

## DFE Fidelity Review: Saline County, Arkansas

### Pepperdine University

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The key features of HOPE are swift, certain, and parsimonious sanctions delivered in response to probation violations. This report provides a brief summary of Saline County's performance on key HOPE fidelity measures. The results shown here reflect the site's data from the launch of HOPE through June 30, 2013.

#### Brief Overview

Enrolled in HOPE: 93

Number of warning hearings held: 39

Number of supervised UAs: 1,717

Number of sanctionable UAs\*: 43

Percentage sanctionable UAs\*: 2.5%

Number of lab confirmations required: 19

Number of probationers rewarded with less frequent testing: 46

Number of probationers who violated: 59

Number of violation hearings held: 132

Number of violation hearings held within 3 days of violation: 84

Number of subjects currently absconded\*\*: 3

*\*\*Sanctionable UAs" include positive results on a drug test (without an approved prescription), evidence of tampering, and failure to provide a specimen, and exclude positive results with an admission at the time of the warning hearing.*

*\*\* "Absconded" is defined as on an open bench warrant, at least three days post-violation.*

#### A. Randomization to Warning Hearing

We encourage sites to schedule subjects for their warning hearings as soon after randomization as possible. In the original HOPE evaluation, subjects who failed to appear for their warning hearing were responsible for a disproportionate share of the HOPE failures (serious new crimes and probation revocations).

We track the number of days between randomization and appearing for a warning hearing and investigate further if the number exceeds seven days.

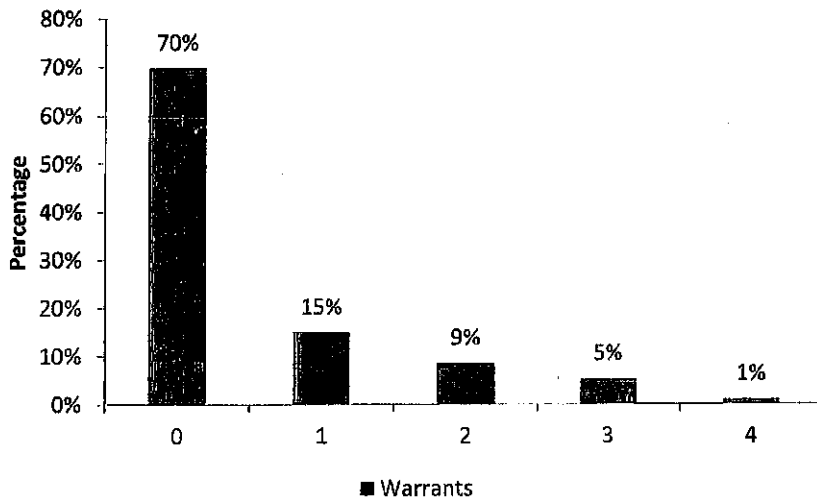
Arkansas is moving their subjects into warning hearings very quickly. The mean number of days = 3.5 days (influence by one outlier described below) and 75% of their subjects appeared for their WH within two days. We consider Arkansas to be performing well on this measure. The one outlier for Arkansas (a subject who waited 33 days before their WH), was delayed as his sentence had included an incarceration period. He was sent to his WH on release. We need to

confirm that RTI's records show that the jail time served for this offender was for an offense that *pre-dated* the HOPE study [Arkansas State ID = 172191].

## B. Warrants

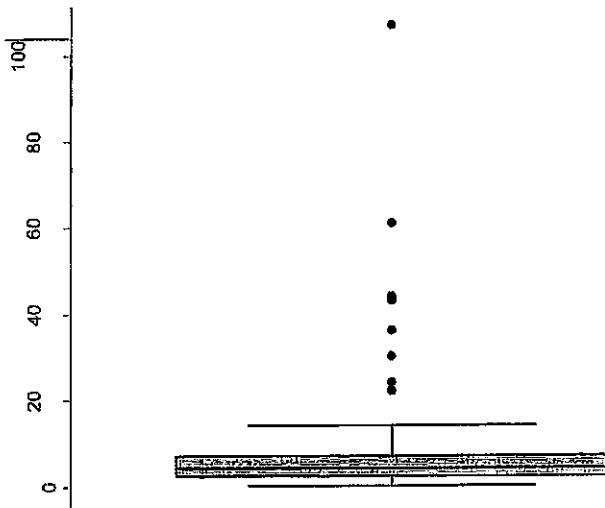
28 subjects (30% of the HOPE caseload) have had a bench warrant issued in Saline. Figure 1 shows the distribution of warrants served. 70% of the HOPE caseload has not had a warrant issued.

**Figure 1. Distribution of Number of Warrants Issued**



A key fidelity measure in assessing “swiftness” of delivering HOPE sanctions is the number of days between a warrant being issued and law enforcement serving that warrant. Expedited warrant service is crucial to HOPE implementation. Our target fidelity benchmark is 75% of subjects served within one week. Figure 2 shows the days between a warrant being issued and the date of arrest. Outliers (offenders on abscond status longer than is typical) are marked with a heavy dot. The average number of days between a warrant being issued and a warrant being served is 11 (this average is heavily influenced by those subjects who have remained at large for long periods). The “typical” (or median) subject is served within 4 days, and 75% of all subjects have their warrants served within 7 days. Arkansas is conforming with expectations for the benchmark for warrant service, but this fidelity metric should be monitored closely as the days between warrant issue and warrant service have increased over the course of the rollout, such that the site might soon be considered non-conforming on this measure.

**Figure 2. Days Between Warrant Issue and Warrant Service**



### **C. Swift Hearings**

We also measure the swiftness of response from the perspective of the court. One court measure is the days from arrest to probation-violation hearing. Our benchmark of success is 75% of subjects appear before the HOPE judge within three days of arrest. Arkansas performs outstandingly well on this measure: 75% of subjects appeared before the HOPE judge within two days.

### **D. Certain Sanctions**

In order to implement HOPE with fidelity, each detected violation should be met with a sanction. A key fidelity measure is the number of probationers who have absconded. Probationers who violate and are not held accountable do not benefit from the certainty of a fair and modest sanction. Arkansas currently has only three probationers absconded. Two of these have been at large for over two months. While we consider Arkansas to be performing well on this measure, expedited warrant service will help enforce the certainty of sanctions in response to violations.

### **E. Proportional Sanctions**

A key component of the HOPE model is the proportionality of sanctions. Each violation should receive a sanction commensurate with the severity of the violation. A probationer who makes the decision to take the "next right step," either by admission or voluntary surrender, should be rewarded with a shorter sanction than one who continues to do the "wrong" thing.

We track the number of days each probationer spends in jail for each violation. 54 subjects have had a jail sanction (58% of subjects). Average number of jail days (averaged over all HOPE

subjects) is 12. Average number of jail days for those who have received at least one jail sanction is 21. Sanctions have been reviewed and seem reasonable. Arkansas is performing well in regards to the proportionality of sanctions imposed.

#### F. Use of Treatment Resources

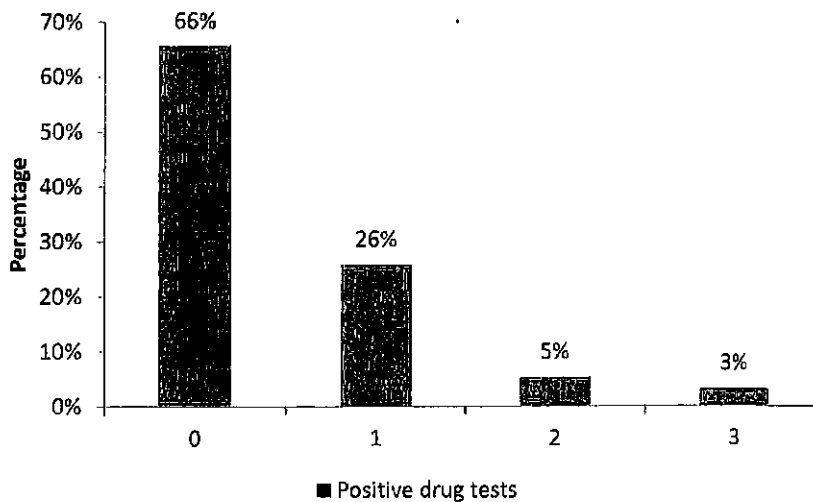
Because HOPE can be considered a “triage” tool to distinguish between offenders who are able to desist from drug use on their own and those who need treatment, it is important that treatment resources are used wisely.

##### *Description of Drug Use*

- Number of Supervised UAs: 1,717
- Number of Sanctionable UAs: 43
- Positive Test Rate: 2.5%

32 subjects have tested positive for an illicit drug (percent of subjects that tested positive =  $32/93 = 34\%$ )

**Figure 3. Distribution of Number of Positive UAs**



We track the number of probationers sent to either inpatient or outpatient treatment, based on their violation history.

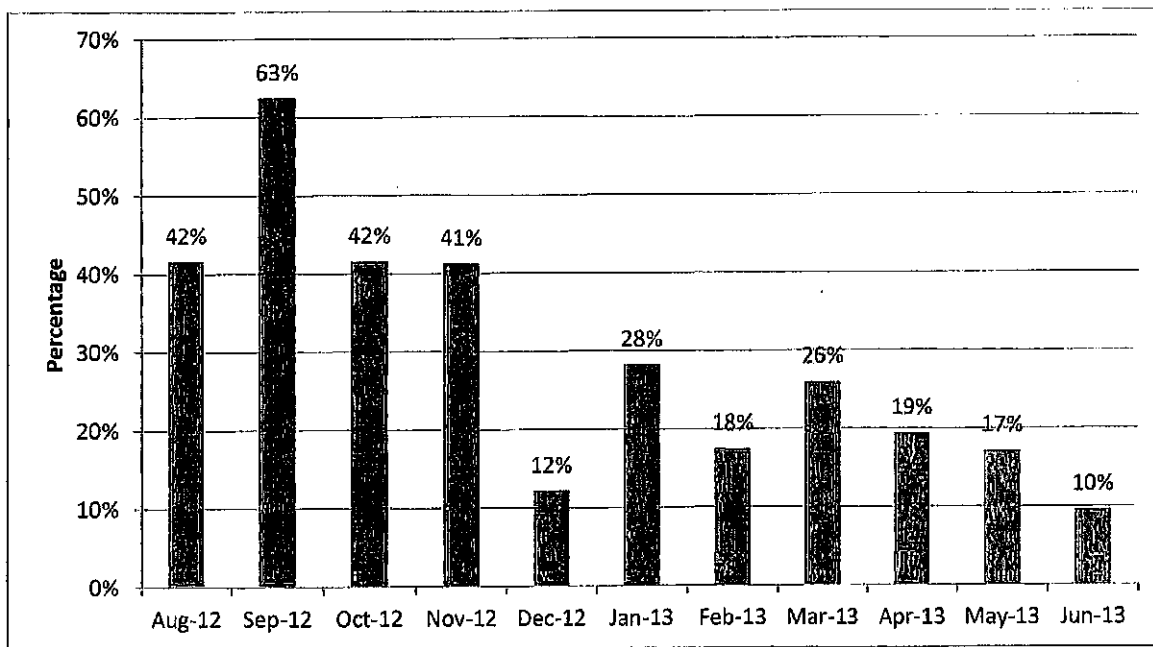
- Number sent to outpatient treatment: 5 (percent of total in program =  $5/93 = 5.4\%$ )
- Number sent to inpatient treatment: 12 (percent of total in program =  $12/93 = 12.9\%$ )
- Percentage of caseload referred to drug treatment = 18.3%

Arkansas is performing well at meeting HOPE's triage standards. Median is three violations prior to treatment being ordered. Two outliers were ordered to inpatient treatment after just one violation, however this is not necessarily seen as a fidelity failure, as we don't have knowledge of how these probationers presented. We support expedited referrals to treatment, when warranted. We consider Arkansas to be using HOPE as a "triage tool" and they are allocating their treatment resources well.

### G. Violation Rate over Time

An indicator of whether offenders are learning to change behavior under HOPE is if the overall violation rate decreases over time. Figure 4 shows the change in violation rate over time. The average monthly violation rate in 2012 was 40%; in 2013 this had fallen to 20%.

**Figure 4. Violation Rate, by Month**



In addition to probation violations, five subjects have picked up new charges.

Overall, Arkansas can be proud of their implementation efforts. With a bit more focus on their warrant service, Saline County can boast a near-perfect HOPE replication.