



# National Institute of Justice *Update*

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## The Impact of Systemwide Drug Testing in Multnomah County, Oregon

One response to evidence of the strong link between drug use and criminal activity has been the creation of drug testing programs to monitor offenders released into the community under supervision of the courts. To learn more about the effects of drug testing programs on criminal activity and compliance with court orders and to understand how such programs could effectively operate, the National Institute of Justice sponsored a process and impact evaluation of an 18-month demonstration Drug Testing and Evaluation (DTE) program in Multnomah County, Oregon. The evaluation examined DTE's distinct components: the Pretrial Release and Supervision Program (PRSP) and the postsentence program for probationers and parolees.

The results indicate that probation and parole officers believed drug testing has provided them with an effective case management tool. However, analysis of subsequent arrest records revealed no significant decrease in rearrest rates associated with participation in the DTE program. Use of DTE during pretrial release did not result in fewer arrests among defendants assigned to drug testing than among defendants not referred to testing. Differences in the way corrections officers responded to offenders who violated drug testing requirements also did not affect recidivism.

According to the study, the absence of measurable effects on participants' behavior may have resulted from the DTE program's scarcity of resources: the lack of capacity for penalizing violations of testing conditions and the limited availability of treatment slots.

### Multnomah County's demonstration program

The Multnomah County DTE was supported from January 1991 through October 1992 by the U.S. Department of Justice, Bureau of Justice Assistance. NIJ's evaluation

covered the period from January 1991 to spring 1992. The program was designed to achieve early identification, evaluation, and referral to treatment of drug-involved defendants, regular monitoring of court-required drug abstinence, and systemwide linkages between the pretrial and probation stages for drug-involved offenders.

**Pretrial program evaluation.** Evaluation of the pretrial release component (PRSP) was based on an experiment that compared 169 clients randomly selected for DTE to a control group of defendants not selected for DTE.

Most DTE clients in PRSP were charged with felony drug offenses. The majority were male (79 percent) and most were white (58 percent). Evaluators found no significant differences between the proportion of the treatment and control groups arrested during DTE or following program participation (after controlling for age, race, sex, type of charge, or number of previous offenses).

The evaluators reported that several departures from the model's goals and procedures may have weakened the program's impact. These included poor participation and compliance with testing requirements: only 14 percent appeared for all scheduled tests and 46 percent missed more than half of their scheduled tests. Many of those tested continued to use drugs: 60 percent tested positive at least once and 34 percent tested positive on more than three-quarters of all tests. However, sanctions for those who failed to appear or who tested positive were not administered for the first 11 months of the 22-month evaluation period.

Other factors were poor participation in and utilization of pretrial evaluations of the severity of drug problems. Because of delays in scheduling and a high rate of no-shows at scheduled appointments, standardized evaluation was completed for fewer than half of the pretrial clients. Early entry into treatment was also limited

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because drug cases were adjudicated by an expedited court docket; hence, timing often precluded placing offenders in treatment before sentencing.

**Probation and parole program evaluation.** Evaluation of the probation and parole component of DTE was based on a cross-sectional analysis of arrests and violations of release conditions for 504 clients supervised by 53 corrections officers. The offenders in the sample were predominantly male (84 percent), white (70 percent), and on probation (75 percent) rather than parole (25 percent). Most were classified at medium (41 percent) or high risk (40 percent) for recidivism.

Seventeen percent of the sample participated in the drug testing component of DTE, but only 1 percent completed an assessment for drug problem severity. On average, each offender completed 7 drug tests, with the number of completed tests ranging from 0 to 32. Almost half (47 percent) tested positive at least once.

Over half (54 percent) of the total group had at least one officially recorded violation of their probation or parole conditions in 17 months.

The corrections officers who supervised these offenders used their discretion in making referrals to DTE, typically choosing the program for those whom they believed needed close monitoring. These officers' supervisory practices varied. Officers employing tough practices (41 percent) were those who reported they usually or sometimes recommended revocation for a DTE client who failed to show up for a drug test once or twice. Officers who used easier practices (26 percent) said they sometimes or never recommended revocation for more than two dirty tests. The remainder (33 percent) were classified as moderate.

Neither the officers' level of use of the DTE program nor their willingness to request revocation hearings was signifi-

cantly related to the average number of new arrests among their clients (controlling for client risk). The rate of technical violations was also not related to the use of DTE, officer supervisory practices, or the interactions of these factors.

### **The need for full program implementation**

These findings echo those of earlier studies that drug testing alone does not effectively reduce arrests among offenders or improve compliance with court orders. The researchers concluded that DTE's inability to provide potentially effective responses when test results indicated continued drug use significantly affected this study's results. The absence of swift and sure sanctions for violations of the program, the limited number of formal assessments of client drug problems, the shortage of treatment slots for abusers, and lack of coordination between the pretrial and postadjudication phases of DTE mean that this evaluation was not able to assess a fully implemented systemwide drug testing model, as originally intended.

This evaluation also shares with others the problems that the outcome variables—detected criminal activity and violations of release—are imperfect measures of the underlying prevalence of criminal activity and violations. Because drug testing increases surveillance, DTE may actually increase the detection of infractions by participants. Furthermore, using a cross-section of cases rather than random selection (which was not an available option) to analyze the probation and parole component of DTE may have failed to detect the program's impact.

More information about this study, which was conducted by Adele Harrell, Ph.D., William Adams, and Caterina Gouvis, is available from the National Criminal Justice Reference Service, Box 6000, Rockville, MD 20849-6000; or call 800-851-3420, or e-mail [askncjrs@ncjrs.aspensys.com](mailto:askncjrs@ncjrs.aspensys.com).

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