

**An Evaluation of
THE OAKLAND DRUG COURT AFTER THREE YEARS**

(Fast, Intensive, Report, Supervision and Treatment)

**A Drug Diversion Program of the
Oakland-Piedmont-Emeryville Municipal Court
and
the Alameda County Probation Department**

By

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INTRODUCTION: The Beginning of a Reality-Based Drug Court

The FIRST Diversion Program began in the Fall of 1990, but its genesis came earlier. While presiding over the Oakland Drug Court, I listened to hundreds of drug-using defendants request an opportunity to enter the Drug Diversion Program.

The existing Diversion system called for the defendant to report for a Diversion eligibility interview weeks after the initial court appearance and return to court 6 to 8 weeks later for the grant of Diversion. Over one third (1/3) would not return to court for their Diversion eligibility hearing. Though the demands of that program were minimal, three-quarters would fail that Diversion program.

I felt an increasing sense of frustration with the failure of the Diversion system to deal with the realities of drug addiction; that by failing to provide an immediate and highly structured drug rehabilitation program, the court was setting many drug-addicted defendants up for failure.

The FIRST Diversion Program grew out of those frustrations and is an attempt to deal with the psychological, physiological and behavioral realities of the drug-addicted defendant.

The project premise is that *immediate and intensive intervention after initial incarceration and release from custody create a significant opportunity for successful supervision and treatment of drug-using defendants.*

This project could not have been realized without the full partnership of the Oakland-Piedmont-Emeryville Municipal Court and the Alameda County Probation Department, nor without the full participation of the Alameda County Public Defender's Office and the District Attorney's Office.

I am indebted to the dedicated, innovative and hardworking people who make this program work.

Jeffrey S. Tauber

*Judge Tauber is the initiator of Oakland's Drug Court, the FIRST (Fast, Intensive, Report, Supervision and Treatment) Drug Diversion Program. The FIRST Drug Court Program is a collaborative effort of the Oakland Municipal Court and the Alameda County Probation Department, District Attorney's Office and Public Defender's Office.

The FIRST Diversion Program was presented with the 1992 Public Employees' Roundtable Award for Outstanding County-Run Public Service Program in the Nation." In 1993, the California Judicial Council presented Oakland's Drug Court with the Ralph G. Kleps Award for "Innovative Court Administration."

SHARED STATEMENT OF PURPOSE
of the Oakland-Piedmont-Emeryville Municipal Court
and the Alameda County Probation Department

Drug Diversion presents an extraordinary opportunity for successful intervention in a defendant's drug usage. Defendants are frequently new to the criminal justice system. This is often their first in-custody experience. They are frightened, upset, and worried about their future. In short they are in crisis. Out of that crisis comes our best (and perhaps last) opportunity for successful intervention. If we allow the immediacy of that crisis to fade, that opportunity may disappear.

By placing the defendant in comprehensive and intensive supervision, typically within one day of his or her release from custody, we believe we are giving the program and treatment the opportunity to take root and increasing the defendant's commitment to the Diversion process.

By recognizing that drug relapse and failure is often a part of the rehabilitation process and planning for it in the program, we believe we can keep the defendant's progress toward successful drug rehabilitation moving forward.

By responding to failures immediately and in a measured fashion we believe that we can gradually correct unacceptable behavior.

By responding to success similarly, we believe we can encourage compliance and successful drug rehabilitation.

By providing the defendant with a Diversion Contract that spells out the positive consequences of compliance and the negative consequences of non-compliance, we believe that we will help give the defendant control over his or her own rehabilitation program and ultimately make him or her a participant rather than a self-described victim of Diversion and the Criminal Justice System.

By communicating to the defendant, through educational and counseling groups, that recovery is possible and by teaching the keys to that recovery, we maximize the chance of each defendant succeeding.

And finally, by working closely with each other as partners in the development and administration of this program, we in the court and probation department, believe we can create a Diversion Program that maximizes the defendant's opportunity for successful drug rehabilitation.

THE F.I.R.S.T. COMPLIANCE STRATEGY

TWELVE FEATURES OF A REALITY-BASED DRUG REHABILITATION PROGRAM

Court-ordered drug rehabilitation programs suffer from the generally held belief that "nothing works" in the treatment of drug-using offenders. Too often that perception is based upon the experiences of court programs that do little to adapt to the realities of drug abuse (i.e., terminating an offenders participation upon the first sign of drug relapse.)

Successful court-ordered drug rehabilitation programs are based on an understanding of the physiological, psychological and behavioral realities of drug usage and are designed and implemented with those realities in mind. They recognize that drug abuse is a serious debilitating disease; that relapse and intermittent progress are a part of most successful drug rehabilitations; that as a drug addiction is not created overnight, it cannot be cured overnight; that a drug user is most vulnerable to successful intervention when he or she is in crisis (i.e., immediately after initial arrest and incarceration); that drug users are in denial and will do everything possible to avoid responsibility, make excuses for program failure, and evade the court and its programs.

The F.I.R.S.T. Diversion Program is an attempt to work with, rather than against, those realities. The F.I.R.S.T. Drug Diversion Program's reality-based design relies on the following features:

1. A DIVERSION PROGRAM

The California Diversion statute provides a powerful motivational tool for drug rehabilitation, offering the defendant the opportunity to work toward a complete dismissal of a felony drug charge.

Drug Rehabilitation is at best a difficult, demanding, and lengthy process. In order to motivate defendants to complete that process it is necessary to offer them substantial positive, as well as negative incentives to do so.

In California, Drug Diversion is statutorily mandated for eligible defendants (See Appendix A: California Penal Code §1000), diverting less serious offenders from the criminal justice system into a supervision and treatment program administered by the county probation department. If the defendant successfully completes the diversion program, criminal charges are dismissed and the offense (including the arrest) is erased for most practical purposes.

2. A UNIFIED DRUG COURT

The Oakland Drug Court provides direction and focus through the leadership of a single judge and permanent staff.

Such leadership insures consistency in judicial decision making and program implementation, coordination and accountability of participating agencies and staff, and cost-effectiveness through direct calendaring and efficient case management.

3. IMMEDIATE INTERVENTION

Recognizing that even the best drug rehabilitation program will be less than effective if intervention is delayed, diversion is typically granted within one day of the offender's release from custody.

Upon grant of diversion, the divertee (a defendant admitted into a diversion program) is ordered to go directly to the Probation Department (a 5-minute walk) for an immediate Diversion orientation session.

For the same reason, supervision and treatment are front-loaded to engage the participant early and often, giving the program and treatment the opportunity to take root. Over the first ten weeks, divertees are required to have a minimum of three contacts per week with the program staff.

4. A HANDS-ON APPROACH

By working closely together, in daily communication, the drug court judge court staff and dedicated probation officers are able to monitor each divertee's progress, as well as the programs overall effectiveness.

A divertee is ordered to report to a named probation officer immediately after the court's initial grant of diversion. That pattern continues over the course of diversion. Typically, the divertee's probation officer meets with the judge before court hearings to discuss the divertee's progress, appears in court with the divertee, and meets with the divertee immediately after the court hearing.

5. COORDINATED, COMPREHENSIVE SUPERVISION:

The drug offender is held accountable for his or her conduct through the implementation of a coordinated and comprehensive supervision plan.

Offender accountability depends on the establishment of strong linkages between participating agencies, direct access to full information on the divertee's progress, and vigilant probation and court monitoring procedures.

The Court receives complete information on the divertee's progress at frequent progress report hearings (poor performers typically are required to appear at 5-week intervals). Additionally the divertee is returned to court immediately after substantial non-compliance for a modification and/or termination hearing.

6. DRUG TESTING

The F.I.R.S.T. Diversion Program relies on random drug testing.

Frequent drug testing is critical to the monitoring of Divertee progress. Continued drug usage is typically dealt with by increasing supervision, testing, and/or treatment requirements, ultimately culminating in residential treatment (rather than incarceration).

7. THE USE OF PROGRESSIVE SANCTIONS

The court relies on the use of progressive sanctions, the measured application of a spectrum of sanctions, whose severity increases incrementally with the number and seriousness of program failures.

The F.I.R.S.T. Program uses a patient and consistent, yet flexible, approach to the monitoring of divertee progress, to move the divertee toward sobriety.

Inadequate Participation

Less serious violations, such as inadequate participation, call for sanctions starting with the intensification of supervision, treatment, and/or a single day's custody and increase incrementally (i.e., 1 day, 2 days, 4 days, etc.) with continued program violations. While failure to participate may call for the limited incarceration of the divertee, (and the recycling of the divertee through that phase) continued drug usage is more appropriately dealt with by increasing supervision, drug testing, and/or treatment. Note: In the nomenclature of the Drug Court, the offender is recycled into the program after spending at least one day in custody.

Program Failure

At the other end of the spectrum, program failure (represented by an offender's termination from diversion after a failure to appear i.e., FTA, for a progress report hearing) calls for a substantial period of incarceration (at least one week) to detox the offender, as well as deter the divertee from further program failure and/or drug usage. Note: In the nomenclature of the Drug Court, the offender is *reinstated* into the program after spending at least one week in custody. (Only two reinstatements were permitted before termination from the program.)

8. THE USE OF CONTINGENCY CONTRACTS

Progressive sanctions are applied according to the terms of a contingency contract developed cooperatively by the Drug Court Judge, the Probation Department staff, and other participating agencies.

There should be consequences for all conduct. Under The Contingency Contract's Incentives/Sanctions Point System, positive behavior is rewarded and negative behavior is penalized. The number of rehabilitative tasks completed is reflected in the contract by the number of points achieved. (See Appendix B).

Over the life of the program, that point total may translate into rewards (where the divertee's term of diversion may be reduced from 24 months to as little as 6 months, and the diversion fee reduced from \$220 to as little as \$20) or sanctions (where the court increases the intensity of supervision, treatment and/or orders the divertee into custody for a limited period).

By establishing specific consequences for success and failure, the F.I.R.S.T. Diversion Contingency Contract makes all participants accountable for the contracts promised consequences (including the court and Probation Department), and gives each divertee control of his or her own rehabilitation.

9. EFFECTIVE LONG-TERM TREATMENT AND AFTERCARE

The F.I.R.S.T. program relies on an innovative probation group supervision model that is both cost and treatment-effective.

Meeting on a weekly basis (after the initial group orientation session) both supervision and counseling are provided within the context of a group session. Most divertees are assigned to community-based counseling programs at their individual probation assessment interview in the second week of the program. The Probation Department also provides five weekly drug education classes (2 hours per session) on its premises.

10. A COURT ENVIRONMENT THAT PROMOTES REHABILITATION

Unlike more traditional courts, where the goal is to expeditiously adjudicate cases, the F.I.R.S.T. Drug Court is designed to promote the rehabilitation of drug-using offenders.

By increasing the frequency of court hearings, as well as the intensity and length of judge/divertee contacts, and by developing a personal relationship with individual divertees, the judge has become a critical participant in the divertee's rehabilitation. The court and staff work closely together as a team, understanding that a non-adversarial approach works best to promote rehabilitation.

The court calendar is set up to provide participants with an object lesson on the potential consequences of the program. In-custody divertees who have failed in the program are always seen first before a full audience of participants. Those appearing for progress reports are heard before those who are to be granted diversion, with successes (dismissals are greeted with applause, congratulations, and a F.I.R.S.T. diploma) and failures (short-term remands into custody) prominently displayed. Last on the calendar are those to be recycled or reinstated into the program (after new divertees have left the courtroom!)

11. JUDICIAL INVOLVEMENT IN A COURT/PROBATION PARTNERSHIP

It is necessary to look beyond traditional roles and relationships to the forming of innovative partnerships that feature collaboration in decision making, sharing of resources, and coordination of efforts.

The Drug Court Judge steps beyond the traditional judicial role of impartial referee and becomes an active participant (along with the Probation Department) in the organization, design, and implementation of the F.I.R.S.T. Drug Court and Court-Ordered Drug Rehabilitation Program. Only by doing so can we create the structures, procedures, and relationships necessary to make the FIRST program work.

12. STRUCTURAL ACCOUNTABILITY: WHERE STRUCTURE IS ACCOUNTABLE FOR PROGRAM COORDINATION AND EFFECTIVENESS

The goal of the F.I.R.S.T. Program is to reshape program and redefine relationships in such a way that program structure itself will promote accountability and help maintain effectiveness over the life of the program.

An example of structural accountability can be found in the Oakland Drug Court's Contingency contract. The Contingency Contract is the structural cornerstone of the program, providing ground rules that reduce confusion and confrontation over program implementation while promoting long-term program stability and effectiveness. The contract makes the divertee accountable for his or her behavior. Importantly, the Court, Probation Department and participating agencies have also committed themselves to the terms of the contingency contract, making themselves accountable to the divertee and to each other for the contract's promised consequences.

THE THREE PHASES OF THE F.I.R.S.T. PROGRAM

PHASE I - THE DIVERSION PLACEMENT

DAY 1

Felony drug defendants are arraigned in the Felony Master Calendar Court.

A packet of information is compiled by the District Attorney's Office prior to the defendant's appearance in the Court. This consists of:

- (1) a declaration of eligibility;
- (2) a police Report; and
- (3) a RAP Sheet and/or CII Report (county and state criminal histories)

At the time of arraignment, the District Attorney determines initial statutory eligibility. If the defendant is determined to be eligible, the judge requests a combined OR (release without bail) and diversion report (see Appendix C) sent to the "Drug Court" for a diversion referral and attorney and plea hearing on the following day.

DAY 2

At an afternoon Diversion Referral/Attorney & Plea hearing in the Drug Court, the defendant is interviewed by both Pretrial Service personnel for a diversion recommendation (and OR release recommendation if necessary) and by the Public Defender regarding representation.

Important: Before a defendant can be granted Diversion (or recycled/reinstated into Diversion), he or she must be released from custody and ordered to return to court the following morning for the grant of Diversion and the initial probation session.

DAY 3

Before the morning calendar, a probation officer reviews the Diversion/OR report prepared the previous afternoon and makes a recommendation as to the defendant's appropriateness for diversion. That recommendation is considered by the district attorney, public defender (or other defense counsel) and the court, before the court's decision is made.

Each of four Phase II probation officers under the supervision of a Unit Supervisor is assigned one week a month to receive all diversion referrals for the week. The probation officer's caseload is limited to approximately 25 defendants per month (a total caseload of 50 defendants) who are scheduled to graduate to Phase III at the ten-week progress report hearing.

The probation officer acts as the court officer and appears in court on a monthly basis when his or her own cases are before the court. This allows the probation/court officer to report to the court directly on the divertees progress (as well as return a defendant who has performed poorly to court at the five-week progress report hearing).

PHASE II. THE TWO-MONTH INTENSIVE EVALUATION AND SUPERVISION PHASE

Each morning, at the time the defendant is granted Diversion, defendants are ordered to report immediately to a named probation officer for an initial group orientation session (approximately five defendants per day). Divertees are briefed by their court-assigned Probation Officer on the rules and regulations of the FIRST Drug Diversion Contract.

Over the next ten weeks, the divertee is responsible for completing 22 separate tasks under the contract.

- reporting to the probation officer for a single assessment interview (the second week) and attending five group probation sessions (6)
- attending four Drug education and one AIDS class (5)
- taking three urine tests with negative results (3)
- registering with a community counseling program in the program's 2nd week and participating in it over the course of the program (7)
- making one payment toward a \$220 diversion fee (1)

At the ten-week Progress Report hearing, the divertee's performance in Phase II is reviewed, as well as his or her compliance with the Phase II Contingency Contract. (See Appendix B).

Those divertees who have satisfactorily fulfilled their obligations are granted whatever incentives their performance calls for under the contract (up to a 9-month reduction in the 24-month diversion term and up to a \$100 reduction in the \$220 diversion fee). The divertee is then graduated to Phase III and ordered to immediately report to his or her Phase III probation officer for an orientation session.

Those divertee's who have performed inadequately may be: (1) given a 5-week extension to complete the Phase II program (where the divertee has not completed the drug education and/or counseling requirements); (2) recycled through Phase II with a 5-week further progress report (which may include a limited period of incarceration) or (3) assigned to individual probation supervision because of special problems (i.e. mental disorders or learning disabilities).

PHASE III. THE FINAL SUPERVISION AND TREATMENT PHASE

During the three-month Phase III period, a defendant is responsible for completing 24 separate tasks under the Phase III contract:

- attending eight (8) group probation sessions
- seeing the probation officer twice (2) individually
- taking four (4) urine tests with negative results
- participating in community counseling for eight (8) weeks
- making two (2) diversion fee payments

At the first three-month Phase III Progress Report hearing, the divertee's performance is reviewed as well as his or her compliance with the Phase III Contingency Contract. (See Appendix B).

Those divertees who have satisfactorily fulfilled their obligations are granted whatever incentives their performance calls for under their contract (up to a 9-month reduction in the 24-month diversion term and up to a \$100 reduction in the \$220 diversion fee). This may mean that the divertee has earned a dismissal under Penal Code Section 1000 or that he or she has their case continued the standard 3 months period for a further progress report.

Those divertees who have performed inadequately may be: (1) recycled through Phase III with a further progress report in 5 weeks (which may include a limited period of incarceration); or (2) terminated from the Diversion Program and have criminal proceedings reinstated.

EVALUATION

METHODOLOGY

This evaluation covers a three-year period following the arraignment of those defendants in this study.

The data in this Evaluation was provided by the Alameda County Data Processing Department, the Alameda County Probation Department and the Oakland-Piedmont-Emeryville Municipal Court Administration Office. The study was originally designed by Dr. Dorie Klein (Doctor of Criminology, U.C. Berkeley), Director of the Alameda County Office of Court Services and completed under the direction of Cathy Pementell, Assistant Division Chief of the Oakland-Piedmont-Emeryville Municipal Court.

It relies on the statistical comparison of the first one hundred-ten (110) defendants referred to the FIRST Diversion Program between January 2 and February 7, 1991 and the first one hundred-ten (110) defendants in a control group referred to Diversion between January 1 and March 8, 1990.

The data on successful diversion dismissals was cut off thirty-six (36) months after each initial Diversion Hearing. The data provided on the rate of felony recidivism, the number of days in custody and the issuance of bench warrants reflects a cut off of thirty-six (36) months after the date of each defendant's initial arraignment. (See Appendix D for data base.)

A limited number of diversion cases were excluded from the samples because they were not representative of the diversion population. For example, those defendants who were not placed in the FIRST Diversion unit or who were immediately transferred out of the Oakland unit's jurisdiction were excluded.

In an attempt to capture a representative sample reflecting a broad spectrum of defendants, the entrance requirements for the FIRST Diversion Program were relaxed substantially (consistent with probation policies and community safety).

Data furnished by the Probation Department on the number of Diversion Referrals and Grants for all January and February 1990/1991.

TABLE 1

January & February	1990	1991
Referrals to Diversion	144	224
Grants of Diversion	95	194
% of Referred Defs. granted Diversion	65.9%	86.6%

Thus, we are providing data on the effect of the program on many defendants who are typically considered poor rehabilitation risks (with a large number of failures to appear, a long history of drug usage, or previous failures on Diversion or probation). This also assures us that we are not simply skimming the criminal justice system for those defendants who are most likely to succeed.

The 1991 FIRST Diversion study group is made up of those defendants who had not been referred to diversion on the instant case previously (54 defendants).

The First Study Group is divided into a *Speedy Diversion* group made up of those defendants who were granted diversion within 3 days of their arraignment date, and a Non-Speedy Diversion group (56 defendants) who were granted diversion four (4) days or more after the defendant's arraignment date.

The 1990 sample is also composed of divertees who had not been referred to diversion previously on the instant case.

(Note: The only difference between the *speedy* and non-speedy 1991 Diversion groups is the number of days between the Arraignment and Diversion hearing dates. There were no *speedy* Diversion grants in 1990; therefore both 1991 *speedy* and non-speedy groups are compared for analysis with the 1990 group).

THE SUCCESS OF THE FIRST DIVERSION PROGRAM

A. The data collected supports the conclusion that the imposition of an immediate and intensive supervision and treatment program substantially reduces the rate of felony recidivism during a three-year period following arraignment.

The First Diversion Program appears to have reduced the felony recidivism of defendants (arrests for new felony offenses) markedly over the 1990 program. It is estimated that there were 44% fewer felony arrests (582 fewer) for offenders in the FIRST Program than under the previous program. (See Appendix D4).

(NOTE: There were approximately 1000 defendants referred to Diversion in the year 1991. For comparison purposes, when extrapolating results for all first time defendants referred for either 1990 or 1991, I have used the 1000 defendant figure (9.09×110 (sample) = 1000).

Total Number of Felony Arrests between Arraignment and Arraignment & 36 Months

TABLE 2

	1990	1991	Reduction in Arrests
No. of Arrests	1327	745	582 fewer felonies

The Average Number of Arrests for Each Defendant During the 36-Month Period Following Arraignment (See Appendix D4)

Felony Arrests

TABLE 3

	Total 1990	Total 1991	<i>Speedy Diversion</i> 1991	Non-Speedy Diversion 1991
Average No. of Defendants	1.33	.75	.69	.80
Comparative % of Reduction	*	44%	48%	40%

*Base line for comparison.

While the rate of recidivism declined in both 1991 Diversion groups, the greater reduction was in the *Speedy Diversion* group (48%).

B. The data collected supports the conclusion that the imposition of an immediate and intensive supervision and treatment program substantially reduces the number of days divertees spend in custody over the course of a three-year period.

Total Number of Days in Custody on Felony Offense(s) During the Three-Year Period Following Arraignment

TABLE 4

	Total 1990	Total 1991	<i>Speedy</i> 1991	Non- <i>Speedy</i> 1991
Average No. of days in custody	78	44	45	42
Comparative % of Reduction	*	44%	42%	46%

*Base line for comparison.

Those divertees in the F.I.R.S.T. Diversion Program spent 44% fewer days in custody (44 days per defendant) over the three-year diversion program than did those in the 1990 group (78 days per defendant). See Appendix D8.

C. The data collected supports the conclusion that the imposition of an immediate and intensive supervision and treatment program substantially increases the number of divertees who earn successful dismissals.

The Percentage of Divertees who Earned Successful Dismissals During the three-year period following the initial Diversion Hearing.

TABLE 5

	Dismissal Rate at 24 Months	Comparative Increase in Rate of Dismissals over 1990
*Total 1990	29%	--
Total 1991	54%	86%
<i>Speedy</i>	56%	93%
Non-Speedy	52%	79%

*Base line for comparison.

There were 86% more successful diversion dismissals under the F.I.R.S.T. program than under the 1990 program.

D. The data collected supports the conclusion that the immediate grant of Diversion substantially increases the rate of appearance at court hearings and probation sessions during the two-year statutory Diversion period.

1. In 1991, 97% of defendants referred to the F.I.R.S.T. Diversion Program appeared as ordered, for their initial Diversion Hearing. (NOTE: that hearing was typically held the day after the Diversion Referral was made.)

In 1990, 60% of defendants appeared for their initial Diversion hearing as ordered. 40% of defendants failed to appear for their initial Diversion hearing. (NOTE: That hearing was typically held six to eight weeks after the Diversion Referral was made.)

2. In 1991, 96% of defendants granted Diversion appeared for their Diversion orientation session as directed. (NOTE: Defendants granted diversion were ordered to report immediately to their named probation officer for their initial diversion orientation session.

In 1990, there was no comparable data for the defendants' rate of appearance at the initial Diversion Orientation session. However, it was not unusual for four weeks or more to transpire before that initial session.)

3. Those defendants in the FIRST Diversion Program demonstrated a reduction in the number of bench warrants issued for failures to appear at court hearings (BWI) during the thirty six-month (36) period after the initial Arraignment date. This was true despite the fact that their were typically twice the number of regularly held court hearings in the 1991 program.

Total No. of Bench Warrants Issued (BWI) between Arraignment and Arraignment + 36 Months

Table 6

	1990	1991
No. of BWI	121	74
No. of BWI per Defendant	1.1	.67
Comparative % of Reduction	*	39%

*Base line for comparison

(NOTE: There were a total of 9 regularly scheduled Diversion hearings during the 24 month 1991 Drug Diversion Program and only 4 during the 18 month 1990 program.)

**THE IMPORTANCE OF IMMEDIATE INTERVENTION FOR YOUNGER
DIVERTEES**

The data collected strongly suggests that immediate intervention (the *Speedy Diversion* group were diverted within 3 days of arraignment) is especially effective in engaging young offenders in the successful completion of a court-ordered drug diversion program and in reducing their rate of felony recidivism.

A. Those divertees, 18 to 30 years old in the 1991 *Speedy Diversion* program showed a dramatic reduction in the number of new felony arrests made over the three-year study period. (See Appendix D4).

**The Average No. of Arrests Per Defendant for the 18 to 30 and 31 to 45 Year Age
Groups During the 3-Year Period Following Arraignment**

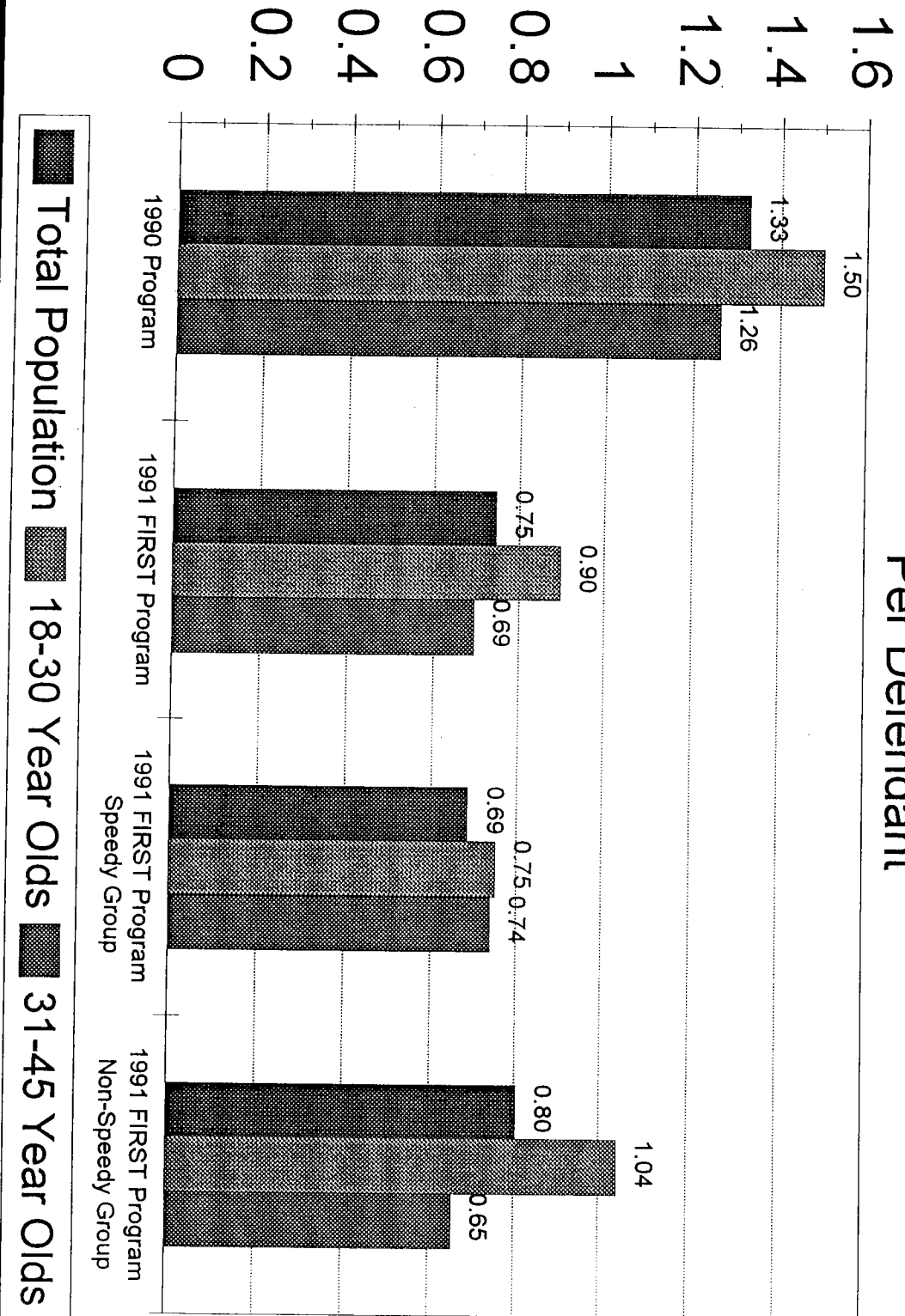
TABLE 7

18-30 Year Olds	Total 1990	Total 1991	<i>Speedy</i> 1991	Non- <i>Speedy</i> 1991
Average No. of new felony arrests per defendant	1.50	.90	.75	1.04
Comparative % of reduction	*	40%	50%	31%
31-45 Year Olds	Total 1990	Total 1991	<i>Speedy</i> 1991	Non- <i>Speedy</i> 1991
Average No. of new felony arrests per defendant	1.26	.69	.74	.65
Comparative % of reduction	*	45%	41%	48%

*Base line for comparison.

The Speedy Diversion, 18 to 30 year group, had one-half the rate of new felony arrests (75% arrests per defendant) as that same 18 to 30 year age group in the 1990 program (1.50 arrests per defendant).

Average Number of New Felony Arrests within 36 months of Arraignment Per Defendant



B. Those divertees in the 18 to 30 year old *Speedy* Diversion group showed a substantial reduction in the number of days spent in custody during the three-year study period.

The Total Number of Days In Custody on Felony Offenses for Divertees Ages 18 to 30 and 31 to 45 During the Three-Year Period Following Arraignment

TABLE 8

18-30 Year Olds	Total 1990	Total 1991	<i>Speedy</i> 1991	Non- <i>Speedy</i> 1991
Average No. of days in custody	79	55	55	55
Comparative % of Reduction	*	30%	30%	30%
31 to 45 Year Olds	Total 1990	Total 1991	<i>Speedy</i> 1991	Non- <i>Speedy</i> 1991
Average No. of days in custody	74	41	47	36
Comparative % of Reduction	*	45%	36%	51%

*Base line for comparison.

