

EQUITY & INCLUSION IN COLLABORATIVE COURTS

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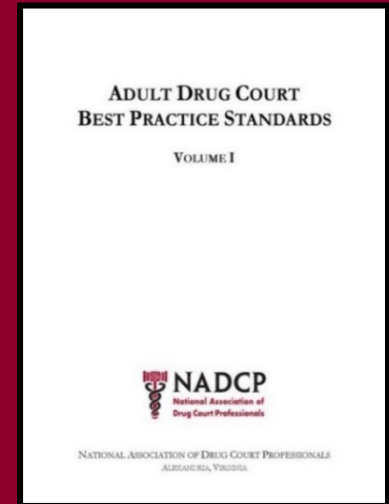
*NATIONAL ASSOCIATION OF DRUG
COURT PROFESSIONALS*

Disclosure

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- Points of views or opinions in this document are those of the author and do not necessarily represent the official position of the Executive Office of the President.

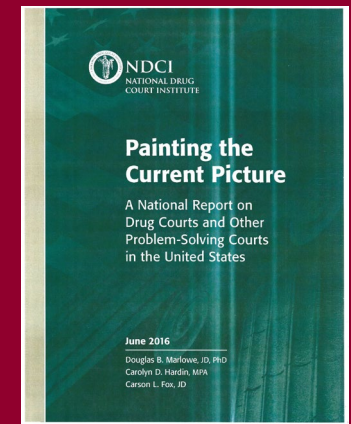
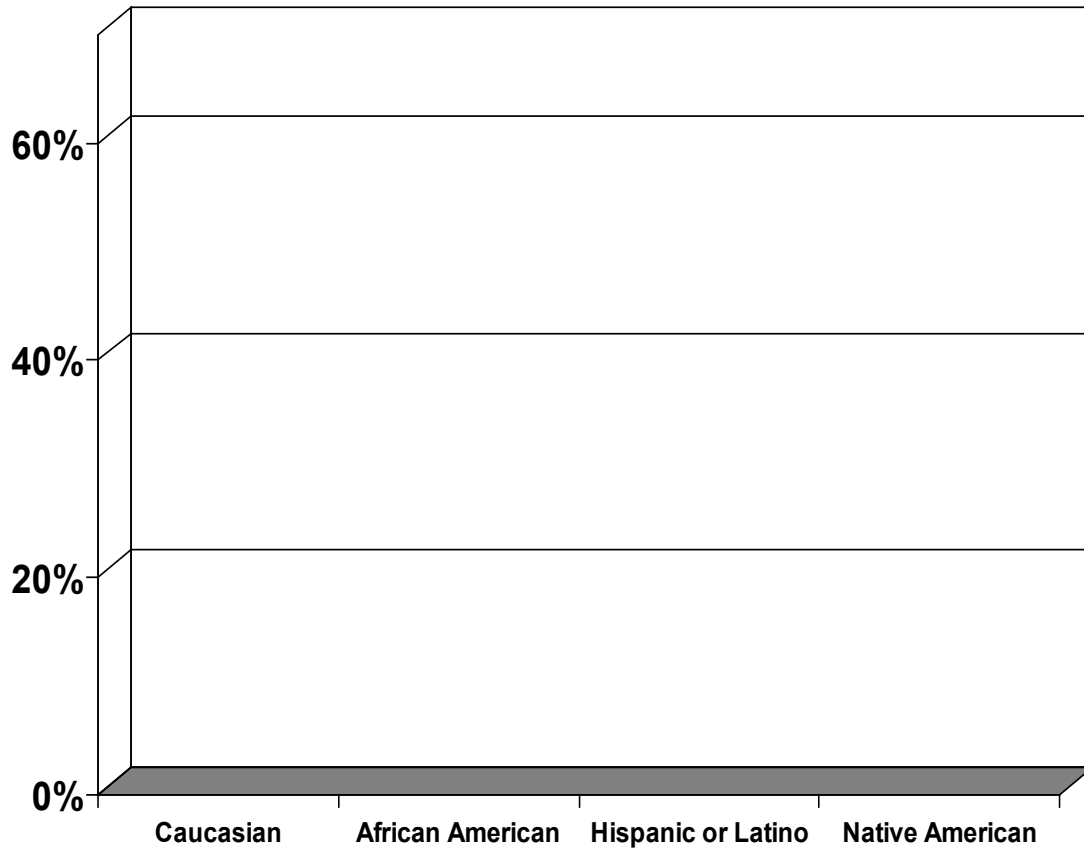
BEST PRACTICE STANDARDS

- Duty to avoid disparate access, services, and impacts **regardless of intent**
- **Affirmative obligation to know** whether disparities exist (annual monitoring)
- **Take corrective actions** unless doing so would demonstrably threaten public safety or program effectiveness
- **Evaluate success of the corrective actions** and adjust, as necessary, until disparities are eliminated (annual monitoring)



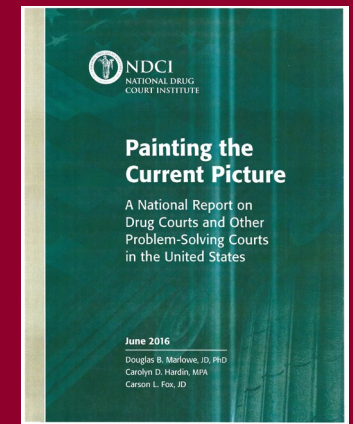
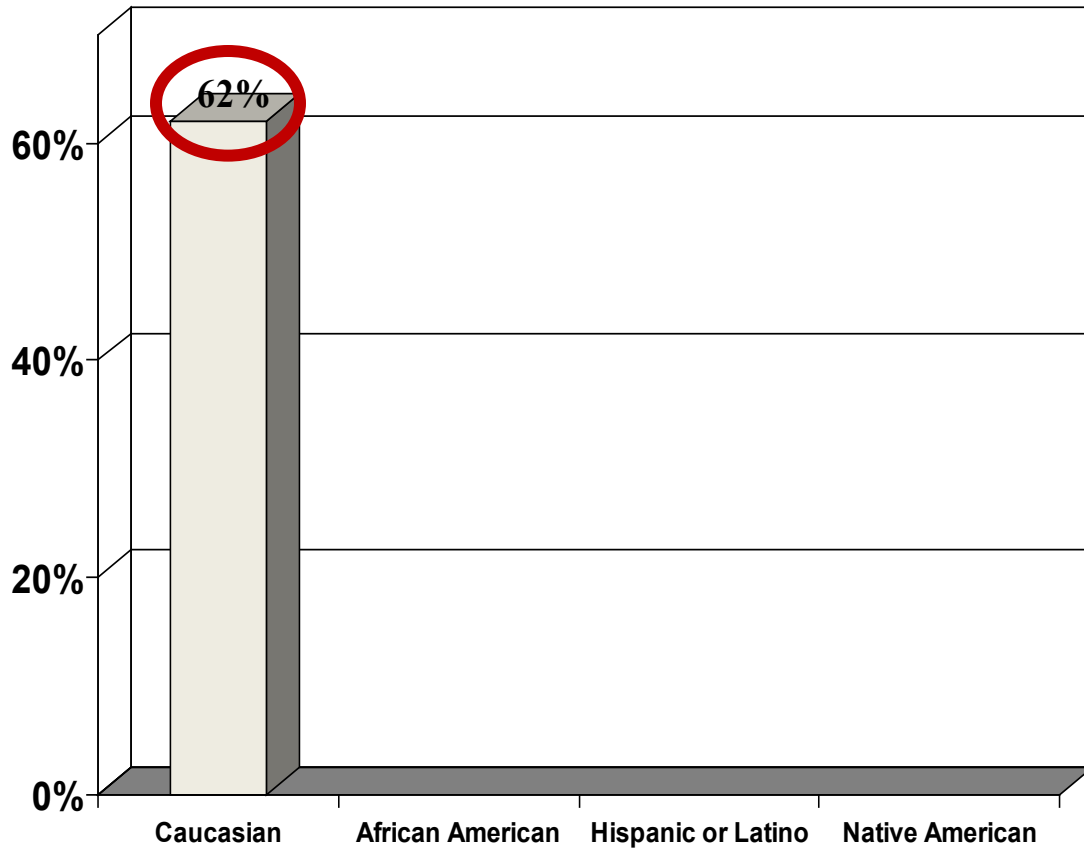
www.AllRise.org

Access & Representation



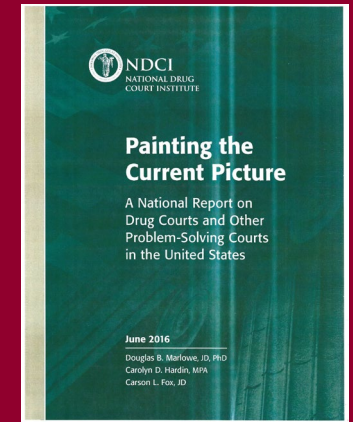
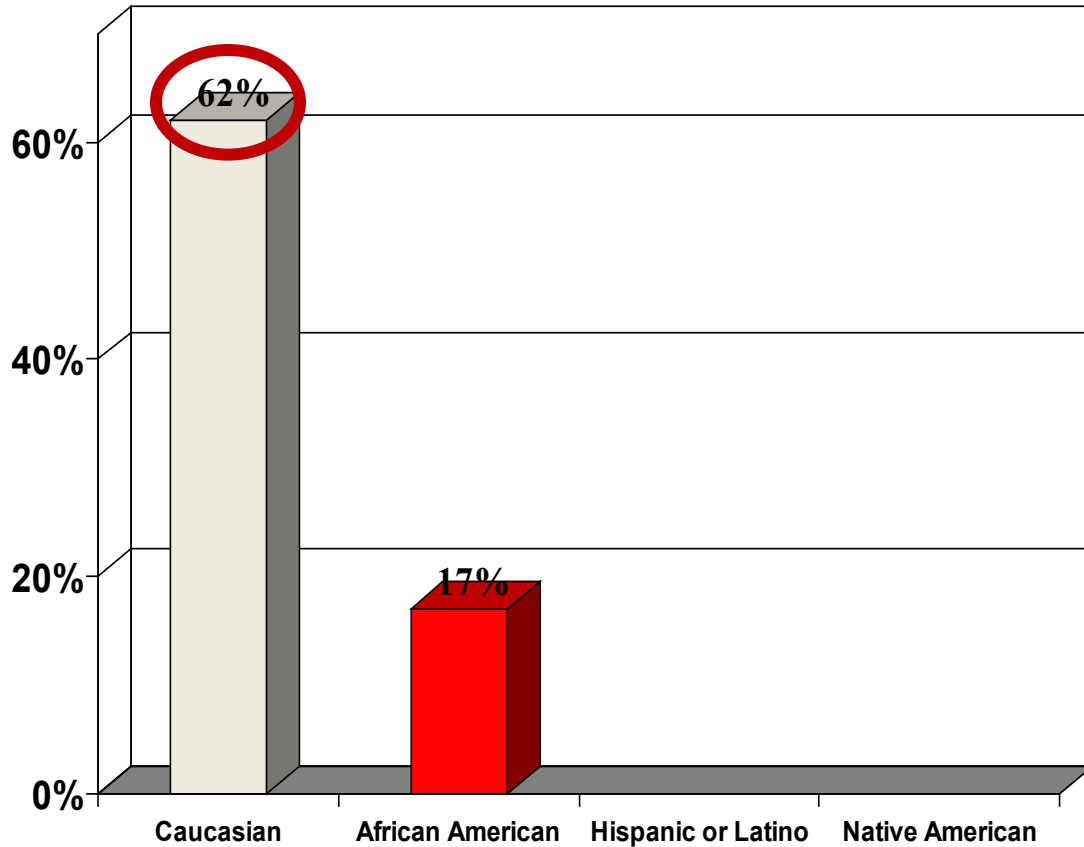
Marlowe et al. (2016)

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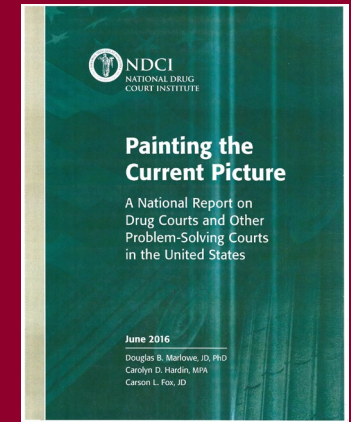
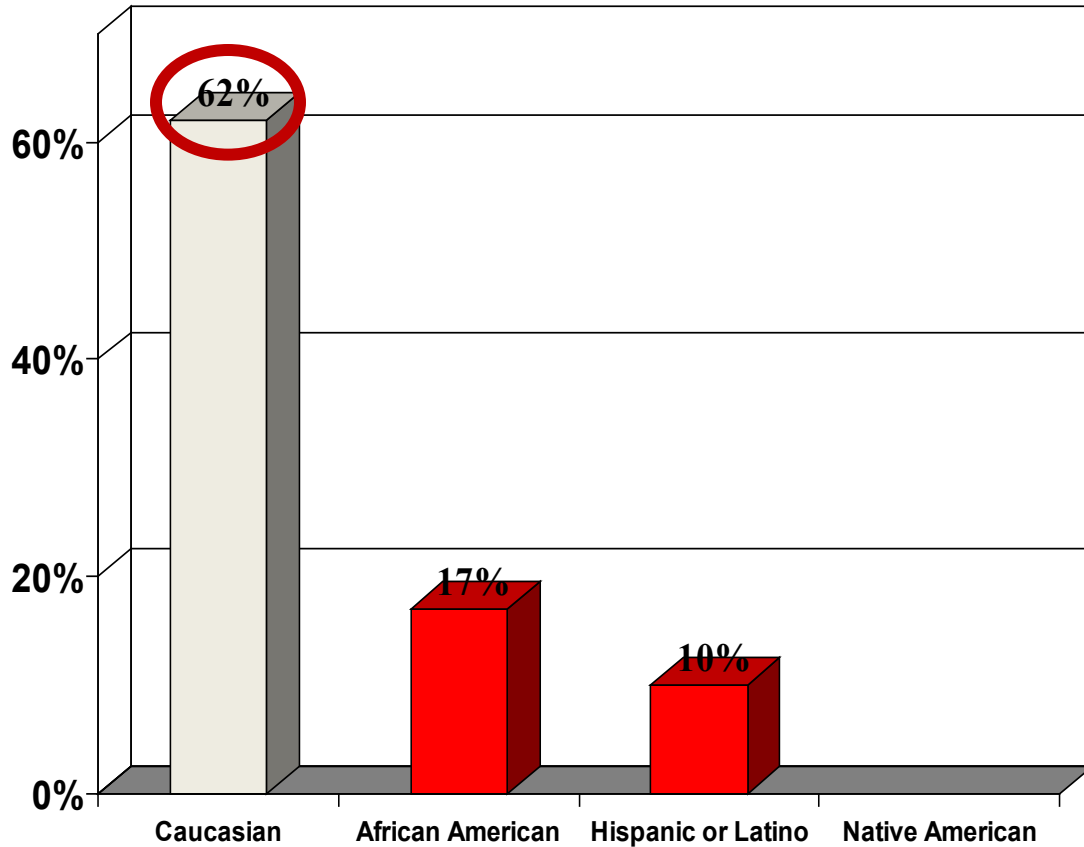
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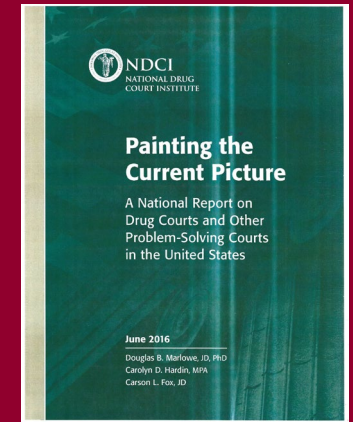
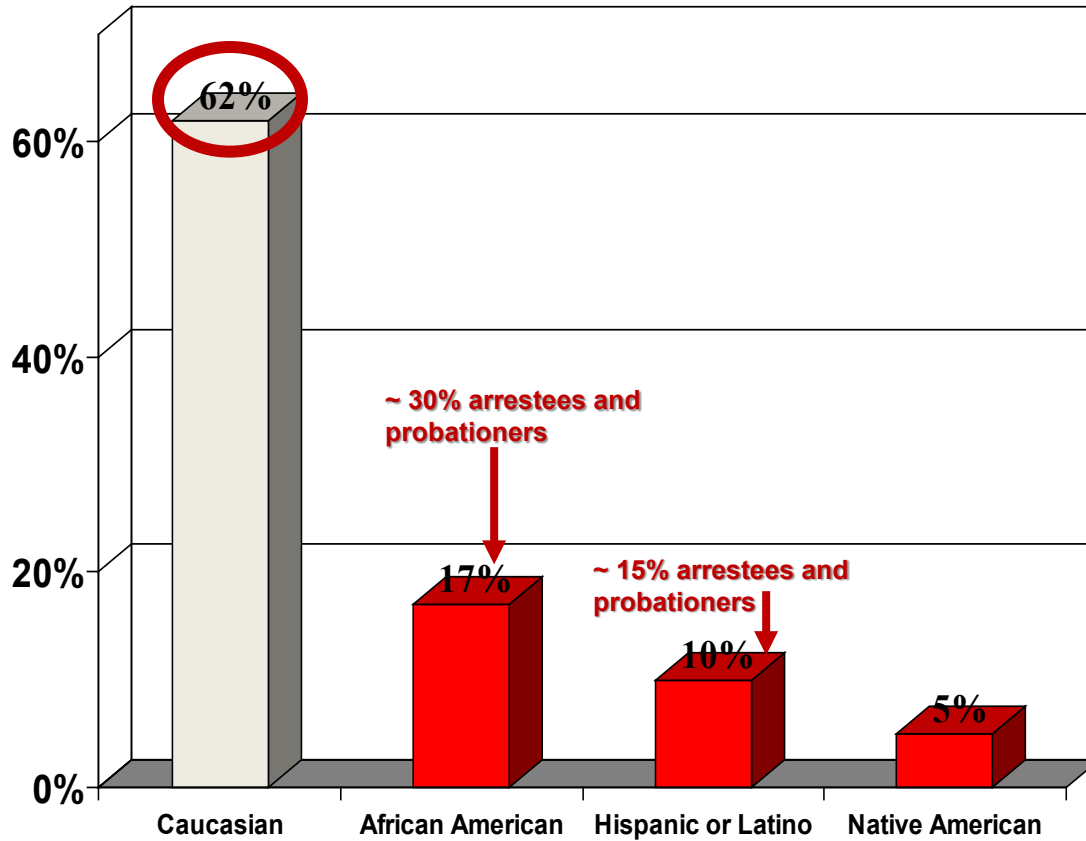
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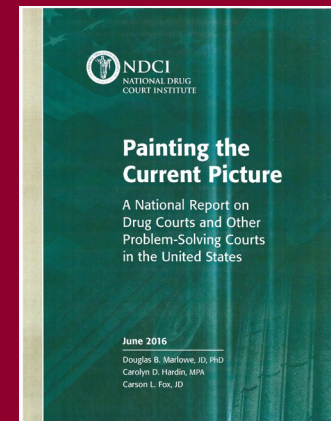
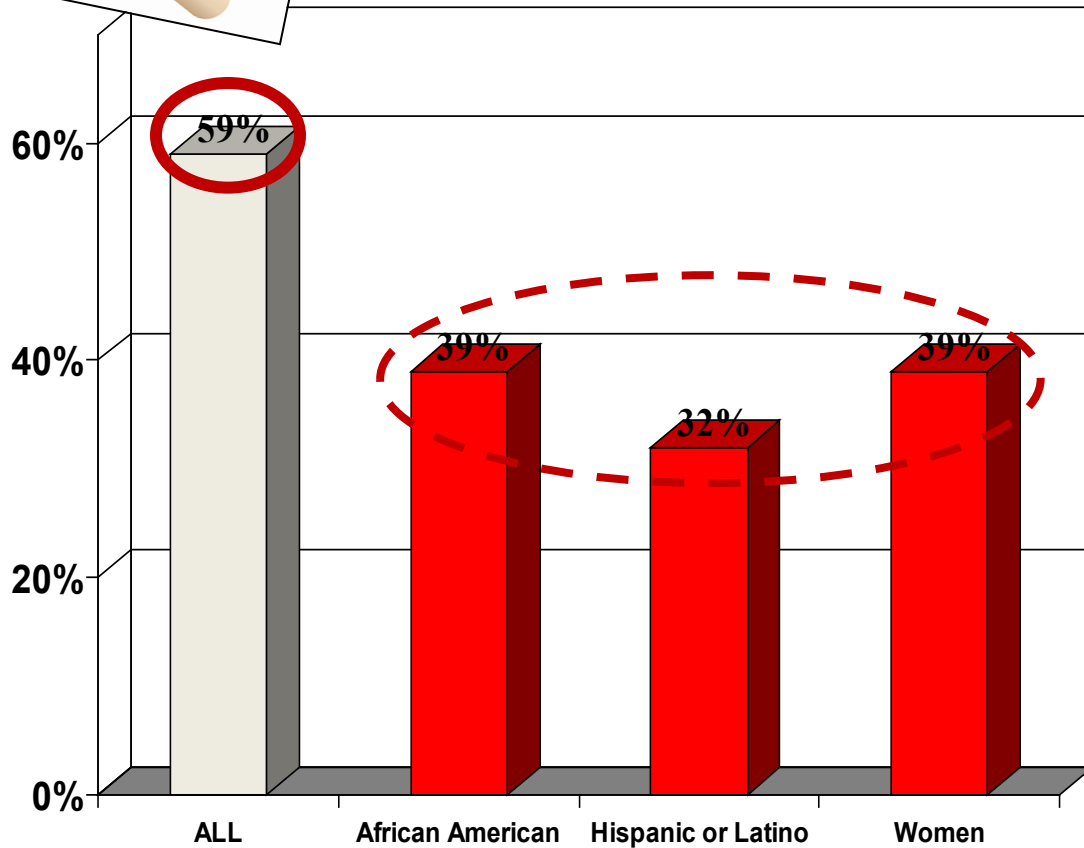
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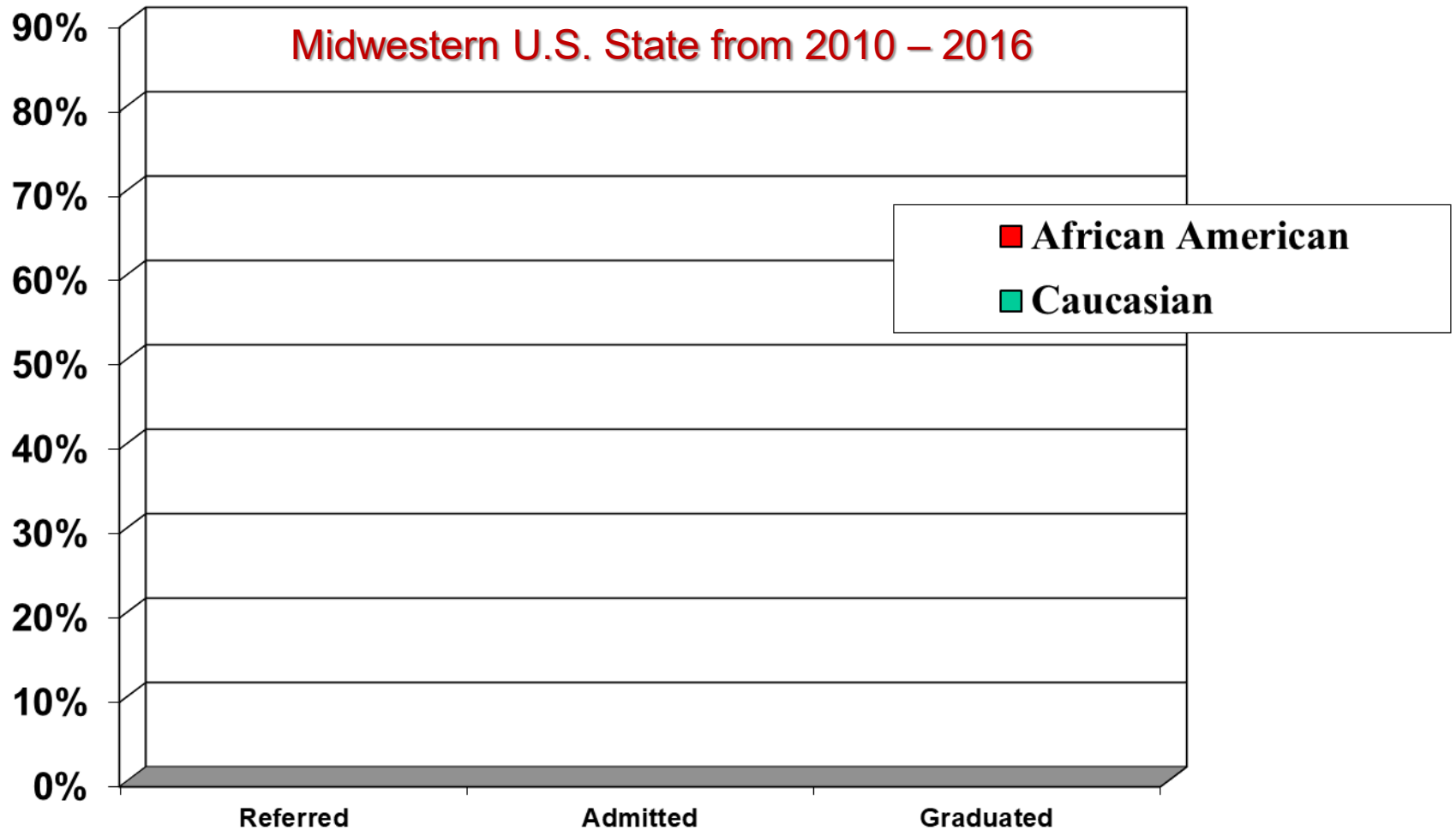
Marlowe et al. (2016)

Graduation Rates



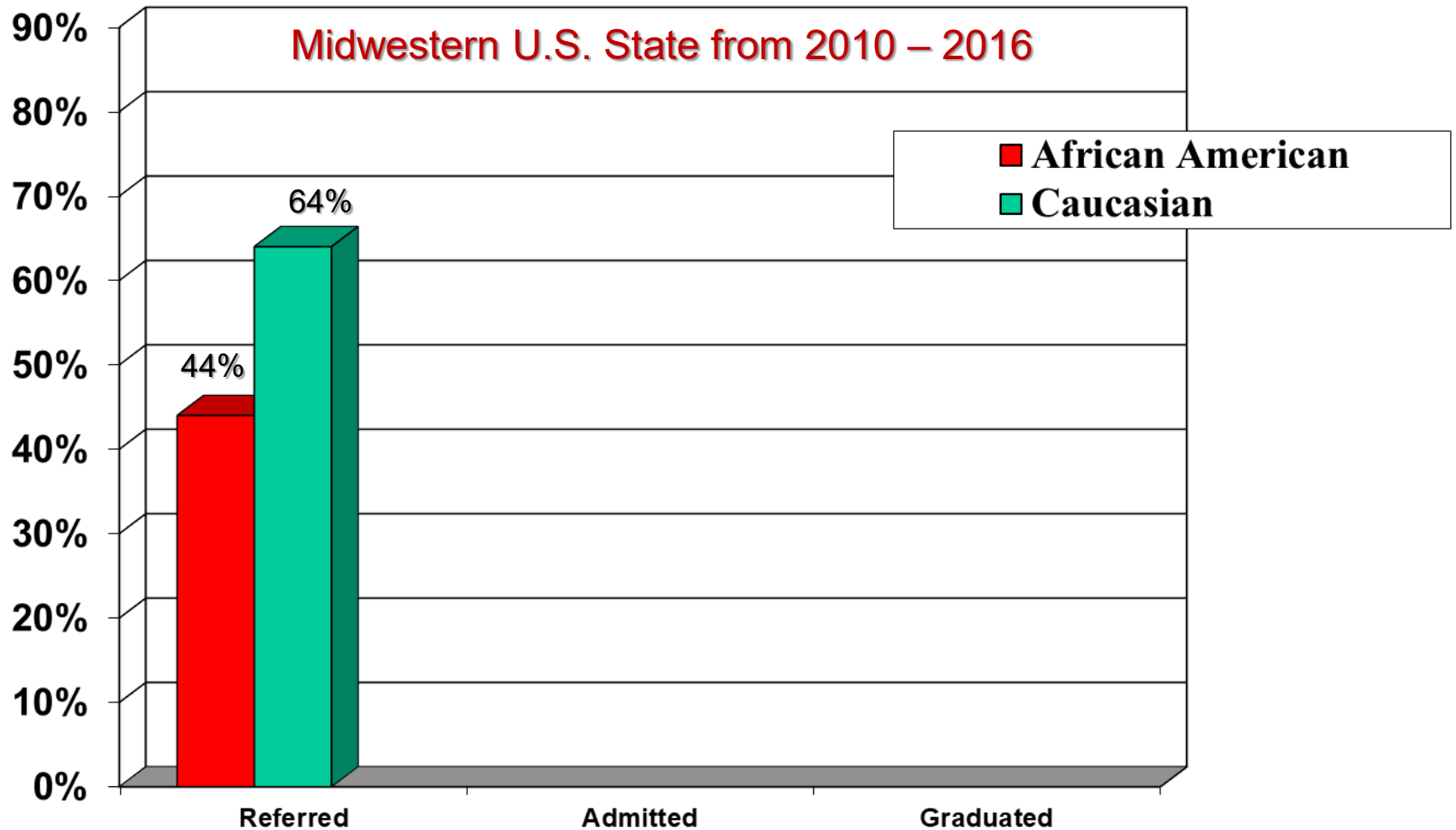
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Pipeline Analysis



* $p < .05$. ** $p < .01$. *** $p < .001$.

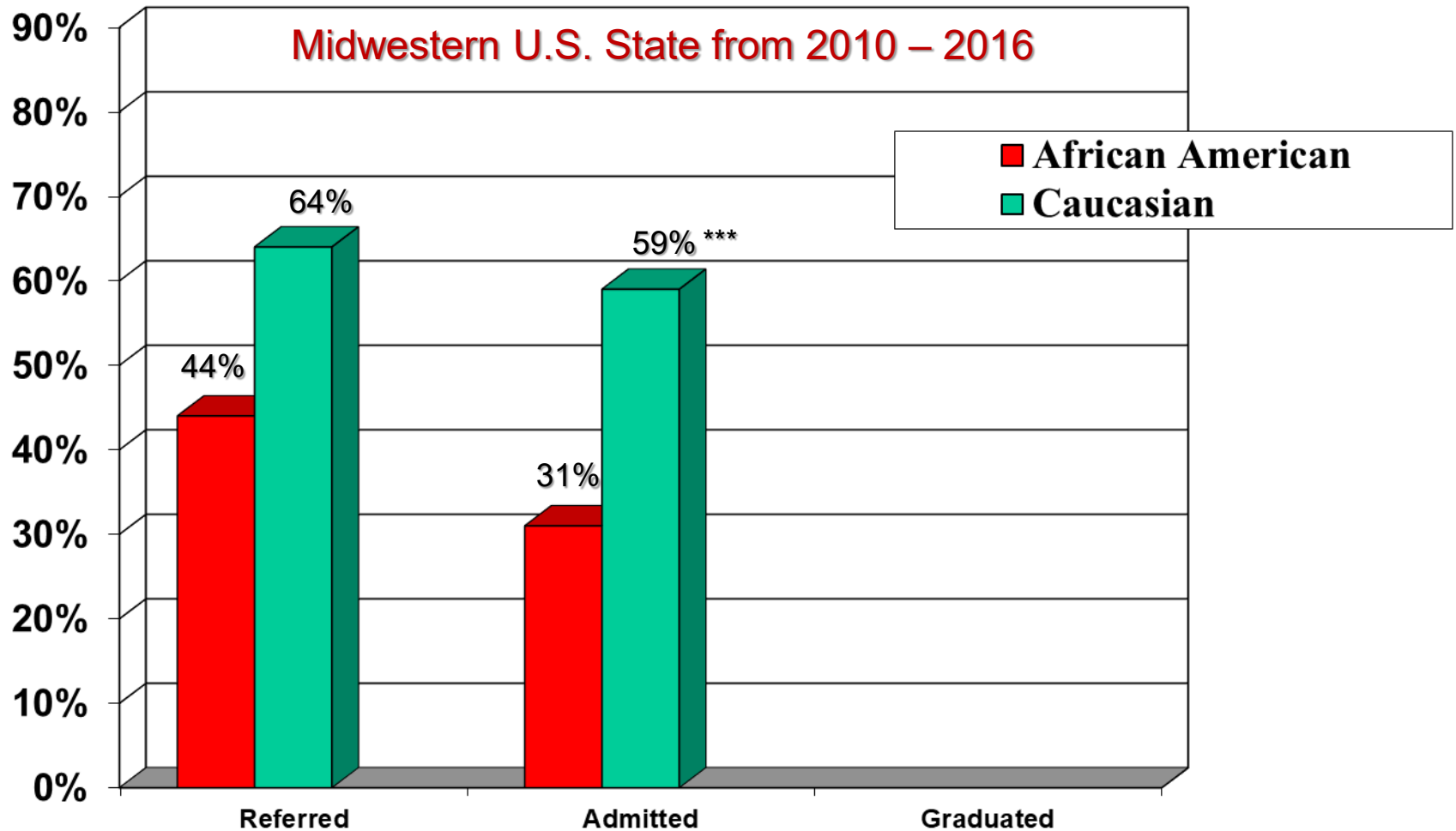
Pipeline Analysis



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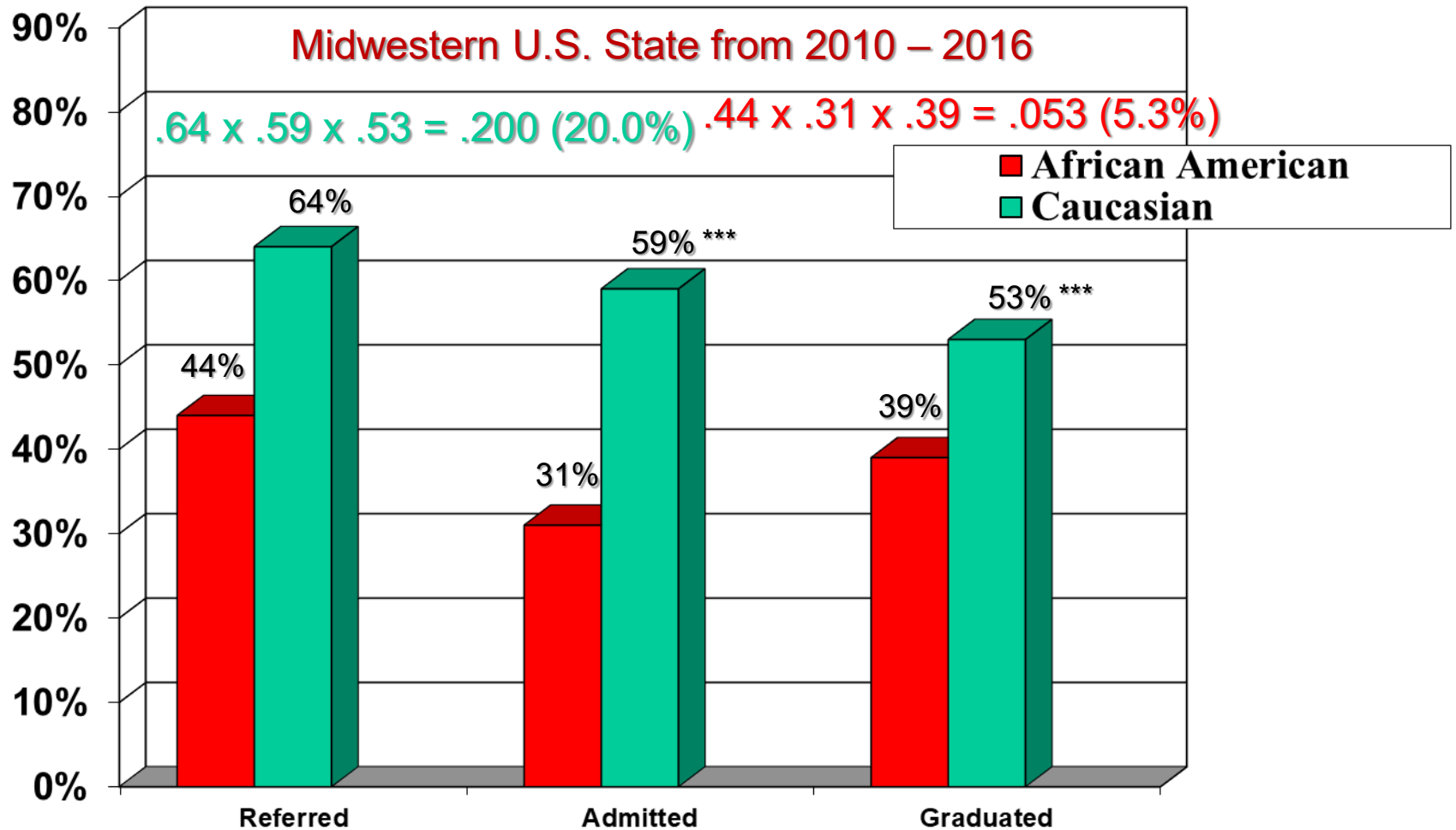
Cheesman, Marlowe, & Genthon, submitted

Pipeline Analysis



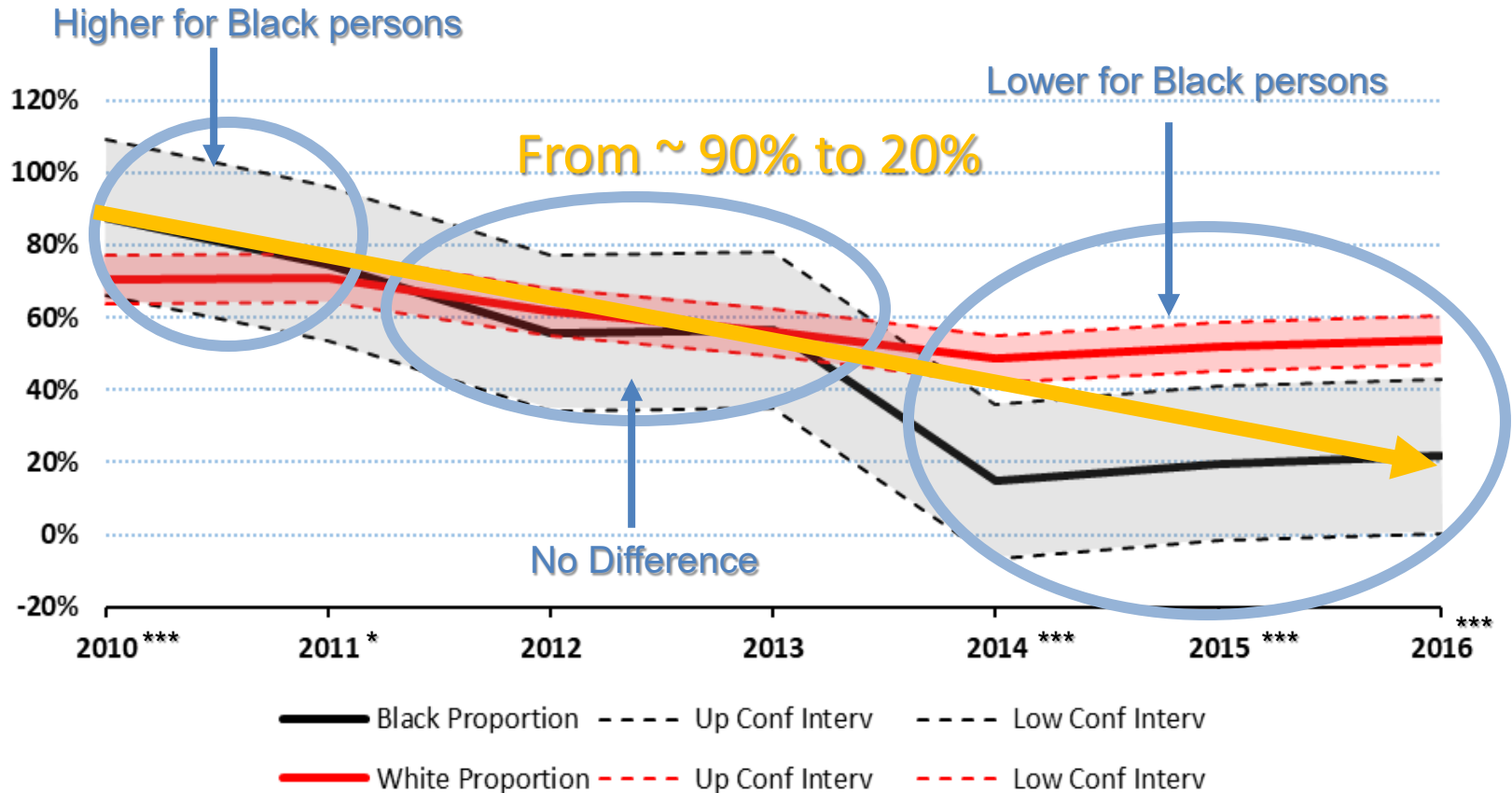
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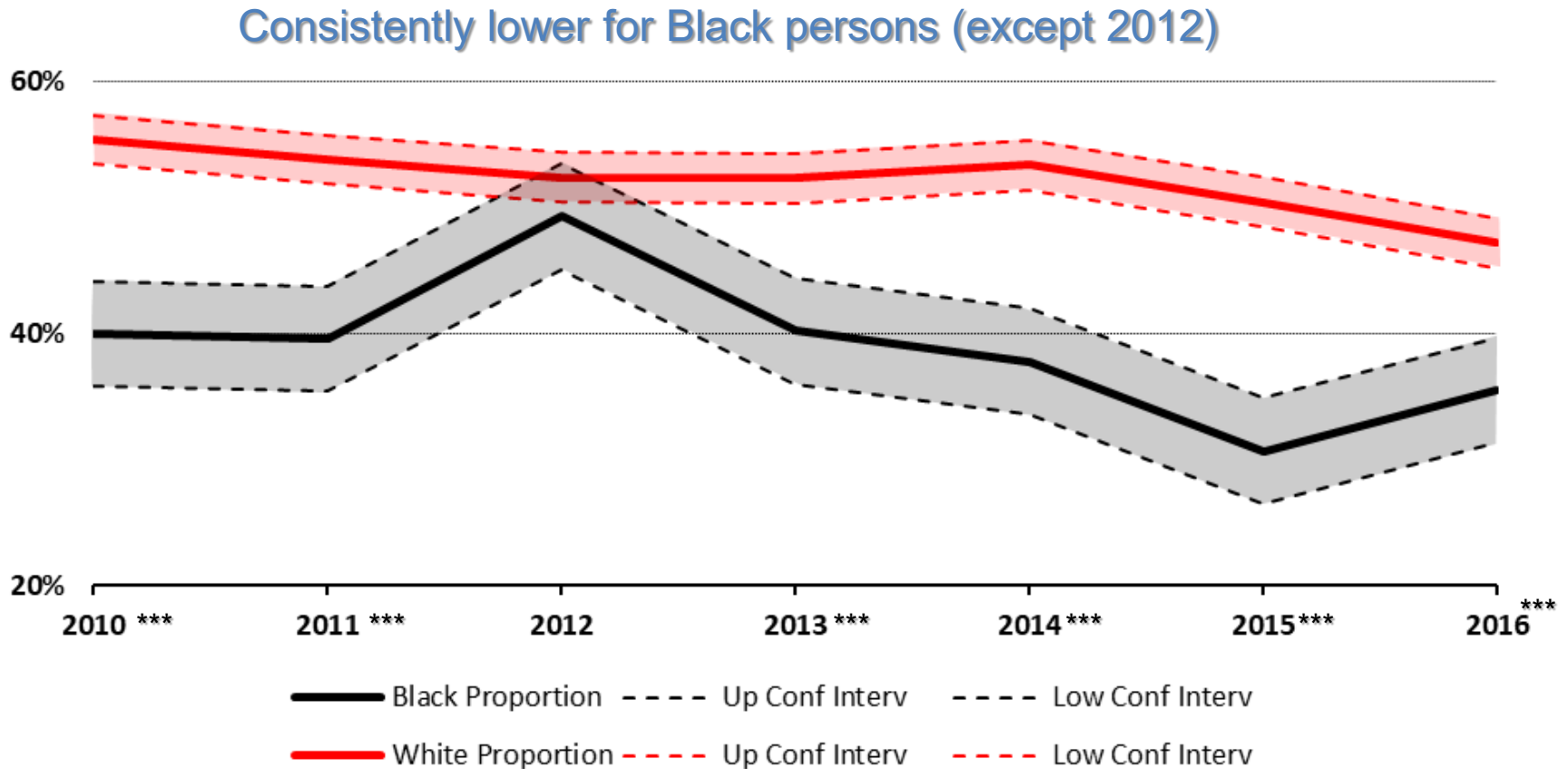
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Admission Rates in Midwestern State Over 7 Years



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Graduation Rates in Midwestern State Over 7 Years



* $p < .05$. ** $p < .01$. *** $p < .001$.

Pre-Entry Attrition

Effects are cumulative and subtractive:



- Pretrial release vs. detention
- Public defender philosophy and private counsel knowledge (6th Amendment applies)
- Plea offer from prosecution
- Plea acceptance by defendant

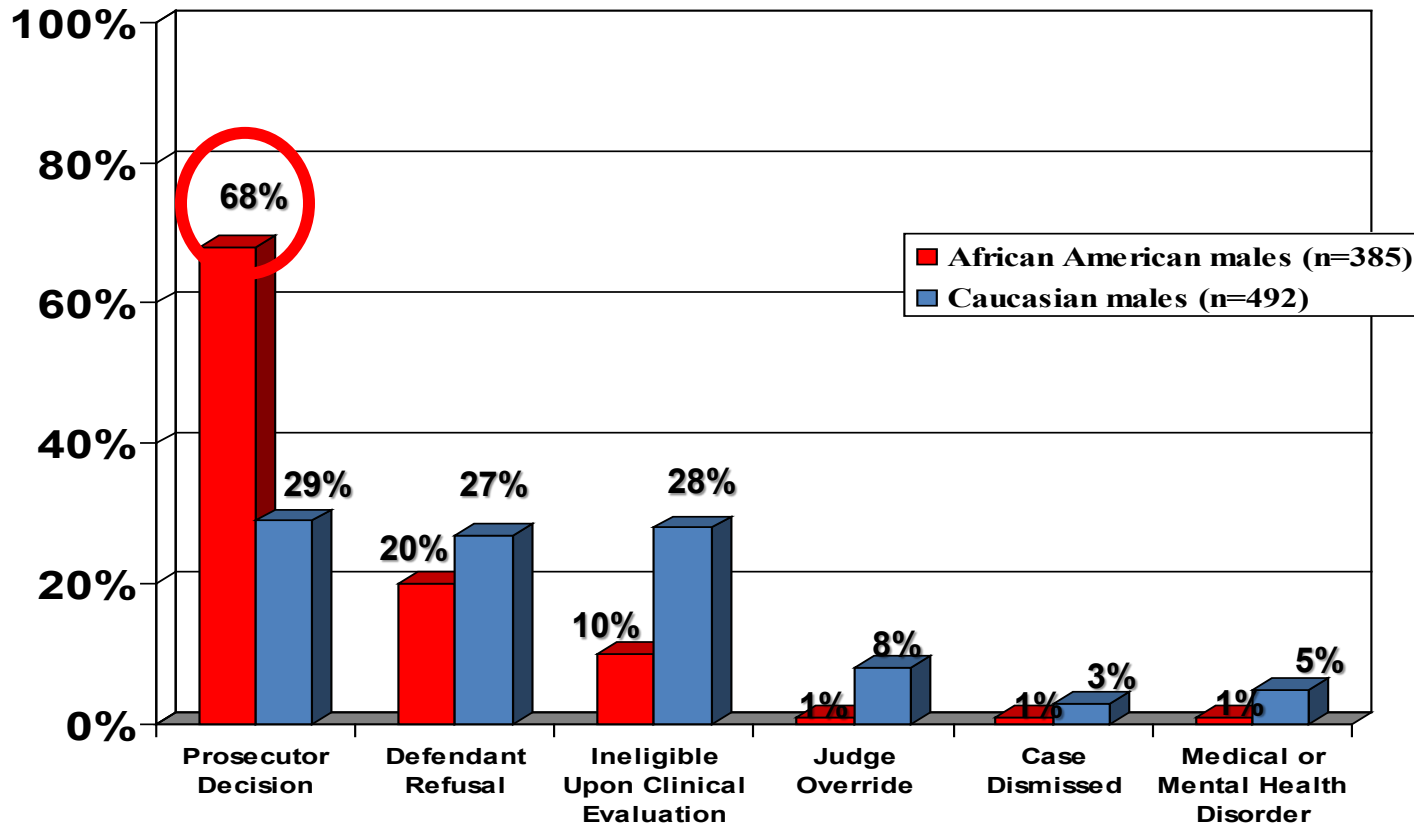
Can be influenced but not controlled by the drug court

- Screening tools (?)
- Eligibility criteria
- Suitability determinations

Directly within control of the drug court

Suitability Determinations

Paper-Eligible Candidates



Assessment Tools

- **Superior to professional judgment (AUC = .50 vs .70)**
(Monahan & Skeem, 2016; Singh & Fazel, 2010; Skeem & Lowenkamp, 2016)
- **Associated with shorter detention and reduced racial and ethnic disparities** (Desmarais et al., 2021; Lowder et al., 2019, 2021; Marlowe et al., 2020; Milgram et al., 2015; Viljoen et al., 2019; Vincent & Viljoen, 2020; Skeem & Lowenkamp, 2016)
- **False positive vs. false negative rates (mixed findings)**
(Angwin et al., 2016; Marlowe et al., 2020)
- **“Proxies” for race or ethnicity (cause or effect?)**
- **Cultural relevance and item familiarity (IQ and achievement tests ≠ symptom and attitudinal checklists)**
- **Symptom under-reporting is a serious concern**

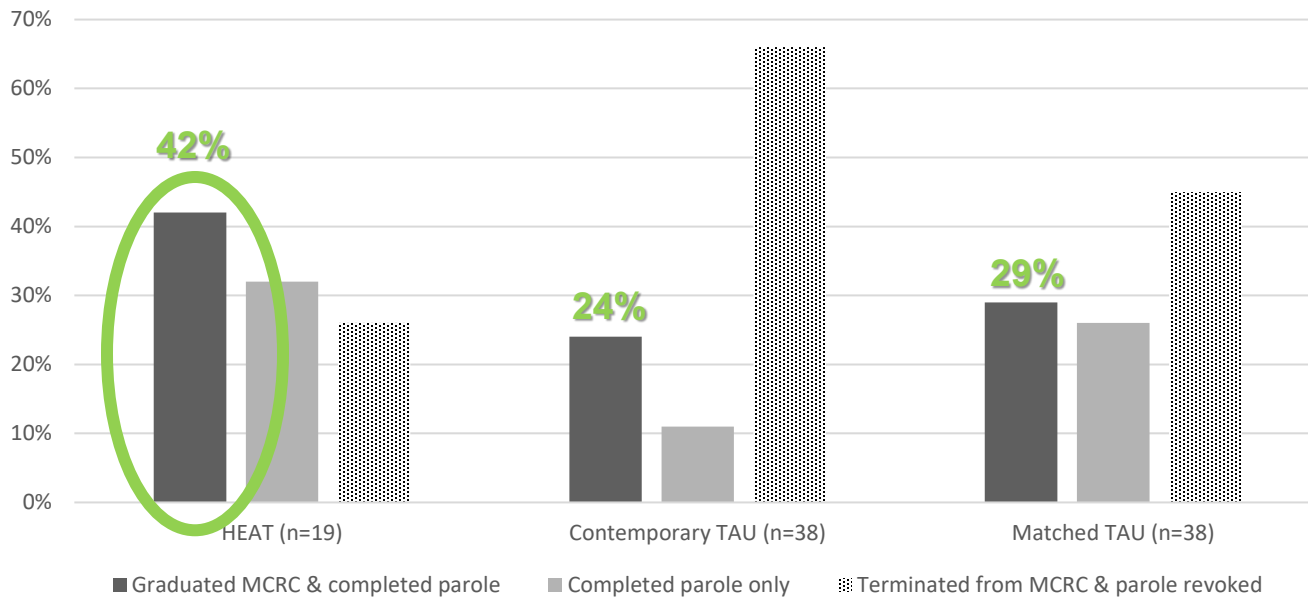
H.E.A.T.

- Culturally tailored, strength-based, trauma informed
- African American males 18 to 29 years of age
- Not presumed to be drug or alcohol dependent
- 80 sessions over 9 months:
 1. Self – prevalent myths, stereotypes and misconceptions of African American manhood
 2. Family – unrecognized and unacknowledged trauma
 3. Community – neighborhood challenges and threats
 4. Spirituality – natural and preferred recovery communities
 5. Mentoring and employment



Effect Size

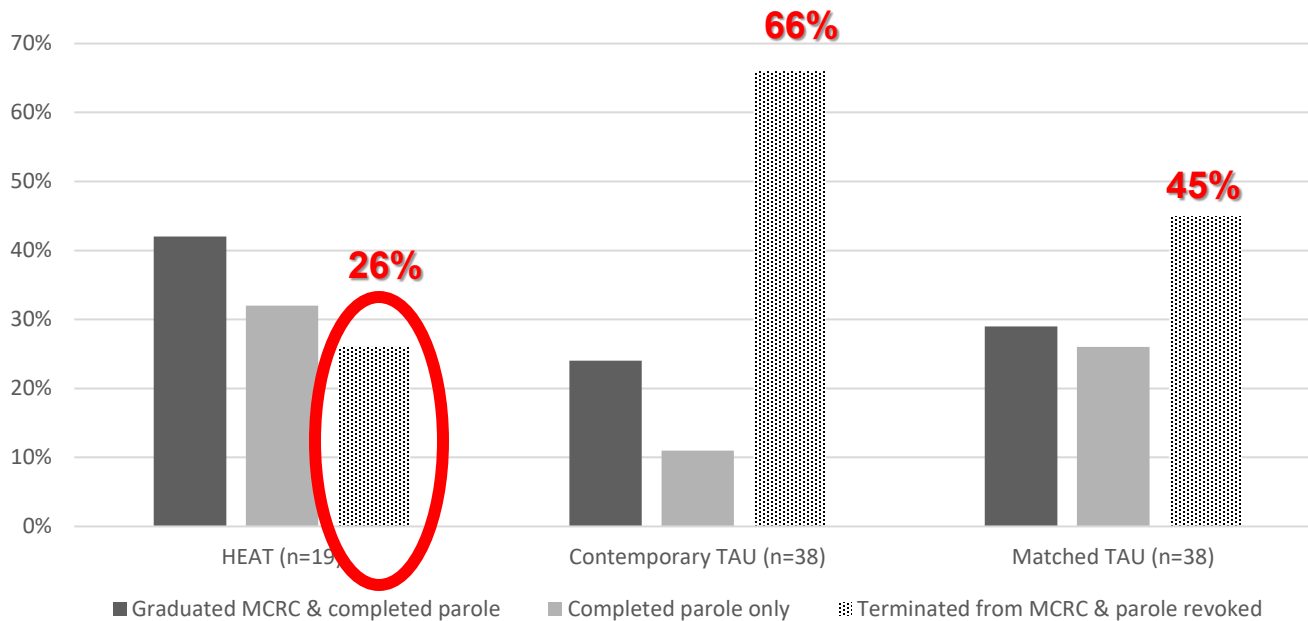
- Reentry drug court
- Condition of parole
- Administrative discharge from parole
- Contemporary comparison group
- Matched comparison group



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**Effect Size:
Cramer's $V > 0.30$ (moderate)**

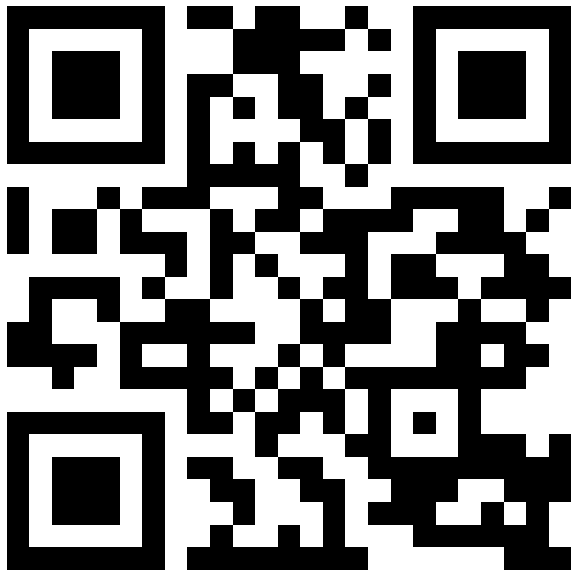


$p < .05$

Conclusions

- Racial and ethnic disparities permeate drug courts from referral through completion
- Pretrial detention and bond contribute to disparities without protecting public safety
- Exclusionary charges (especially violence) contribute to disparities without protecting public safety
- Suitability determinations (especially by prosecutors) contribute to disparities without improving outcomes
- Drug courts make poor efforts to sell their product to participants and colleagues
- Motivation for change is irrelevant at entry
- Standardized assessment is best practice (rapport is key)

Evaluation



<https://cvent.me/80N7DE>

1. On your compatible phone or tablet, open the built-in camera app.
2. Point the camera at the QR code.
3. Tap the banner that appears on your phone or tablet.
4. Follow the instructions on the screen to complete the evaluation.
5. After completion, you will be provided with a certificate that can be saved and printed.