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MR. MARTIN HOSHINO
Administrative Director,
Judicial Council

December 15, 2014

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State Capitol, Suite 1173
Sacramento, California 95814

Ms. Diane F. Boyer-Vine
Legislative Counsel
State Capitol, Room 3021
Sacramento, California 95814

Mr. Danny Alvarez
Secretary of the Senate
State Capitol, Room 400
Sacramento, California 95814

Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California 95814

Re: California Parolee Reentry Court Program Evaluation, as required under Penal Code section 3015

Dear Governor Brown, Ms. Boyer-Vine, Mr. Alvarez, and Mr. Wilson:

Attached is the Judicial Council report required under Penal Code section 3015 on the California Parolee Reentry Court Program Evaluation. Under the statute, the Judicial Council is required to submit a final evaluation report that assesses the pilot reentry court program's effectiveness in reducing recidivism no later than three years after the establishment of a reentry court. The report was developed in consultation with the California Department of Corrections and Rehabilitation (CDCR).

If you have any questions related to this report, please contact Shelley Curran, Senior Manager, Criminal Justice Services at 415-865-4013 or shelley.curran@jud.ca.gov.

Sincerely,

Martin Hoshino
Administrative Director
Judicial Council

MH/SC/AL/bjw
Attachment

cc: June Clark, Deputy Legislative Secretary, Office of the Governor
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Fredericka McGee, Special Assistant to Assembly Speaker Toni G. Atkins
Anita Lee, Senior Fiscal and Policy Analyst, Legislative Analyst's Office
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Report Summary

Report title: *California Parolee Reentry Court Program Evaluation*

Statutory citation: Penal Code Code section: 3015

Date of report: December 15, 2014

The Judicial Council has submitted a report to the Legislature in accordance with Penal Code section 3015.

The following summary of the report is provided under the requirements of Government Code section 9795.

As mandated by Penal Code section 3015, the Judicial Council is required to submit a final evaluation report that assesses the California pilot reentry court program's effectiveness in reducing recidivism no later than three years after the establishment of a reentry court. This final evaluation report was developed in consultation with the California Department of Corrections and Rehabilitation.

The full report can be accessed here: *www.courts.ca.gov/7466.htm*

A printed copy of the report may be obtained by calling 415-865-8994.

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Parolee Reentry Court Program Evaluation

REPORT TO THE STATE LEGISLATURE
DECEMBER 2014

JUDICIAL COUNCIL
OF CALIFORNIA

OPERATIONS AND PROGRAMS DIVISION
CRIMINAL JUSTICE SERVICES

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Acknowledgements

We would like to thank the following for providing data, insight, feedback, and support: Shannon Carey, NPC Research; Charlene Zil, NPC Research; Kevin Wortell, California Department of Corrections and Rehabilitation (CDCR); Kevin Grassel, CDCR; Judge Richard Couzens (ret.), Placer County Superior Court; all reentry court judges; reentry court coordinators and staff involved with data collection; Lisa Rodriguez, San Diego County District Attorney's Office; Jennifer Fowler, San Joaquin County Superior Court; Troy Meza, California Department of Justice; Eve Hershcopf, Judicial Council of California (JCC); Jay Fraser, JCC.

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Executive Summary

In 2009, in an effort to reduce recidivism, lower state spending on incarceration, and maintain public safety, the California Legislature enacted the Parolee Reentry Accountability Program set forth in Penal Code section 3015, which established parolee reentry courts in the following California counties: Alameda, Los Angeles, San Diego, San Francisco, San Joaquin, and Santa Clara. Parolee reentry courts are a type of collaborative justice court that provide an alternative to reincarceration for parole violators with a history of substance abuse or mental health issues. These courts combine intensive judicial supervision and collaboration among justice system partners with rehabilitation services to reduce recidivism and improve outcomes for participants.

The Judicial Council of California (JCC) has been charged by the Legislature to work in collaboration with the California Department of Corrections and Rehabilitation (CDCR) to support the implementation and operation of reentry courts, and to evaluate this pilot program to assess its effectiveness in reducing recidivism. The few reentry court outcome evaluations conducted to date show mixed findings related to recidivism. This evaluation of California's pilot parolee reentry court program is a significant contribution to the literature because it is the first multisite outcome evaluation on reentry courts, has sufficient sample sizes, and provides important information that can be used to inform reentry policies and improve program practices.

This evaluation was designed to address the following research question:

- How do parolee reentry court participant revocation and recidivism rates compare to the revocation and recidivism rates of parolees on traditional parole supervision?

This evaluation includes two recidivism outcome measures: (1) revocations – defined as returns to jail or prison for a new offense or violation of supervision, and (2) rearrests, which may or may not result in revocation. In addition, a randomly selected subsample was used to analyze the number of reconvictions in order to more accurately understand the differences between the reentry court participant group and the comparison group related to rearrests.

In order to determine whether recidivism outcomes can be attributed to participation in a reentry court program, reentry court participants were compared to a matched sample of individuals who were on traditional parole but were eligible for the reentry court program at the time they violated their conditions of supervision (i.e., comparison group). Recidivism outcomes are reported for the first year following program entry.[1]

A primary goal for reentry court programs is to reduce the number of parole revocations. Statewide, reentry court programs were successful in accomplishing this goal: reentry court participants were revoked less often than members of the comparison group in the year following program entry (0.07 average revocations per reentry court participant vs. 0.43 average revocations per comparison group member).

Similarly, in the year following program entry, reentry court participants spent significantly less time in prison than comparison group members. On average, reentry court participants were incarcerated in state prison for 18 days as compared to 59 days on average for comparison group members. This reduction in incarceration days for the reentry court program group results in a savings to the state of approximately $6 million.

Rearrest findings are mixed. Reentry court participants were more likely to be arrested in the first year following program entry (78% of reentry court participants were re-arrested in the first year compared to 65% of comparison group members). Similarly, reentry court participants had a higher number of arrests on average in the year following program entry, although this finding was only statistically significant in one out of the six reentry courts. Statewide, reentry court participants had 1.7 arrests per person on average in the first year compared to 1.5 for the comparison group.

Reentry courts are designed to closely supervise offenders and hold them accountable through swift and certain sanctions, and this approach may result in an increased rate of arrests. Definitive conclusions cannot be drawn about rearrest outcomes without a comprehensive analysis of conviction information. Our limited analyses showed that reentry court participants may be less likely to be convicted for those subsequent arrests. This information may support the concept of the "supervision effect" which describes the increased likelihood of responses to offender behavior due to the intense scrutiny provided by reentry court teams.

Historically, parolees with mental health issues have been violated and revoked at a higher rate than parolees without such issues. Reentry court programs serve a high percentage of parolees with mental health issues and preliminary findings suggest that these court programs are identifying previously unrecognized and unmet mental health needs and connecting participants to mental health treatment services. Further research is needed to analyze the impact of reentry courts on this sub-population, but preliminary findings suggest that reentry courts may decrease the amount of time that parolees with mental health issues are incarcerated in state prison.

Findings from this evaluation show promising results in many areas. Areas of future research should include the following: identification of program-specific practices that are effective in reentry courts; a comprehensive analysis of conviction information to understand the true impact of reentry courts on public safety and to better understand the differences in arrest rates between program participants and the comparison group; a comprehensive study of the long term effects of reentry court participation on parolees with mental health issues; analyses of treatment-focused outcomes; and, a comprehensive cost-benefit analysis to identify all the costs and savings associated with this program.

Introduction

In 2009, in an effort to reduce recidivism, lower state spending on incarceration, and maintain public safety, the California Legislature enacted the Parolee Reentry Accountability Program set forth in Penal Code section 3015, which established parolee reentry courts in California. Parolee reentry courts are a type of collaborative justice court that provides an alternative to re-incarceration for parole violators with a history of substance abuse or mental health issues. These courts combine intensive judicial supervision and collaboration among justice system partners with rehabilitation services to reduce recidivism and improve outcomes for participants. The legislature allocated $10 million in American Recovery and Reinvestment Act (ARRA) Byrne Memorial Justice Assistance Grant monies to implement a pilot program to support parolee reentry courts in the state.

The Judicial Council of California (JCC) has been charged by the Legislature to work in collaboration with the California Department of Corrections and Rehabilitation (CDCR) to support the implementation and operation of reentry courts, and to evaluate this pilot program to assess its effectiveness in reducing recidivism. Penal Code section 3015 requires a final report of evaluation findings to be submitted to the Legislature and Governor no later than three years after the establishment of a reentry court.[2]

This report provides:

- Background on the pilot reentry court program, including a review of reentry court research;
- Information on program implementation, the impact of public safety realignment on the program, and the role of the Judicial Council in providing technical assistance and conducting the evaluation;
- A description of the evaluation design, including limitations of the study;
- A summary of findings; and
- Recommendations for areas of future research.

Project Background

When the California Legislature enacted the Parolee Reentry Accountability Program in 2009, California's prison population, corrections spending, and recidivism rates were among the highest in the nation. A 2008 study by Grattet, Petersilia, and Lin for the National Institute of Justice found that at the time of the study California had the largest prison population of any state, with one in seven prisoners in the United States incarcerated in California. The average annual cost of housing a prisoner in fiscal year 2006-2007 was 1.6 times higher than the national average.[3] In 2008-2009 the budget for state corrections in California was 10.3 billion,[4] approximately 7% of the entire State Budget. For parolees released in fiscal year 2005-2006, the three-year return to prison rate (either for a new conviction or for a violation of supervision) was

67.5%.[5] Grattet et al. describe a number of factors that were contributing to California's high recidivism rate including:

- California's mandatory parole release system. In the late 1970s California adopted a determinate sentencing system where all prisoners, except those serving life sentences, are automatically released after their imprisonment term and placed on parole, usually for a period of three years. This change, coupled with California's large prison population, led to a large parolee population and an overburdened system that could provide only limited rehabilitation services for parolees. In fact, the majority of prison admissions were for parole violations—in 2006, parole violators made up 64% of all persons admitted to prison.

- At the time the reentry court program was implemented, the Board of Parole Hearings (BPH) determined whether a parolee would be returned to prison. In hearings on parole violations, BPH used a "preponderance of evidence" standard for determining whether a parolee had violated, a lower standard than the standard of evidence used in a court of law for a new conviction (beyond a reasonable doubt). As reported by Grattet et al., 25% of criminal violation cases heard in court resulted in a return to custody compared to 53% heard by the Board of Parole Hearings. Overall, 72% of all parole violation cases BHP heard resulted in a return to custody (this includes new criminal charges, technical violations, and absconding).

- The maximum amount of time a parolee could serve in state prison for a parole violation was 12 months, with day-for-day credit for time served in custody awaiting case disposition. Parole violators often finished their violation term while still in CDCR reception centers waiting to be assessed for their final prison classification with little, if any, rehabilitative programming available. This rapid in and out through reception centers provided minimal incentive for parolees to avoid future parole violations and insufficient rehabilitative programming to reduce their risk of recidivating.

The Legislature enacted the pilot reentry court program to address California's high return to prison rate and to lower state spending on incarceration, while holding parolees accountable and maintaining public safety. Based on the collaborative justice court model, it was hypothesized that these programs could reduce recidivism and save state money by providing more intensive supervision and rehabilitative services to parolees in the community. The pilot reentry court model is an innovative program that applies evidence-based best practices that have been found to be effective in drug courts to parole violators, a population that previously had been handled almost exclusively by BPH and had minimal interaction with the courts.

Review of the Research

Because reentry courts are relatively new, most reentry court evaluations have been process evaluations that document the policies, procedures, and practices implemented by reentry courts,

but have limited information on the outcomes associated with these programs.[6] The small number of reentry court outcome studies show mixed findings related to recidivism. There is a need for additional evaluations with larger sample sizes, longer periods of follow-up, and analyses of different program practices.

The most comprehensive outcome study on a reentry court to date is the evaluation of the Harlem reentry court in New York. The Harlem reentry court is designed to address the first six months following release from prison, with extended supervision schedules imposed on an as-needed basis. In this evaluation, Harlem reentry court participants (*n*=317) were compared to a matched comparison group of non-participant parolees (*n*=20,750). Harlem reentry court participants were less likely to be rearrested for misdemeanors over the first year and less likely to be rearrested for drug-related charges at two years. Reentry court participants were less likely to be reconvicted over years one, two, and three. However, reentry court participants had higher rates of revocation after two and three years and were more likely to have parole revoked for technical violations at one, two, and three years.[7]

There have been a number of smaller program evaluations of reentry courts at the federal court level. An evaluation of a federal reentry court in Michigan showed that reentry court participants were significantly less likely to be rearrested during a 12-month period when compared to a matched comparison group.[8] An evaluation of a federal reentry court in Pennsylvania found that participants were revoked significantly less than the comparison group; however, there was no difference between the two groups on new arrests during the 18-month period.[9] Another study of a federal reentry court in Massachusetts found that there was no difference in new charges between the participant and comparison groups at 12 months.[10]

Other than the Harlem reentry court evaluation, small sample sizes and relatively short follow-up periods have been notable limitations of existing reentry court studies. The current evaluation of California's pilot parolee reentry court program is a significant contribution to the literature because it is the first multisite outcome evaluation on reentry courts, has sufficient sample sizes, and provides important information that can be used to inform reentry policies and improve program practices.

Reentry courts are modeled on drug courts, and although the research on reentry courts is limited, drug courts have been studied extensively and found to reduce recidivism. Meta-analyses of drug courts show that these court programs significantly reduce rearrest or reconviction rates by an average of approximately 8 to 26%.[11] Drug courts are also associated with cost savings. In 2000, the Judicial Council contracted with NPC Research, Inc., to study the costs and benefits associated with California's drug courts and found that outcome benefits varied among programs ranging from about $3,200 to over $15,000 saved per participant.[12] Additional studies have confirmed that drug courts are cost effective.[13]

Program Implementation

In January 2010, the California Emergency Management Agency (Cal EMA), the agency responsible for the allocation of all ARRA funding, issued a request for proposal for the pilot reentry court program. Based on the statutory requirements, the pilot courts were required to employ a collaborative justice court model[14] and adhere to the guiding principles of collaborative courts approved by the Judicial Council's Collaborative Justice Courts Advisory Committee (CJCAC). [15]

Initially, superior courts in seven counties were awarded funding: Alameda, Los Angeles, Orange, San Diego, San Francisco, San Joaquin, and Santa Clara. The Superior Court of Orange County was awarded a grant and participated in the initial program summit; however, changes in the law regarding parole supervision criteria impacted their planned target population of lower risk parolees, and the court chose not to continue with program implementation. By January 2011, all six remaining courts had begun accepting participants into their programs.

The following are general program components that all pilot reentry courts share:

- Reentry courts serve parolees who have committed a parole violation and have a history of substance abuse and/or mental health issues.

- Reentry court programs consist of an interdisciplinary team led by a judge. Most teams include a defense attorney, a prosecutor, a parole officer, a probation officer, and treatment staff and/or case managers.

- Reentry court participants are assessed for their risk of reoffending and for their treatment needs. Treatment and community supervision plans are created based on the information obtained from these assessments.

- Participants attend regularly scheduled court sessions, usually one to four times a month, to discuss their adherence to their supervision/treatment plans and other program requirements.

- Graduated sanctions, such as admonishments, increased frequency of court sessions, and jail sanctions, are used to respond to noncompliant behaviors. Incentives, such as verbal praise, reduced frequency of court hearings, and transportation or food vouchers, are used to reward and encourage participants' progress.

- Participants remain in the program and receive case management and other services, including substance abuse and mental health treatment, as needed, for approximately 12-18 months. Once parolees successfully complete the program, reentry courts often recommend early discharge from parole.

Although all reentry courts are based on collaborative justice principles and share the program components listed above, each court's program has unique components, eligibility criteria, and referral processes. For example, two of the reentry courts (San Diego and Los Angeles) set up their programs to only accept parolees who are convicted of a new felony offense and are referred by either the district attorney or public defender, while the remaining programs take referrals directly from CDCR parole units in their area for all types of parole violations, including misdemeanor offenses, absconding, and technical violations.[16]

The Los Angeles reentry court is a small, treatment-intensive program that only accepts women parolees. The average caseload for the Los Angeles program is 20 participants, all of whom are required to initially live in an intensive residential treatment program that addresses both substance abuse and mental health issues while they participate in the reentry court. San Joaquin and Santa Clara reentry courts are the highest volume programs with average caseloads at any given time of approximately 126 and 155, respectively. Santa Clara reentry court has a mental health practitioner on the reentry court team and serves the highest percentage of parolees with mental health issues.

Alameda reentry court generally does not accept parolees with severe mental health issues. Additionally, in the Alameda program, participants meet individually with the judge and reentry court team during court sessions, rather than in open court, and spend a substantially longer period of time with the team than participants in other reentry courts. The San Diego reentry court has implemented two practices that are unique to their program: (1) in order to graduate, participants are required to have a job or be in school, and (2) a police officer is a member of the reentry court team. The Superior Court of San Francisco County terminated its reentry program after eight months of operation due to funding reductions to the judicial branch that resulted in staffing cuts.

Role of the Judicial Council

Penal Code section 3015 required the secretary of CDCR to enter into a memorandum of understanding (MOU) with the Judicial Council of California for the establishment and operation of the reentry court pilot program. Judicial Council and CDCR staff developed the MOU in collaboration with the local reentry court teams and parole agents. Because the court system did not have jurisdiction over parolees at the time, this collaboration was a significant step in the implementation of the reentry court pilot program and required substantial negotiation regarding jurisdiction and oversight responsibilities of the various justice system partners. Although each local reentry court created their own procedures and processes, including eligibility criteria, this overarching MOU standardized the general processes and developed procedures to address jurisdiction.

In addition to assisting with the development of the MOU and conducting the program evaluation, the Judicial Council designed the data collection system, provided technical

assistance to the courts, provided quarterly progress reports, hosted annual trainings of the reentry court teams, and held regular conference calls with the courts to discuss common issues.

Impact of Public Safety Realignment on Reentry Courts

Public safety realignment, enacted via the Budget Act of 2011 and various budget trailer bills, shifted the responsibility and funding for supervising and managing specified offenders from the state parole system to the counties and their local probation departments. Realignment has had a significant impact on California's criminal justice system. Its effects on the reentry courts include:

- *Changes to parole population:* Starting October 2011, only inmates whose most current commitment offense was violent or serious, who had been sentenced as a third strike offender under the three-strikes law, who were classified as a high-risk sex offender, or who were required to undergo treatment by the Department of State Hospitals were released on parole. Supervision responsibilities for newly released inmates with less serious offenses were shifted to county probation departments under a new type of supervision, postrelease community supervision (PRCS). Penal Code section 3015 was amended to permit reentry courts to also serve individuals on PRCS, and three of the six courts began accepting PRCS participants at that time. This change had the effect of altering the parole population to a likely higher risk and need population following realignment. Furthermore, since PRCS enrollees are under the authority of county probation departments rather than state parole, in some reentry courts this led to disparities in the programming and services available to these two populations.

- *Revocation procedure modifications*: After realignment, most parolees who violate supervision and have their supervision revoked must serve their revocation term in county jail rather than state prison.[17] Individuals on PRCS status cannot be revoked to prison for a violation of postrelease supervision. As with all offenders, parolees and individuals on PRCS may be sent to prison for a new crime if: (a) they are convicted of a felony offense for which prison is statutorily mandated, (b) they have a prior serious or violent felony conviction and are convicted of a new felony of any type, (c) they are convicted of certain sex offenses and required to register as a sex offender, or (d) they are convicted and certain types of enhancements are imposed as part of the sentence. The maximum term for parolees and individuals on PRCS revoked back to jail is 6 months, half of the 12-month maximum term that could be imposed for those revoked to state prison prior to realignment. According to qualitative data collected for this evaluation, these changes decreased the incentive for participation in an intensive 12-18 month reentry court program.

- *Revisions to parole term length for some parolees:* Following realignment, parolees are eligible for early discharge if they do not commit a parole violation during a six month

period, or other specified period of time (depending on criminal history and when they were placed on parole). Because reentry courts are designed to be at least a 12-month program, this change created challenges for reentry courts. After realignment, some courts had difficulty identifying sufficient numbers of eligible parolees (those who had at least 12 months left on their supervision terms) to participate in the program. In addition, parolees whose supervision was terminated while they were enrolled in the reentry court were no longer eligible to participate in the program or receive treatment or other services.

- *Change in responsibility for parole revocation hearings:* Beginning in July 2013, realignment shifted responsibility for parole revocation hearings from CDCR's Board of Parole Hearings to the court system and required far more interaction between parole and the court system in most counties. Reentry courts were specifically identified as a disposition option for parole and PRCS violations, which created another referral source for the reentry courts. Although this change did not impact the evaluation, it had a profound impact on the court system. The relationships created between the courts and CDCR through the implementation of the reentry court program laid a strong foundation for carrying out this shift.

Evaluation Methods

The California Legislature charged the Judicial Council, in collaboration with CDCR, to design and perform an evaluation of the effectiveness of the reentry court pilot program in reducing recidivism and revocations, and to submit a report to the Legislature three years after program implementation.[18] Although reentry courts focus on identifying mental health and substance abuse treatment needs and providing appropriate services and supervision, this research focuses on recidivism-related outcomes as required by the Legislature, rather than on treatment-related outcomes. Investigation into any treatment focused outcomes, such as measures of treatment utilization, improvements related to mental health or substance abuse issues, or other treatment-related issues is outside the scope of this evaluation.

The evaluation is based on analysis of the recidivism-related outcomes for reentry court program participants and for a comparison group of parolees on traditional parole supervision. The reentry court pilot program legislation did not specify a definition for the measures of recidivism. This evaluation includes two recidivism outcome measures: (1) revocations — defined as returns to jail or prison for a new offense or violation of supervision, and (2) rearrests, which may or may not result in revocation. In addition, in order to more accurately understand the differences between the reentry court participant group and the comparison group related to rearrests, a small, randomly selected subsample was pulled from two of the reentry courts to analyze the number of reconvictions that resulted from the rearrests.[19]

This evaluation was designed to address the following research questions:

- How do parolee reentry court participant revocation and recidivism rates compare to the revocation and recidivism rates of parolees on traditional parole supervision?
    - Are reentry court participants less likely to be revoked compared to parolees on traditional parole? Do reentry court participants have fewer parole revocations?
    - Are reentry court participants less likely to be arrested compared to parolees on traditional parole? Do reentry court participants have fewer arrests?

Evaluation Design

In March 2011, the Judicial Council received a grant from the California Endowment to enhance the legislatively mandated evaluation that Judicial Council staff had undertaken. The grant enabled the implementation of a quasi-experimental research design with matched comparison groups,[20] and enabled staff to collect qualitative data through interviews with reentry court team members and focus group conversations with program participants.

In order to determine whether recidivism outcomes can be attributed to participation in a reentry court program, reentry court participants (i.e., program group) were compared to a matched sample of individuals who were on traditional parole but were eligible for the reentry court program at the time they violated their conditions of supervision (i.e., comparison group). Recidivism measures were tracked for a period of up to two years following program entry;[21] however, data collected beyond the first 12 months after program entry resulted in a substantially smaller sample size since many participants who entered the program later in the study period did not have a full 24 months of data available at the time of data collection. Therefore, only the outcome results for one year after program entry are presented in this evaluation. It should be noted that none of the 24-month analyses undertaken resulted in significant differences or changes in results or findings. More information on the construction of the program and comparison groups is described below.

Sample Selection

The Reentry Court Participant Group

The reentry court program sample (n=1,013) is the population of individuals who entered any of the pilot reentry courts between October 1, 2010 and December 31, 2012. Although after realignment several of the courts also began to accept individuals on PRCS, the program group consists solely of individuals on parole. PRCS participants made up only 7% of the entire reentry court population at the time data for this evaluation were gathered from CDCR and the California Department of Justice (DOJ), and those individuals were not included in this study.

The San Francisco program is excluded from statewide results because, as mentioned previously, the court terminated this program eight months after implementation and the majority of program participants did not receive the recommended 'full dosage' of treatment. [22] However, a number of parolees were involved in the San Francisco reentry court for a substantial period of time while the program was operational, and therefore the statistics specific to the San Francisco program are included in portions of this report that address individual court programs.

The Comparison Group

The comparison sample (*n*=1,960) is composed of individuals who were eligible to participate in a reentry court program but did not participate, and who have demographics and criminal history similar to those who did participate in a reentry court program. Using CDCR parole violation data, a separate comparison group was created for each reentry court since eligibility requirements varied across programs.[23] Through a statistical technique called propensity scoring, reentry court program participants were matched with potential comparison group members on a number of characteristics, including age, race, gender, prior criminal history, risk scores (as measured by the most recent California Static Risk Assessment (CSRA) score prior to program entry), and need scores (as measured by the most recent Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) score prior to program entry).

Qualitative Data Collection

Funding from the California Endowment allowed the Judicial Council to incorporate a significant amount of qualitative data collection into its research. These data were collected through focus group conversations with program participants and interviews with reentry court staff members and concentrated on program processes and procedures, as well as the perceived impact of the program. The final report for the California Endowment is expected to be completed in spring 2015; however, some of the data collected through focus groups and staff interviews are presented in this evaluation.

During the spring of 2013 four focus groups were conducted with reentry court program participants to gather participant perspectives on the programs and how the reentry court experience compares with standard parole processes. Focus groups were conducted for the Alameda, Los Angeles, San Diego, and San Joaquin reentry court programs. Each court program was asked to choose participants for their focus group. Reentry courts were encouraged to choose participants with varying experiences in terms of program compliance, criminal history, and length of time in the program. Focus groups ranged in size from 8 to 12 participants and the conversations lasted about 90 minutes. In addition to the focus groups for program participants, 31 separate interviews were conducted with staff from each reentry court team.

Quantitative Data Collection

Judicial Council research staff identified key program data elements and created a data collection system that was designed with feedback from the reentry courts. The Judicial Council contracted with NPC Research (NPC) to create a comparison group for each county, collect recidivism data on both the participant and comparison groups, and conduct analyses on differences in outcomes between the groups. NPC received data from CDCR on parolee characteristics, criminal history, and violation outcomes. In addition, NPC collected data on rearrests from the California Department of Justice (DOJ). Because of limitations related to the collection of reliable conviction data on a statewide basis, Judicial Council staff collected conviction data on a subsample of program and comparison group members from the Superior Courts of San Diego

and San Joaquin Counties. These two courts were chosen because they had the administrative resources to identify and collect the data.

Study Limitations

Several study limitations should be considered when reviewing the evaluation findings and are described below. In order to mitigate some of the issues related to these quantitative data limitations, additional qualitative data were collected to assist in understanding the implications of the quantitative data findings presented in this report.

- Public safety realignment had a significant impact on the reentry court programs and on the evaluation. The programs had to adjust to the changes brought on by realignment, and the evaluation design was modified accordingly to the extent possible within the resources available. However, some data necessary to measure outcomes after realignment were not available for the evaluation. For example, following realignment, most parolees were revoked to county jail as opposed to state prison. Due to limited time and resources, it was not possible for Judicial Council staff researchers to collect number of days incarcerated in local county jail; therefore, the data on "number of days incarcerated" refer only to time incarcerated in state prison.

- In order to meet the statutory deadline for this evaluation the programs were evaluated in their first year of operation. Program evaluation research guidelines caution against using data gathered in the initial stages of program implementation because there are often policy and procedural changes made at program start-up. It is preferable to measure programs after they have been operational for a period of time and procedures have stabilized.[24] For example, data gathered from interviews in one county indicated that, in the initial stages of program implementation, the court had a policy to briefly incarcerate in county jail every participant who had a positive drug test rather than using a system of graduated sanctions that built up to incarceration if intermediate penalties did not result in behavioral changes. Although this court program reported changing their processes after the first year of program implementation, the data collected for this evaluation reflect the earlier practices.

- Evaluation findings focus on the initial 12 months after a participant's program entry, a short period of follow-up. This focus was necessary because results beyond the first 12 months after program entry resulted in a substantially smaller sample size, making it difficult to detect statistical significance and to generalize findings. Although findings associated with the 24-month data analyses did not substantially differ from those conducted on the data at 12-month intervals, the validity of the 24-month results cannot be tested on the smaller sample size.

- Conviction data is an important measure of recidivism; however, it was not possible to collect conviction data on all individuals in the program and comparison groups due to

limited resources and issues related to the quality and timeliness of conviction information that is collected on the statewide level. The limited conviction data presented in this report were collected solely on the two courts that had the data collection capacity and staff resources to complete the task within a short period of time; therefore, the conviction findings should be viewed as exploratory analyses at this time.

Findings

Findings from the evaluation are presented below. Several analyses were conducted. The first analysis examines whether reentry courts are serving the intended target population—parolees in violation status with a history of mental health or substance abuse issues. The analyses that follow focus on comparisons between the program and comparison groups on rates of revocation and rearrests.

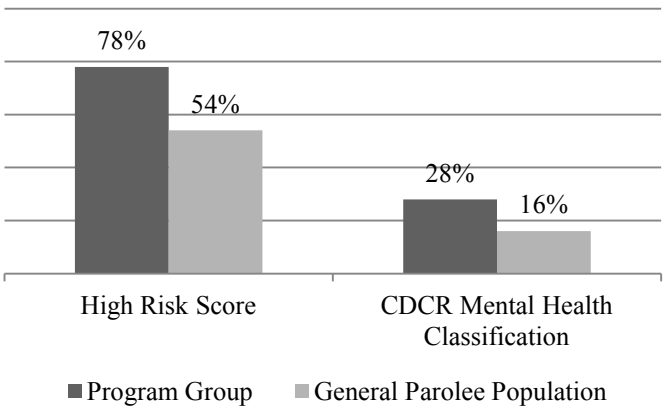
SUMMARY OF FINDINGS

- Reentry courts are serving the intended target population.
- Reentry court participants were revoked (for either parole violations or new crimes) less frequently than the comparison group and therefore spent fewer days in prison.
- Reentry court participants were rearrested more often than the comparison group; however, an exploratory analysis of a subsample of conviction data indicates that reentry court participants may be convicted less often.

Reentry Court Participant Demographics

The pilot reentry court program was established to target high risk parolees in violation status with a history of mental health or substance abuse issues. Table 1 below displays demographic information for participants of reentry court programs at the time of program entry and illustrates that reentry court programs are serving the intended target population.

Figure 1. Reentry courts serve high risk parolees with mental health issues



Since reentry courts are statutorily mandated to serve offenders with substance abuse or mental health issues who had already violated the conditions of their parole, the reentry courts in the pilot program tend to serve a higher risk and higher need population than the general parolee population. For example, as Figure 1 shows, 78% of reentry court participants were assessed as high risk, based on results from the California Static Risk Assessment (CSRA) tool, an actuarial tool used by CDCR to assess risk of felony reconviction. In comparison, 54% of parolees in the

general parolee population were assessed as high risk.[25] Similarly, 28% of reentry court participants were given a CDCR mental health classification while in prison compared to 16% of parolees in the general population.[26]

Reentry court treatment staff found that almost all reentry court participants were assessed as having substance abuse issues; more than half of participants had been substance users for more than 20 years. In addition to substance abuse issues, reentry court participants, like the majority of parolees, experience many barriers to successful community reentry including unstable housing, unemployment, and low education levels, as noted below.

Table 1: Characteristics at Program Entry	
	Statewide Reentry Participants
N	1,013
Male	82%
Race	
African American	39%
Hispanic/Latino	25%
White	29%
Other	7%
Mean age at program entry	38 years
Risk of felony reconviction (CSRA)	
Low	5%
Medium	17%
High	78%
High substance abuse (COMPAS) of assessed participants	49%
Substance abuse needs (determined by reentry court staff)	99%
Primary drug	
Crack or cocaine	20%
Heroin	14%
Methamphetamines	47%
Other	19%
Average number of years using	21 years
CDCR mental health classification	28%
Mental health disorder (determined by reentry court staff)	36%
Highest level of education	
Did not complete high school	39%
High school graduate/GED	49%
Some college	12%
Unemployed	86%
Unstable housing	80%
Homeless shelter	20%

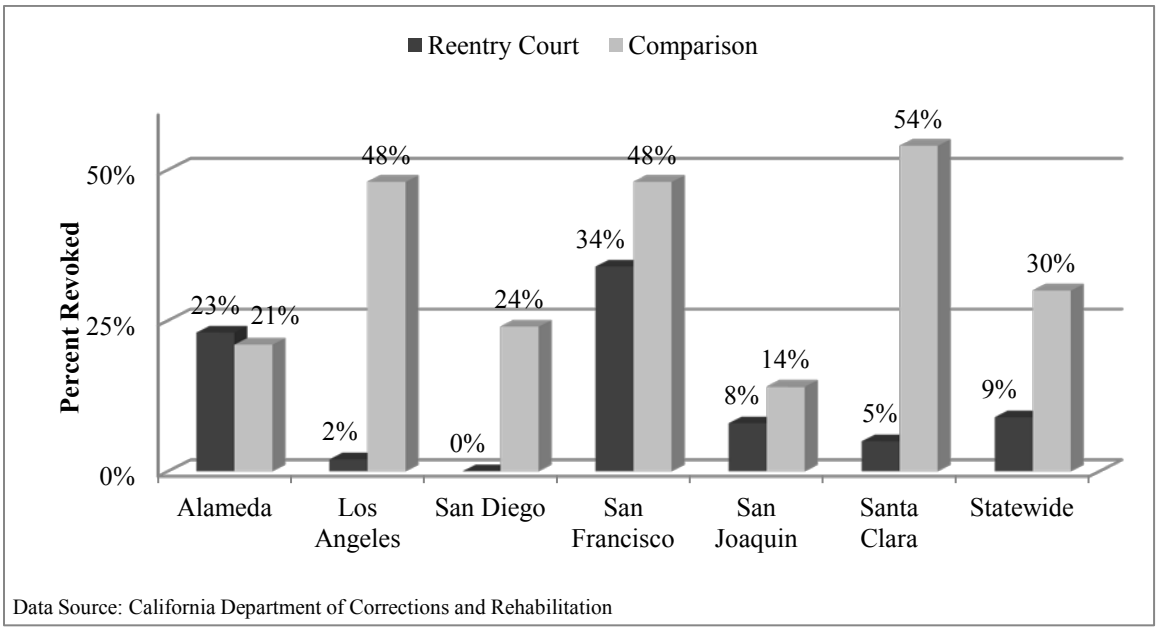
Parole Revocations (Returns to Custody)

Likelihood of Revocation

Parole revocation is defined as a violation of parole that resulted in a return to custody (county jail or state prison) for either a new offense or for a violation of supervision. Reentry court participants were substantially less likely to be revoked compared to parolees on traditional parole in the year following program entry. Statewide 9% of reentry court participants were returned to custody in the year following program entry compared to 30% of the comparison group.

Differences between the comparison and participant groups were statistically significant statewide and in each program site, other than Alameda. Figure 2 illustrates the percent of reentry court participants and comparison group members that were revoked at least once in the first year following program entry. [27]

Figure 2. Reentry Court Participants Were Less Likely to Be Revoked than the Comparison Group



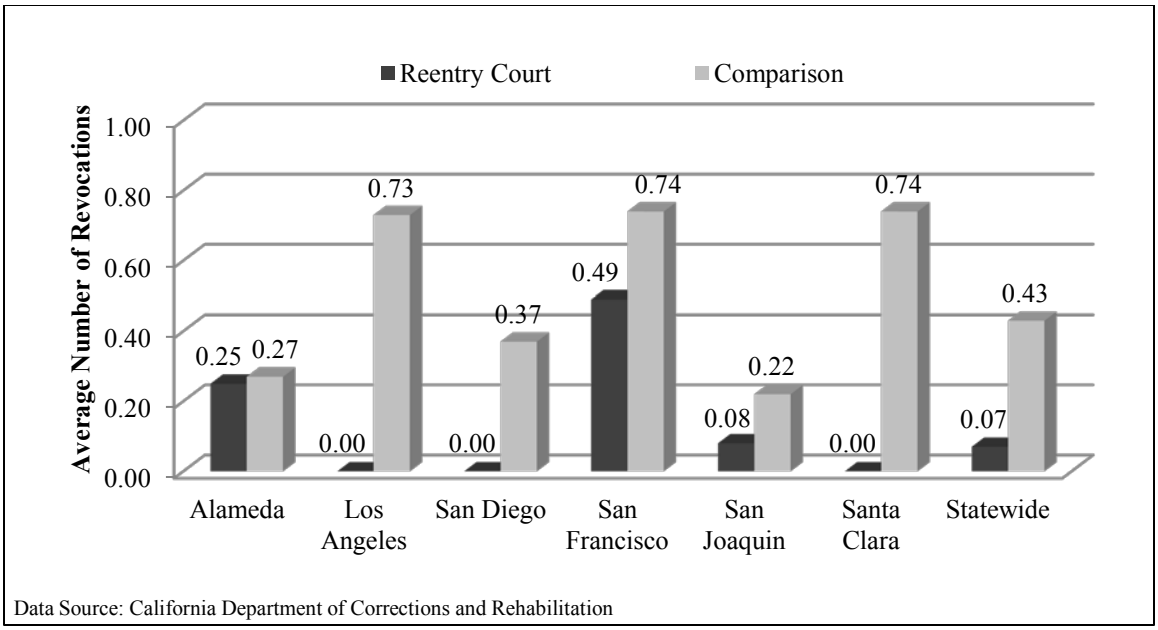
Data Source: California Department of Corrections and Rehabilitation

San Francisco ($p<.05$); San Joaquin ($p<.01$); Los Angeles, San Diego, Santa Clara, and Statewide ($p<.001$). Sample sizes by group are as follows (program n, comparison n): Alameda n = 225, 503; Los Angeles n = 41, 86; San Diego n = 117, 232; San Francisco n = 77, 139; San Joaquin n = 247, 575; Santa Clara n = 211, 523; Statewide n = 841, 1919.

Frequency of Revocation

In addition to a lower likelihood of revocation, reentry court participants were revoked less often than parolees on traditional parole. Statewide reentry court participants were revoked 0.07 times on average in the first year following program entry, compared to 0.43 for the comparison group.[28] Reentry court participants were revoked less often in all sites. Figure 3 illustrates for each site the average number of parole revocations for reentry court participants and comparison groups at one year.

Figure 3. Reentry Court Participants Were Revoked Less Often than the Comparison Group



San Joaquin ($p<.01$); Los Angeles, San Diego, Santa Clara, and Statewide ($p<.001$). Sample sizes by group are as follows (program n, comparison n): Alameda n = 138, 264; Los Angeles n = 30, 53; San Diego n = 86, 161; San Francisco n = 53, 75; San Joaquin n = 193, 398; Santa Clara n = 144, 353; Statewide n = 591, 1,229.

Revocation-Related Savings for the State

Due to the fact that reentry court participants were revoked less often than parolees in the comparison group, the program group spent significantly fewer days in state prison compared to parolees on traditional parole during the 12-month follow-up period.[29] Statewide, the *average* number of days incarcerated in state prison per person for the entire program group was 17 days, compared to 59 days for the comparison group.[30] Applying the state prison incarceration cost of $143.99 per day [31] to the number of prison days saved due to reduced revocations of the reentry court program group results in a savings to the state of approximately $6 million.

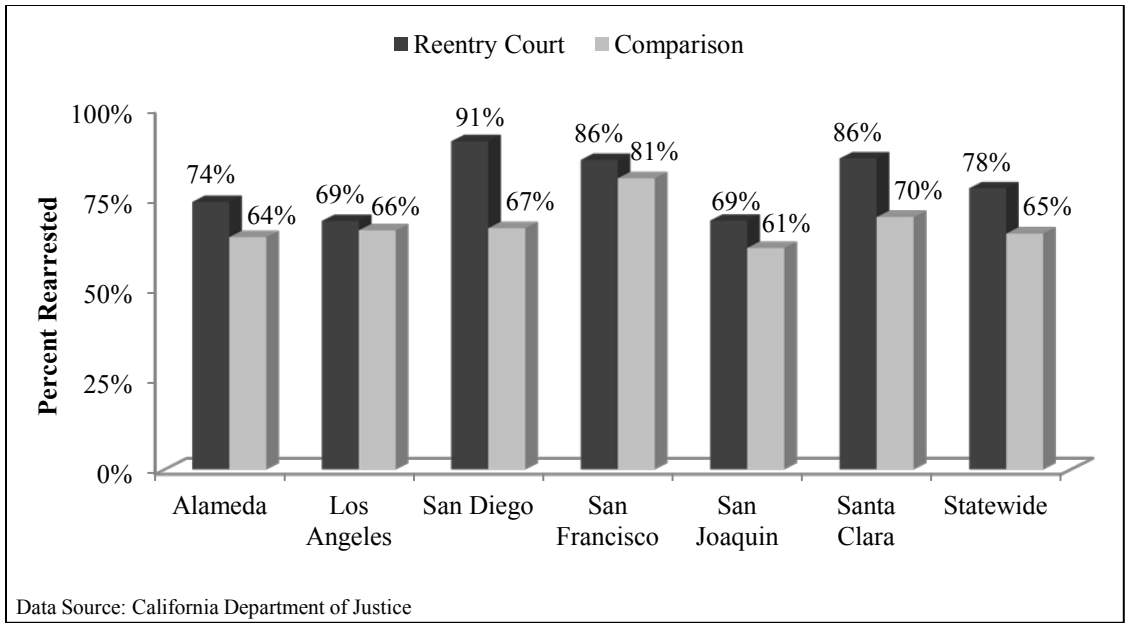
Rearrests

Likelihood of Arrest

Reentry court participants were more likely to be arrested compared to parolees on traditional parole in the year following program entry. Arrest was defined as any arrest for misdemeanor and felony charges as well as arrests for supervision violations. Statewide, 78% of reentry court participants were arrested in the year following program entry compared to 65% of the comparison group. Differences between the comparison and participant groups were statistically significant statewide and in San Joaquin, Alameda, San Diego, and Santa Clara Counties. Figure 4 illustrates the percent of reentry court participants and comparison group members who were arrested at least once in the first year following program entry.

Although this finding may initially appear counterintuitive, it is consistent with reentry court philosophy. Reentry courts are designed to provide more intensive supervision of participants than traditional parole, including regular interaction with the court (typically one to four times per month) and increased communication between agencies that have contact with the participant. Studies of drug and other high supervision court programs have found a 'supervision effect' where behavior that is illegal or not in compliance with supervision conditions is identified sooner and more often in collaborative justice court programs than would be the case had the person committed the same behavior while on traditional supervision.[32] The use of graduated sanctions is a central component of reentry courts and may help explain why, statewide, reentry court participants have more arrests but fewer revocations and days spent incarcerated. With intensive supervision, participants' illegal or noncompliant behavior is responded to immediately using intermediate sanctions, which may result in an arrest; however, typically participants are not returned to custody until a number of intermediate sanctions have been utilized first.

Figure 4. Reentry Court Participants Were More Likely to Be Rearrested than Comparison Group Members



San Joaquin ($p<.05$); Alameda ($p<.01$); San Diego, Santa Clara, and Statewide ($p<.001$). Sample sizes by group are as follows (program *n*, comparison *n*): Alameda *n* = 244, 526; Los Angeles *n* = 45, 86; San Diego *n* = 121, 245; San Francisco *n* = 84, 139; San Joaquin *n* = 271, 580; Santa Clara *n* = 245, 523; Statewide *n* = 926, 1,960.

Frequency of Arrest

In addition to a higher likelihood of rearrest, reentry court participants had a higher average number of arrests compared to parolees on traditional parole; that is, not only were participants more likely to be rearrested but they were also arrested more frequently than the comparison group.

Statewide, in the first 12 months after program entry, reentry court participants were arrested 1.7 times, on average, compared to 1.5 for parolees in the comparison group.[33] However, in five of the six court programs, there was no statistically significant difference in the average number of arrests between reentry court participants and parolees in the comparison group. The fact that the differences are not statistically significant means that these differences cannot be reliably attributed to the parolees' program participation.

Table 2 breaks down arrests by charge level at 12 months after program entry.[34] Except for Santa Clara, there were no significant differences in the number of felony arrests between the participant and comparison groups in the 12 months following program entry. However, reentry court participants in San Diego, San Francisco, and Santa Clara had a significantly higher average number of arrests for misdemeanor charges than parolees in the comparison group. One factor that may influence these statistics, as noted above, is that participant parolees were more closely supervised and were given swift and immediate sanctions for noncompliant behavior, with a new arrest as a common response.

Table 2. Average ReArrests by Charge Level in the Year After Program Entry

	Total Arrests		**Misdemeanor Charge**		**Felony Charge**	
	Reentry	Comp	Reentry	Comp	Reentry	Comp
Alameda	1.44	1.33	0.54	0.53	1.20	1.06
Los Angeles	1.17	1.40	0.24	0.40	1.00	1.15
San Diego	2.33	2.26	0.41*	0.80	1.99	1.81
San Francisco	3.18	2.67	1.48*	0.85	2.60	2.47
San Joaquin	1.38	1.49	0.39	0.50	1.23	1.25
Santa Clara	2.15***	1.32	1.42***	0.93	1.56***	0.90
Statewide	1.71**	1.50	0.66	0.67	1.42**	1.17

$^{*}p<.05$, $^{**}p<.01$, $^{***}p<.001$

Note. Sample sizes by group are as follows (participant *n*, comparison *n*): Alameda *n* = 138, 264; Los Angeles *n* = 30, 53; San Diego *n* = 86, 161; San Francisco *n* = 53, 75; San Joaquin *n* = 193, 398; Santa Clara *n* = 144, 353; Statewide *n* = 591, 1,229.

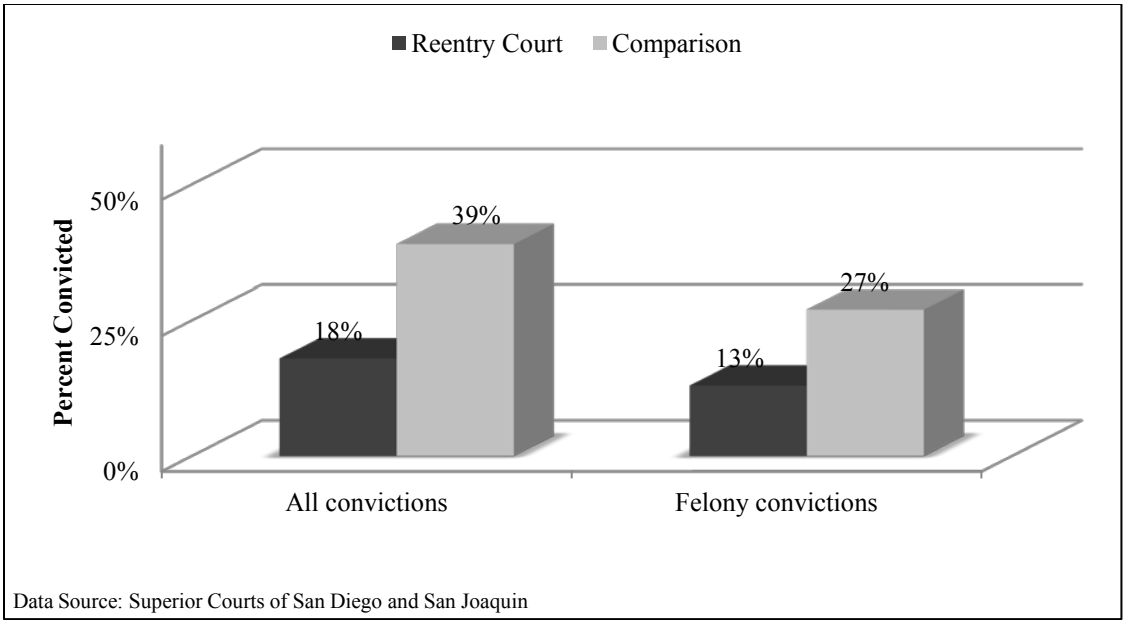
Convictions

Unlike rearrests, which may be influenced by a supervision effect and often do not lead to significant court action or findings of offender culpability, reconvictions provide definitive information about the recidivist outcomes of the individual offender. Unfortunately, limited resources, issues related to the quality of conviction data collected on the statewide level, and the limited timeframe of the study (it can take often take several months, and occasionally years, for conviction information to be gathered), made it infeasible to collect conviction data on a fully

representative sample for this project. Data for a small, randomly selected subsample of program and comparison members from two study sites (San Diego and San Joaquin) were collected to further explore the impact of reentry courts on criminal behavior as measured by convictions.[35] It should be noted that these data were analyzed for exploratory purposes and the conviction results cannot be generalized to all the reentry courts due to the small size of the sub-sample. The results provide important information, however, that is worthy of further investigation.

These preliminary analyses indicate that reentry court participants were substantially less likely to be reconvicted overall as compared to the comparison group during the first 12 months following program entry. Eighteen percent of reentry court participants were convicted of either a felony or misdemeanor offense within the first 12 months compared to 39% of the comparison group. Analyzing just felony convictions, results are similar. Only 13% of reentry court participants had a felony conviction in the first year following program entry compared to 27% in the comparison group. See Figure 5.

Figure 5. Reentry Court Participants Were Less Likely to be Convicted than the Comparison Group



All convictions, felony convictions ($p<.05$); Program group $n = 55$, comparison group $n = 51$.

Parolees with Identified Mental Health Issues

The reentry court program was intended to focus on offenders with substance abuse and mental illness. Historically, parolees with mental health issues have had poorer outcomes compared to parolees without such issues. Research conducted in 2008 by Grattet, Petersilia, and Lin show that parolees with a CDCR mental health classification are at higher risk for committing parole violations. The study found that parolees with a prison mental health classification are at 41% higher risk of absconding, 70% higher risk of technical violations, and 52% higher risk of the most serious violent violations. The qualitative field research in the Grattet study indicates that

parole agents appear to have less tolerance for violations committed by parolees with mental health issues because this population is perceived to be more unpredictable; in addition, at the time of the study the legal standards for parole revocation were broader for this population.[36]

Several of the reentry courts include licensed mental health practitioners on the reentry court team and have developed contracts with county mental health agencies to ensure that participants are assessed and their mental health needs are directly addressed. While only 16% of parolees in the general parole population have a CDCR mental health classification, 28% of reentry court participants had such a classification. Having a CDCR mental health classification means that the inmate accessed some type of mental health treatment while incarcerated; an even higher percentage, 36%, were identified by the mental health practitioners associated with the reentry court programs to have a mental health disorder, as defined by the *Diagnostic and Statistical Manual of Mental Disorders (DSM)*. In other words, reentry court programs identified mental health needs that had not been previously identified or addressed while the participant was incarcerated in state prison or on parole.

Qualitative data collected from focus group conversations with reentry court participants also indicate that mental health treatment is more available in reentry courts than in prison or on traditional parole. Several focus group participants indicated that comprehensive assessments conducted through the reentry court had resulted in mental health diagnoses that had been undetected in the past. Many of these participants also stated that they would mask psychiatric symptoms while incarcerated to avoid segregation in prison and the loss of access to other types of programs and services.

Although research has shown that parolees with mental health issues tend to be less successful on parole supervision,[37] preliminary analyses of reentry court data indicate that reentry courts may positively impact outcomes for this population.

- *Graduation*: Reentry court participants with mental health diagnoses are just as likely as participants without such diagnoses to graduate from the program.

- *Time spent incarcerated*: Within the program group there was no statistically significant difference in the number of days spent incarcerated between participants with mental health classifications and those without. However, in the comparison group, parolees with identified mental health issues spent significantly more time incarcerated than those without such issues.

Areas for Future Research

Findings from this evaluation show promising results in many areas and mixed results in others. Additional research on reentry courts is needed to understand their potential impact on reducing recidivism. Recommendations for areas of future study as well as lessons learned from the evaluation are described below.

In-Depth Review of Qualitative Data

The substantial amount of qualitative information gathered through focus group conversations and interviews with reentry court team members and participants is still being analyzed; given the rich data provided by the qualitative research, follow-up interviews and focus groups should be conducted. Preliminary analyses of the qualitative data point to some key areas of concentration that should be explored in greater depth. These include:

- *Understanding the role of the judge in the intensive supervision reentry court*. Drug court research has shown that the judicial officer plays a key role in encouraging program compliance and improving program outcomes.[38] Focus group information gathered from reentry court participants in this study indicates that the involvement of reentry court judges provides a similar impact. Additional research should be conducted on the courts involved in this study as well as other state and national reentry courts to determine whether this finding on the importance of judicial officer involvement can be replicated and what elements of these interactions are critical to greater reentry court success.[39]

- *Focusing on most effective ways to reintegrate participants into society*. Several interview respondents and focus group participants emphasized the need to thoughtfully approach participant reintegration into the community. Some reentry courts developed mentorship opportunities for program participants and worked with potential employers to create employment development programs. Many focus group participants spoke of the impact of the reentry court in helping to reestablish family relationships that had been strained during their periods of incarceration. Additional research on effective practices related to community reintegration is needed.

- *Identifying differences in the reentry court and drug court best practices.* Reentry courts are modeled after drug courts and employ many of the evidence-based practices that have proven to be effective in drug courts. Because reentry courts are still relatively new in the field of collaborative justice courts, it is unclear whether these practices have a similar impact on reentry court participants. Qualitative data gathered for this study indicates that working with reentry court participants is more challenging than working with drug court participants. Some reentry court team members noted that participants are more "sophisticated in their criminal behavior" than drug court participants and indicated that it may be more effective to use treatment modalities that directly address high level criminogenic needs such as cognitive behavioral therapy to address antisocial thinking. They also suggested that reentry court programs may be more effective if the required period of participation is longer and if the courts incorporate active alumni groups as a more significant component than is generally required in drug courts.

Identification of Effective Reentry Court Program Practices

Reentry courts are emerging programs that incorporate a variety of techniques and practices. Without a substantial body of reentry court specific research to draw upon, these court programs

must rely on evidence-based practices that have been researched in other settings, such as collaborative court principles or postrelease supervision techniques. For example, research indicates that drug court outcomes are improved when peer support groups are utilized.[40] Because reentry courts typically target very high risk individuals that were reported to be more criminally "sophisticated," several reentry court team members noted in interviews that reevaluating the impact of peer groups for this population may be beneficial. As the number and variety of reentry courts grows, additional research should be conducted to isolate and understand program-specific practices that are effective in reentry courts.

Conviction Analysis

A comprehensive analysis of prosecutorial charge and conviction information must be conducted in order to understand the true impact of this program and to better understand the differences in arrest rates between program participants and the comparison group. Because it takes a substantial amount of time for cases to move from arrest to conviction, a retrospective analysis should be conducted at least five years after the reentry court programs reach full capacity. Such an analysis should build upon data collected on both the reentry court participants and members of the comparisons groups identified in this study, and should measure differences in the number and type of convictions.

Comprehensive Study on Effects of Program for Participants with Mental Health Issues

Data gathered on successful program completion and on number of days incarcerated suggest that reentry courts may be particularly well suited for addressing the needs of parolees with mental health issues. Anecdotal evidence collected in focus group conversations suggests that reentry courts are more effective than traditional parole supervision in assessing and identifying mental health needs and in providing appropriate mental health treatment services. A comprehensive study should look at the long-term effects of reentry court participation on parolees with mental health issues.

Investigate Impact of the Program on Treatment Outcomes

As charged by the Legislature, the outcomes presented in this evaluation focused on measures of recidivism and did not address the effect of the program on offender needs. One of the key principles of collaborative justice courts is the integration of treatment with ongoing judicial supervision. Additional research should be conducted to measure treatment-focused outcomes such as treatment utilization and retention, as well as improvements in mental health or a decrease in substance abuse for reentry court participants, which research shows is also associated with reduced recidivism.[41]

Cost-Benefit Analysis

Reentry court participants spend less time in prison, on average than the comparison group. This outcome resulted in savings to the state of approximately $6 million. This encouraging finding should be explored more deeply with a comprehensive cost-benefit analysis to identify all the

costs and savings associated with this program. Limitations on evaluation resources and program changes related to realignment (mainly, the inability to gather information on days spent in jail) did not allow for such an in-depth study at this time. Since reentry courts have now stabilized their practices and adjusted to the impact of realignment, a study of the cost-effectiveness of these programs would be appropriate.

Conclusion

A primary goal for reentry court programs is to reduce the number of parole revocations. Statewide, reentry court programs were successful in accomplishing this goal: reentry court participants were revoked less often than members of the comparison group in the year following program entry and they spent significantly less time in prison than comparison group members. Reentry court participants were more likely to be rearrested; however, preliminary conviction analyses suggest that reentry court participants are less likely to be convicted compared to the comparison group. Additional research is needed to understand the long-term impact of these court programs on the criminal justice system and public safety.

The vast majority of offenders sentenced to prison return to the community at some point.[42] Many of them are at high risk for returning to prison and may have significant substance abuse and mental health issues. Findings from this research suggest that reentry courts may be an effective way to reduce the number of parolees who are revoked to prison. Additional research is needed to examine the impact of reduced reincarceration on local communities and on the general public.

The number of reentry courts in California and nationally has increased steadily in the last several years as policymakers and practitioners in the criminal justice system look for alternatives to incarceration to combat the significant problem of offender recidivism. California's public safety realignment legislation, which shifted responsibility for hearing parole revocation hearings from the Board of Parole Hearings to the courts and specifically authorized referral to reentry courts as an option in revocation hearings, may have also encouraged the expansion of these programs. The number of reentry courts in California has doubled from the 6 included in this study to 12 today.[43]

The field of reentry court research is in its early stages. As with the initial research on drug courts, few definitive statements can be made about the effectiveness of these programs until there has been time to develop a substantial body of literature. Numerous studies on reentry courts are now being conducted, including a comprehensive national study supported by the National Institute of Justice. Information from this evaluation of California reentry courts, the national study, and the growing body of literature from other local and state studies will enable reentry courts to identify the most successful practices associated with these programs and to develop more effective models to manage parolees and reintegrate them into society.

[1] A proxy program entry date was calculated for each comparison group member based on the program groups' median number of days from index violation to program entry.

[2] Although reentry court programs began to accept participants in late 2010 and early 2011, they did not reach program capacity until fall of 2011. In order to conduct an evaluation with a sufficient sample size this evaluation is submitted three years after the programs were fully operational and at program capacity.

[3] R. Grattet, J. Petersilia & J. Lin, *Parole Violations and Revocations in California* (Washington, DC: Nat. Inst. of Justice, Oct. 2008), *https://www.ncjrs.gov/pdffiles1/nij/grants/224521.pdf* (accessed Nov. 3, 2014).

[4] Cal. Department of Corrections and Rehabilitation (CDCR), *Corrections: Moving Forward* (Annual Report, Fall 2009), *http://www.cdcr.ca.gov/News/Press_Release_Archive/2009_Press_Releases/docs/CDCR_Annual_Report.pdf* (accessed Nov. 3, 2014).

[5] Cal. Department of Corrections and Rehabilitation (CDCR), *2012 Outcome Evaluation Report* (Oct. 2012), *http://www.cdcr.ca.gov/Adult_Research_Branch/Research_Documents/ARB_FY_0708_Recidivism_Report_10.23.12.pdf* (accessed Nov. 3, 2014).

[6] The National Institute of Justice (NIJ) is sponsoring a multi-site, two-phase study being conducted by RTI International, the Center for Court Innovation (CCI), and NPC Research. The first phase was a process evaluation released in March 2013; see *https://www.ncjrs.gov/pdffiles1/nij/grants/241400.pdf* (accessed Oct. 23, 2014). The second phase includes an outcome study and is expected to be released in early 2016.

[7] Z. Hamilton, *Do Reentry Courts Reduce Recidivism?: Results from the Harlem Parole Reentry Court* (New York, NY: Center for Court Innovation, Mar. 2010), available at *http://www.courtinnovation.org/sites/default/files/Reentry_Evaluation.pdf* (accessed Nov. 3, 2014).

[8] C. T. Lowenkamp & K. A. Bechtel, *An Evaluation of the Accelerated Community Entry (ACE) Program – Preliminary Report* (2010).

[9] C. J. Taylor, "Tolerance of Minor Setbacks in a Challenging Reentry Experience: An Evaluation of a Federal Reentry Court" (Jan. 2013) 24(1) *Criminal Justice Policy Review* 49–70, available at *http://cjp.sagepub.com/content/by/year/2013* (accessed Nov. 3, 2014).

[10] A. Farrell & K. Wunderlich, *Evaluation of the Court Assisted Recovery Effort (C.A.R.E.) Program—United States District Court for the District of Massachusetts* (2009).

[11] D. B. Wilson, O. Mitchell & D. L. Mackenzie, "A Systematic Review of Drug Court Effects on Recidivism" (2006) 2 *Journal of Experimental Criminology* 459–487; J. Latimer, K. Morton-Bourgon & J. Chretien, *A Meta-Analytic Examination of Drug Treatment Courts: Do They Reduce Recidivism?* (Canada Department of Justice, Research & Statistics Division, 2006); D. K. Shaffer, "Reconsidering Drug Court Effectiveness: A Meta-Analytic Review" (doctoral dissertation, University of Nevada, Las Vegas, 2006); C. T. Lowenkamp, A. M. Holsinger & E. J. Latessa, "Are Drug Courts Effective? A Meta-Analytic Review" (Fall 2005) *Journal of Community Corrections* 5–28; S. Aos, M. Miller & E. Drake, *Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates* (Olympia, WA: Washington State Institute for Public Policy, 2006).

[12] S. M. Carey, M. Finigan, D. Crumpton & M. Waller, "California Drug Courts: Outcomes, Costs and Promising Practices: An Overview of Phase II in a Statewide Study (2006) 3 *Journal of Psychoactive Drugs, SARC Supplement* 345–356.

[13] U.S. Government Accountability Office, *Studies Show Courts Reduce Recidivism, but DOJ Could Enhance Future Performance Measure Revision Efforts* (GAO-12-53: Published: Dec. 9, 2011; Publicly Released: Dec. 9, 2011).

[14] Collaborative justice courts, called problem-solving courts outside of California, began in the 1990s and were developed to address underlying issues, such as homelessness, substance abuse, and mental illness, that contribute to criminal behavior. For more information on these courts, please see Bureau of Justice Assistance, Center for Program Evaluation and Performance Measurement, "What Are Problem-Solving Courts?," *https://www.bja.gov/evaluation/program-adjudication/problem-solving-courts.htm*.

[15] Collaborative court principles identified by the CJCAC are based on the National Association of Drug Court Professionals' (NADCP) key components described in *Defining Drug Courts: The Key Components* and can be found at *https://www.ncjrs.gov/pdffiles1/bja/205621.pdf* (accessed Sept. 12, 2014).

[16] At the date of this publication, San Diego reentry court also accepts referrals from parole (with no active court case).

[17] Parolees who violate conditions of parole or commit a violation of law and who were originally sentenced to a maximum term of life imprisonment or convicted of certain sex offenses and required to register as a sex offender must be remanded to CDCR and BPH custody.

[18] Pen. Code, § 3015.

[19] On November 13, 2014 the California Board of State and Community Corrections released its final statewide definition of recidivism. Recidivism is defined as conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction.

[20] Quasi-experimental designs employ statistical techniques, such as propensity scoring, to control for differences between groups that may impact program outcomes.

[21] A proxy program entry date was calculated for each comparison group member based on the program groups' median number of days from index violation to program entry.

[22] Because San Francisco needed to terminate their program, many of the participants (73%) participated in the program for six months or less.

[23] Los Angeles and San Diego reentry court programs accepted participants only if they were facing a return to custody if they did not participate in the program. Since no other policy alternative was available, comparison group members were restricted to those returning to custody for these two programs.

[24] Beatrice F. Birman, "Education Policy Analysis and Program Evaluation: Shifting Methods, Politics, and Temperament"(Spring 2003) 22(2) *Journal of Policy Analysis and Management* 300–304.

[25] CDCR, *2012 Outcome Evaluation Report, supra* note 4.

[26] *Id*.

[27] The term "statistically significant" indicates it is unlikely that the observed effect, in this case that reentry court participants are revoked less often, is due to chance.

[28] The reported average number of parole revocations for participants and comparison groups were adjusted for age, race/ethnicity, gender, risk and need scores, prior arrests, prior revocations, prior prison incarceration, and opportunity to reoffend (cumulative time spent incarcerated in prison during the same period).

[29] Although parolees can be returned to either county jail or state prison depending on the nature of the violation/offense and the type of parole supervision, it was not possible for Judicial Council staff to collect county jail data. All figures and text regarding days incarcerated refer only to days in state prison.

[30] The average number of prison days for reentry court participants and comparison groups were adjusted for age, race/ethnicity, gender, risk and need scores, prior arrests, prior revocations, and prior time incarcerated in prison.

[31] The cost per day of prison in all counties was obtained from CDCR, *Realignment Report: An Examination of Offenders Released from State Prison in the First Year of Public Safety Realignment* (Dec. 2013), http://www.cdcr.ca.gov/Adult_Research_Branch/Research_Documents/Realignment_1_Year_Report_12-23-13.pdf (accessed Nov. 3, 2014) and Legislative Analyst's Office, *California's Criminal Justice System: A Primer* (Jan. 2013), http://www.cdcr.ca.gov/Reports/docs/External-Reports/criminal-justice-primer-011713.pdf (accessed Nov. 3, 2014), and adjusted with the Consumer Price Index , which resulted in a prison cost of $143.99 per day.

[32] Center for Court Innovation, *Reentry Courts: Looking Ahead: A Conversation About Strategies for Offender Reintegration* (2011), http://www.courtinnovation.org/sites/default/files/documents/Reentry_Courts.pdf (accessed Nov. 3, 2014).

[33] The reported average number of rearrests for all participants and the comparison group were adjusted for age, race/ethnicity, gender, risk and need scores, prior arrests, prior revocations, prior incarceration, and opportunity to reoffend (cumulative time spent incarcerated in prison during the same period).

[34] Average number of arrests includes all charges associated with an arrest. For example, if an individual is arrested on multiple charges (both felony and misdemeanor) all charges are included in the count.

[35] San Diego and San Joaquin were the only two sites that were able to provide the data due to workload issues, time constraints, and limited court data collection capacity at the other study sites.

[36] R. Grattet, J. Petersilia & J. Lin, *supra* note 2.

[37] R. Grattet, J. Petersilia & J. Lin, *supra* note 2.

[38] C. G. Jones & R. I. Kemp, "The Strength of the Participant-Judge Relationship Predicts Better Drug Court Outcomes" (2013) *Psychiatry, Psychology and Law* (online only); D. B. Marlowe, D. S. Festinger, P.A. Lee, K. L. Dugosh & K. M. Benasutti, "Matching Judicial Supervision to Client's Risk Status in Drug Courts" (2006) 52(1) *Crime & Delinquency* 52–76.

[39] C. J. Taylor, "Balancing Act: The Adaptation of Traditional Judicial Roles in Reentry Court" (2012) 51(6) *Journal of Offender Rehabilitation* 351–369.

[40] J. F. Kelly, R. Stout, W. Zywiak & R. Schneider, "A 3-year Study of Addiction Mutual-Help Group Participation Following Intensive Outpatient Treatment" (2006) 30(8) *Alcoholism: Clinical & Experimental Research* 1381–1392; R. H. Moos, & C. Timko, "Outcome Research on 12-Step and Other Self-Help Programs," in *Textbook of Substance Abuse Treatment,* ed. M. Galanter & H. D. Kleber (Arlington, VA: American Psychiatric Publishing, 4th ed., 2008), 511–521.

[41] D. K. Shaffer, "Looking Inside the Black Box of Drug Courts: A Meta-Analytic Review" (June 2011) 28(3) *Justice Quarterly* 493–521; D. C. Gottfredson, B. W. Kearley & S. D. Bushway, "Substance Use, Drug Treatment, and Crime: An Examination of Intra-Individual Variation in a Drug Court Population" (2008) 38(2) *Journal of Drug Issues* 601–630.

[42] N. James, "Offender Reentry: Correctional Statistics, Reintegration into the Community, and Recidivism," *Congressional Research Service* (June 12, 2014).

[43] The Judicial Council of California collects data on the number and type of collaborative justice courts in the state.