

# Drug Offender Reform Act

Smarter Sentencing + Smarter Treatment = Better Outcomes and Safer Neighborhoods

## Progress Report on the Drug Offender Reform Act Pilot Program

July 19, 2006

*Presentation to the Law Enforcement and Criminal Justice Interim Committee*

### 2006 Legislative Action

**Senate Bill 185: Drug Offender Reform Act Amendments** was passed by the 2006 Utah Legislature. The bill amended the Drug Offender Reform Act Pilot Program to require screening and assessment for *all* felony offenders in the Third Judicial District in Salt Lake County, rather than only offenders convicted of a felony violation of the Controlled Substances Act. Effective on May 1, this amendment is enabling a “front-loading” of offenders into the DORA Pilot Program, thus providing sufficient follow-up time to measure program outcomes.

### Summary of the DORA Process

- ❖ Offender is arrested for a felony offense.
- ❖ Offender is pre-screened to eliminate ineligible candidates (e.g., immigration holds, sex offenders, parolees, commitments to prison, non-Salt Lake County residents, felony DUI offenders).
- ❖ Offender is convicted of a felony offense.
- ❖ Offender is screened with the Level of Service Inventory-Revised (LSI-R).
- ❖ Offender who meets the DORA criteria is assessed utilizing the Addiction Severity Index (ASI) to determine the level of treatment needed.
- ❖ The Pre-Sentence Investigation Report indicates if the offender is DORA eligible and recommends a level of treatment and a treatment program based on the ASAM (American Society of Addiction Medicine) criteria, and a level of supervision as indicated by the LSI-R.
- ❖ Judges may order up to 250 offenders into DORA treatment slots.
- ❖ The DORA offender is supervised by the AP&P DORA agent, in consultation with the treatment provider.
- ❖ Outcomes measurement is administered by the treatment agency and outcomes are tracked by CCJJ and the U of U Criminal Justice Center.

### Progress to Date

#### As of July 13, 2006:

- ❖ One hundred thirty (130) offenders have been ordered into the DORA Pilot Program since the start-up date of July 1, 2005.
- ❖ Approximately 489 offenders have been screened (LSI-R) by AP&P for possible participation in DORA.
- ❖ Of the offenders screened, 170 have been referred to the Salt Lake County Division of Substance Abuse for substance abuse evaluations (ASI).
- ❖ Of the offenders screened, 319 were disqualified from participation in the DORA Pilot Program. Most disqualifications occurred for the following reasons: AP&P recommendation based upon public safety considerations (e.g., the offender warranted more severe sanctions such as prison commitment or a lengthy jail sentence, or the offender presented with multiple criminal offenses); the offender did not report for the required

screenings and evaluations; the offender had completed treatment, was currently in treatment, or did not require treatment; the offender's LSI-R score was outside of the DORA criteria; the offender was pending action by Immigration and Customs Enforcement; or the offender did not reside in Salt Lake County.

- ❖ DORA offenders have been referred to nine different community treatment agencies.
- ❖ Levels of treatment include: general outpatient, intensive outpatient, day treatment, and residential treatment.
- ❖ Methamphetamine is the primary drug of choice for 53% of DORA offenders; followed by opioids at 17% (heroin and pills such as OxyContin, Percocet and Lortab); marijuana at 12%; cocaine at 11%, and alcohol at 7%.
- ❖ Ten (10) offenders have completed treatment and are currently in aftercare.

With the passage of S.B. 185, it is anticipated the DORA Pilot Program will reach its capacity of 250 offenders by March 2007.

## **DORA Funding**

A total of **\$1,418,000** has been appropriated by the Utah Legislature for the three-year DORA Pilot Program. In 2005, the Legislature established the program and appropriated **\$500,000** for the first year, FY 2006, as follows: \$75,000 to the Commission on Criminal and Juvenile Justice (CCJJ), \$315,000 to the Department of Human Services, \$100,000 to the Department of Corrections, and \$10,000 to the Administrative Office of the Courts. The 2006 Legislature appropriated the funding for years two and three of the program (FY 2007 and FY 2008) in the amount of **\$918,000**, as follows: \$647,000 to the Department of Human Services, \$251,000 to the Department of Corrections, and \$20,000 to the Administrative Office of the Courts.

The **Department of Human Services (\$962,000)** awards its funds to the Salt Lake County Division of Substance Abuse Services to be used for substance abuse treatment for DORA participants. Salt Lake County then contracts with community treatment agencies to provide these services. Treatment services may include the following, as appropriate for each offender's treatment needs/plan: Group Treatment, Group

Life Skills, Group Behavior Management/ Substance Abuse Education, Individual/Family Treatment, Individual Behavior Management, Residential Treatment, Mental Health/Medical Evaluation/Intake, Case Management, and Urine Analysis.

The **Department of Corrections (351,000)** utilizes its funds for two full time AP&P Agents and a vehicle for the agents.

The **Administrative Office of the Courts (\$30,000)** utilizes its funds to support court clerks needed for the additional court time required for DORA offenders.

## **DORA Research Study**

The **Commission on Criminal and Juvenile Justice (\$75,000)** contracted \$60,000 of its funds to the Criminal Justice Center at the University of Utah to conduct the research associated with the DORA Pilot Project. This was done to ensure a professional and non-biased entity conducts the analysis of the data related to the DORA Project.

The experimental group for the DORA study includes the 250 offenders in Salt Lake County funded by the Utah Legislature to receive appropriate screening, assessment, and treatment. Researchers selected Davis County for the creation of a comparison group. An analysis of offender characteristics and sentencing patterns proved Davis County to be a close match to Salt Lake County. A group of felony offenders from Davis County who meet the same substance abuse criteria as the DORA clients in Salt Lake County will be used to compare differences in outcome.

Initial outcome results will not be available for some time. Once selected for DORA, offenders will complete an average of 12-18 months of treatment. Once treatment is completed, researchers will examine their behavior in the community for an additional 12 months.



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