plan, the juvenile can receive placement at NDYCC, out-of-home placement in a group residential facility, or be placed under community supervision. Estimates provided by the Division of Juvenile Services show that NDYCC costs \$120.50 per day or roughly \$3,667 per month. A juvenile spending one year at NDYCC costs the state \$44,000. Out-of-home placement in a group residential facility is estimated to cost \$100 per day or roughly \$3000 per month. A juvenile spending one year in a group residential treatment facility costs the state \$36,000. Community supervision by a DJS corrections specialist is estimated to cost \$11 per day or roughly \$330 per month. A juvenile spending one year under DJS community supervision costs the state \$4,015.

### **Purpose of the Present Study**

This evaluation assesses the costs of operating a juvenile drug court relative to the costs of transferring care, custody and control of a substance abusing juvenile to DJS. Upon agreeing to legal custody, DJS can use one of the following placement options: (1) NDYCC, (2) a group residential treatment facility, or (3) community supervision. Out-of-home placement in a residential facility and community supervision are generally standard placement strategies for substance abusing youth who exhibit a fairly lengthy court history. NDYCC is employed less frequently as a placement option and is generally the treatment option of last resort.

Many of the juveniles admitted to drug court are on the cusp of coming under the care, custody, and control of the Division of Juvenile Services. Drug court represents

a last ditch effort to provide these youths with intensive treatment and accountability care to avert the possibility of more costly programming. And in fact, 14 of the 77 drug court juveniles were transferred to DJS as a result of non-compliance with drug court objectives during the period of this evaluation.

Participants in the study included 77 juveniles who were admitted to drug court during a period from May of 2000 to August of 2002. Juveniles must have spent a minimum of 3 months in drug court in order to be included in this study. Drug court costs were derived from estimates for administering services to substance abusing juveniles. These costs included court costs, treatment costs, supervision costs, evaluation costs, and costs associated with materials (drug testing kits). These costs were estimated at \$14.73 per day.

### **Description of Juvenile Drug Court Participants**

Table 1 presents a description of the 77 drug court participants tracked for this evaluation. Of the 77 drug court participants tracked during this period, 23 were current participants, 26 had completed drug court requirements and graduated from drug court, and 28 were dismissed from drug court due to non-compliance with program objectives. Three-fourths of the drug court participants were male and a little less than three-fourths were white. The average age of first referral (arrest) was around 14 years of age. Approximately two and a half years separated the first referral from drug court admission. As is evident, these juveniles had accumulated a fairly lengthy arrest history. On average, these juveniles had been arrested over five times prior to being admitted due to drug court. The bulk of these referrals were for substance abuse-related charges.



**Table 1. Characteristics of Juvenile Drug Court Participants.**

Gender	
Male	58 (75%)
Female	19 (25%)
Ethnicity	
White	57 (74%)
Ethnic Minority	20 (26%)
Average Age at first Referral	14.3
Average Age at time of drug court admission	16.7
Average amount of time between first referral and drug court	2.6 years
Average number of referrals per juvenile	5.3

**Juvenile Drug Court Costs**

Table 2 presents a description of the length of stay in juvenile drug court for these 77 juveniles. Juveniles spent an average of 219 days in drug court or roughly 7.3 months. Juveniles recorded anywhere from 42 to 547 days in drug court. These figures included juveniles dismissed from drug court due to non-compliance with program objectives as well as current participants and program graduates.

**Table 2. Juvenile Drug Court Length of Stay.**

<b># of Juveniles</b>	<b>Average # of Days in Drug Court</b>	<b>Range of Days</b>
77	219 (7.3 months)	42-547

Table 3 breaks down the costs of operating a juvenile drug court in North Dakota. At \$14.73 per day or \$442 per month it costs roughly \$3,226 per juvenile to operate a juvenile drug court in North Dakota (\$442 X average amount of time in drug court or 7.3 months). The current resources of the Fargo and Grand Forks drug courts suggest that the maximum number of juveniles per year that could be reasonably served by the drug court

team would be roughly 20 juveniles. Thus, the annual cost for operating a juvenile drug court was estimated at \$64,500. Costs to operate two courts were estimated at \$129,000.

**Table 3. Annual Estimated Costs of Operating a Juvenile Drug Court at 20 Juveniles per Court.**

<b>Cost per day Juvenile</b>	<b>Cost per Month Per Juvenile</b>	<b>Cost per Year per Juvenile</b>	<b>Total Annual Cost</b>	<b>Total Annual Cost for Two Courts</b>
\$14.73	\$442	\$3,226	\$64,500	\$129,000

**Division of Juvenile Services Costs**

Table 4 presents the costs of placing a substance abusing juvenile with the Division of Juvenile Services through either placement at the NDYCC, out-of-home placement at a group residential facility, or community supervision. This table further presents the gross and net cost savings of operating a juvenile drug court relative to DJS placement. Time frames were based on the time the average juvenile participated in the drug court program. Consequently, costs were estimated for 20 juveniles for 7.3 months. This is again the maximum effort/resource allocation that the drug court could absorb.

If instead of admitting these 20 juveniles to drug court, these juveniles were placed with the NDYCC for 7.3 months, we estimate annual gross costs at \$525,600 for 20 juveniles (A). Subtracting the annual cost of operating a drug court (B), this amounts to an annual gross cost savings of \$461,100 (C). The cost of placing 20 juveniles for 7.3 months in a group residential facility would run roughly \$438,000 annually. Subtracting the drug court annual cost from this estimate gives us a gross cost savings of roughly \$373,500. Finally, the cost of placing 20 juveniles on community supervision for 7.3 months through DJS would run \$48,180 annually. While this suggests that the cost of aftercare supervision with DJS is cheaper than drug court by \$16,320 annually, there are important qualitative differences between the two forms of care. Juveniles in DJS

aftercare do not appear weekly in front of a judge, are drug tested less frequently, may not be in treatment, and are not tracked by a research evaluator. Consequently, DJS costs for aftercare supervision are cheaper because juveniles are receiving fewer state services.

**Table 4. Estimated Costs of Placement with the Division of Juvenile Services.**

<b>DJS Placement</b>	<b>Cost per Month</b>	<b>Annual Cost for 20 Juveniles<sup>a</sup></b> <b>(A)</b>	<b>Annual Drug Court Costs</b> <b>(B)</b>	<b>Difference from Drug Court Costs</b> <b>(C)</b>	<b>Net Annual Drug Court Cost Savings</b> <b>(D)</b>
NDYCC	\$3,667	\$525,600	\$64,500	(\$461,100)	\$400,260
Group Residential Facility	\$3,000	\$438,000	\$64,500	(\$373,500)	\$303,250
Community Supervision	\$330	\$48,180	\$64,500	\$16,320	\$18,212

<sup>a</sup> This cost is pro-rated to estimate the cost of having 20 juveniles in DJS for 7.3 months.

During this tracking period, 14 drug court juveniles were dismissed from drug court and their care, custody, and control was transferred to the Division of Juvenile Services. Because these juveniles were no longer in drug court but were consuming DJS resources, it is prudent to subtract the costs in days spent with DJS from the gross cost savings estimated above to calculate the net cost savings of drug court. DJS representatives provided data regarding the length of stay for each of these juveniles. Over the two-year period, nine drug court juveniles served time at the NDYCC at an accumulated cost of \$121,680. Dividing this number by two to estimate annual costs gives us \$60,840. Subtracting this figure from the gross cost savings gives us an annual drug court net cost savings of \$400,260 relative to sending a juvenile to the NDYCC (D). Eleven of the fourteen drug court juveniles were placed in a group residential facility for a period of time following dismissal. This group accumulated \$140,500 in DJS costs as a result of out-of-home placement. Dividing this number by two (\$70,250)

to estimate annual costs and subtracting this estimate from the gross cost savings gives us a net drug court cost savings of \$303,250 (D). Finally, six juveniles were placed under DJS community supervision following removal from drug court. This group accumulated \$3,784 in community supervision costs. Dividing this number in half (\$1,892) and adding this figure to drug court B community supervision cost differences shows that costs of community supervision were cheaper by \$18,212 annually than drug court.

Because North Dakota has operated two juvenile drug courts over a period of more than two years, we can estimate the total net cost savings of drug court relative to these three placement options over this period of time. Compared to placement at the NDYCC, drug court produced a net cost savings of roughly \$800,520 over this period ( $\$525,600 \times 2 - \$129,000 \times 2 = \$800,520$ ). Compared to out-of-home placement at a group residential facility, drug court produced a net cost savings of roughly \$606,500 ( $\$438,000 \times 2 - \$129,000 \times 2 = \$606,500$ ). Compared to aftercare community supervision, drug court was more costly by \$28,856 ( $\$48,180 \times 2 - \$129,000 - \$3,784$ ).

### **Conclusions**

This study attempted to estimate the costs and costs savings associated with operating a juvenile drug court in North Dakota. Data show that it costs roughly \$64,500 per year to effectively operate a juvenile drug court. This estimate is based on court costs, costs of treatment, tracking and supervision costs, materials costs, and costs for evaluating the program. Because most drug court juveniles are on the cusp of having care, custody, and control transferred to the Division of Juvenile Services, we estimated the costs and cost savings of not placing these juveniles with DJS. If we were to place 20 drug court juveniles per year with DJS, the gross drug court cost savings respectively would be \$461,100 (NDYCC) and \$373,500 (group residential facility). Because some drug court juveniles came under the care, custody, and control of DJS during the study

period, we subtracted these costs from the gross cost savings. Relative to sending a juvenile to the NDYCC or out-of-home placement in a group residential facility, drug court produced an annual cost savings of \$400,260 and \$303,250 respectively. Our data show that drug court operations are slightly more costly than aftercare community supervision, but this is largely due to more intensive treatment, drug testing, and accountability resources consumed by drug court participants.

There are several limitations of this study. First, figures estimated during this study period are subject to change as cost and length of stay changes occur. Second, estimates could change if the characteristics of juveniles admitted to drug court change. For instance, if we were to dismiss a greater number of juveniles from drug court due to non-compliance with program objectives, this would entail transferring more cases to DJS and hence, reduce drug court net cost savings. Third, this report does not provide any estimates regarding benefits other than cost savings. An earlier report showed that drug court juveniles had a lower recidivism rate than juveniles undergoing standard treatment and probation. However, we do not know if drug court juveniles experience more program benefits than juveniles who come under the exclusive purview of DJS.