



# THE BTC REVIEW

STOPPING DRUG USE: STOPPING CRIME

*The Newsletter of The Breaking the Cycle Initiative*

Issue 4

December 2000

## THIS ISSUE:

*Pitfalls and Progress: Lessons Learned in Implementing Breaking the Cycle*

Breaking the Cycle is sponsored by the Office of National Drug Control Policy and the National Institute of Justice, in partnership with other Justice Department and Federal agencies. It is a systemwide intervention strategy designed to identify, supervise, and treat all drug users in the criminal or juvenile justice system. Its hypothesis is that a system of integrated testing, treatment, graduated responses, and supervision will reduce drug use in a defendant population. This, in turn, will reduce recidivism, improve social functioning and health status, and promote more effective use of system and treatment resources.

The Breaking the Cycle model is being implemented in the adult justice systems of Birmingham, Alabama; Jacksonville, Florida; and Tacoma, Washington, and the juvenile justice system of Lane County (Eugene), Oregon. Additional information about the initiative is available through:

Spurgeon Kennedy  
Breaking the Cycle Program Manager  
National Institute of Justice  
810 Seventh Street, N.W., Room 7115  
Washington, DC 20531  
202 616-5121

*PROGRAM BRIEF*

## *Pitfalls and Progress: Lessons Learned in Implementing Breaking the Cycle*

On September 11–12, 2000, the National Institute of Justice (NIJ) hosted the Third Breaking the Cycle Site Meeting in Jacksonville, Florida. Under the theme “Lessons Learned, Next Steps,” NIJ staff, representatives from the initiative sites, and the national evaluators discussed what each had learned under Breaking the Cycle and how this knowledge could be used to further improve the initiative. A summary of these “lessons learned” is presented here.

### **Preexisting Issues Affected Breaking the Cycle’s Operation**

Current system problems greatly influenced Breaking the Cycle’s implementation. Jail overcrowding in Birmingham and Tacoma weakened short-term detention as a sanction option. Heavy probation caseloads in each adult site delayed the start of several case management innovations and hampered monitoring of court-ordered conditions and other services. Minimally integrated data systems in each site meant that more resources than anticipated went to management information systems (MIS) development.

### **Uncertainty About Responsibilities Was the Main Obstacle to Collaboration**

Breaking the Cycle requires participation and support from all justice agencies and drug treatment and social service providers. True collaboration, however, occurs only when partner agencies know and accept their respective roles. Cooperation under Breaking the Cycle diminished when individual agency’s roles were unclear or when initiative requirements conflicted with other system considerations, such as case processing time, caseload management, or jail and court security.

Sites enhanced collaboration somewhat by restructuring procedures to meet expressed concerns (without compromising the Breaking the Cycle program model or research design), “reeducating” agencies and staff of their functions, and highlighting the initiative’s potential benefits to the local justice system. For example, in Jacksonville, judges worried that Breaking the Cycle violation and review hearings would add to case processing times. After meeting with the local project director, they agreed to give case managers more authority to respond to certain offender behavior, such as low-level infractions. The project director also explained Breaking the Cycle’s expected benefits to judges, such as additional information on drug use at bail setting and enhanced pretrial and postsentence supervision.

### **Judicial Oversight Under Regular Case Processing Was Difficult to Maintain**

Under the original Breaking the Cycle concept, judges would take an active role in reviewing offender compliance and meting out sanctions and incentives. This idea was patterned after the Drug Court’s concept of judicial oversight. However, while this approach works in a specialty court setting, all-encompassing judicial oversight is difficult under regular case processing—where most Breaking the Cycle cases remained. Judges in each site expressed concern about scheduling Breaking the Cycle-specific hearings while maintaining regular pretrial and postsentence dockets.

Instead of requiring all judges to review and act on compliance and noncompliance, sites chose alternatives to ensure system response to offender conduct and smooth case processing. Birmingham and Tacoma assigned specific judges to handle Breaking the Cycle hearings. Lane County created a Breaking the Cycle review calendar separate from its regular hearings calendar.

### **Using and Applying Effective Sanctions and Incentives Is Difficult**

Large caseloads and the occasional loss of contact with offenders made applying sanctions quickly after an infraction difficult. This, in turn, diminished the impact of quick and meaningful responses on offender

behavior. Each site mentioned improving the timing of sanctions and other responses as a primary goal.

Nonetheless, sites made use of promising sanctions and incentives procedures. Lane County established a Recovery and Progress (RAP) Court, geared to provide a higher level of judicial oversight to high-risk youthful offenders. Tacoma used the “jury box” sanction, which forced Breaking the Cycle offenders to watch the court handle other violators with similar infractions. Those in the “box” saw their own behavior through the actions of others and understood that Breaking the Cycle sanctions and incentives were applied fairly and evenly. Sites also used administrative actions applied by other initiative partners. These included extending the types of sanctions pretrial and probation case managers could apply, using corrections officers to handle initial program infractions, and requesting court action on only major or continued infractions.

Attendees also cited the need to deviate occasionally from a preset grid when imposing sanctions and incentives. As one judge explained, often the response called for by the sanctions/incentives scheme may not be very meaningful to or the most appropriate for an individual client. In these cases, “individual crafting” of responses better ensured the objective of applying graduated responses—changing offender behavior.

### **Pretrial Case Management and Drug Monitoring Components Were Highly Effective Elements**

Each adult site upgraded its pretrial case management capacity. (Lane County’s Department of Youth Services already had an effective pretrial release and supervision program in effect.) Birmingham added case managers under UAB/TASC’s pretrial office, and Jacksonville and Tacoma created new pretrial supervision agencies. The results were impressive: each site saw a significant drop in defendant drug use at the pretrial stage. (Since data on recidivism and misconduct are unavailable before Breaking the Cycle, changes here are unknown.) For the most part, pretrial case managers incorporated sanctions and incentives into case management. This allowed them to address initial and minor violations of Breaking the Cycle

conditions. In Birmingham, the success of pretrial supervision led officials to adopt a deferred prosecution calendar, where some low-level drug offenses were diverted to UAB/TASC supervision before the case reached indictment.

### **Effective Temporary Alternatives to Treatment Placements Must Be Established**

While Breaking the Cycle added to each site's treatment capacity, it also identified far more persons *in need* of treatment services. As a result, even with the expanded resources available, shortages of treatment slots occurred in the initiative sites. Each site compensated for these delays by placing treatment-bound clients in case management with regular drug testing and other services. Sites also changed sanctions procedures so that offenders in these alternative placements who needed treatment to change their behavior would not be penalized. Sanctions were applied only for missed appearances and other violations besides positive tests. Full sanctions procedures were renewed once treatment placements were made.

### **Effective Data Management and Information Exchange Among Breaking the Cycle Partners, the Evaluators, and NIJ Are Essential**

All agencies in the Breaking the Cycle collaborative needed data from other partners. The national evaluators also needed information from various sources to complete process and impact evaluations. However, no site had preexisting agreements for data sharing, and each site had to substantially upgrade its MIS structure. MIS development and information sharing consumed a greater-than-expected amount of planning and implementation resources. This included working out agreements with State departments of corrections agencies (an unforeseen initiative partner) in Birmingham, Jacksonville, and Tacoma to obtain case management and prior criminal histories.

Currently, each site has a central MIS where Breaking the Cycle testing, treatment, and case management data are stored, and links to other data systems that contain arrest, case processing, and criminal history data. Information management and data sharing are much more efficient than when the initiative began, but are still ongoing issues in each site.

### **Breaking the Cycle's Collaborative Management Model Helped Sites Address Other Justice System Issues**

Birmingham used the Breaking the Cycle collaboration to address case processing and jail crowding issues. According to attendees from that site, case processing actually has sped up since Breaking the Cycle's introduction. Tacoma used Breaking the Cycle's enhanced case management and sanctioning procedures to meet the requirements of Washington State's new Offender Accountability Act. In Lane County, Breaking the Cycle continued several innovations and improvements begun under the Youth Intervention Network, a program sponsored by the Center on Substance Abuse Treatment.

---

Perhaps the most important lesson learned from Breaking the Cycle is that a system of early drug use identification and assessment, individualized and continuous treatment, supervision, and judicial oversight can be a powerful tool to manage offender conduct and reduce drug use and crime. However, this model requires the full partnership of all local (and some State) justice and treatment system agencies and a substantial commitment in time and system resources.

With their own experiences in mind, attendees suggested the following steps for other jurisdictions interested in starting their own Breaking the Cycle-style interventions.

1. During the planning phase, study carefully how the local justice and treatment systems work, considering variables such as caseloads, types of offenders who actually need intensive monitoring, residential capacity, docket and case management styles, and current data management and sharing procedures. This will help identify potential problem areas that can be addressed early in planning.
2. Involve MIS personnel in planning the initiative to identify and address data management and data sharing problems.
3. Draft a Memorandum of Understanding to commit local resources to the initiative. The memorandum should outline specific agency responsibilities, initiative procedures, and lines of communication and authority.

4. Establish “quality-controls” to measure progress and to identify and solve problems. These should include oversight committees, data-driven performance measures, and data sharing geared to program management.
5. Be prepared to educate and inform partner agencies throughout the life of the initiative about goals, objectives, functions, and expected benefits.
6. Shortage of treatment slots and delays in treatment admissions will occur. Make sure that alternative placements are available and that offenders who are in them are not unduly penalized for what is usually a system shortfall.
7. Never underestimate the power of inertia. Criminal justice agencies usually are aligned loosely with other agencies and concentrate on their specific tasks. An initiative that strives for fundamental systemwide change and requires collaboration to work may be opposed, unless individual agencies believe that the change is beneficial to them.

