

A CONCURRENT RESOLUTION directing the staff of the Legislative Research Commission to study the Kentucky Adult Drug Court participant demographics and the correlation, if any, among entry into, access to, participation in, and completion of the drug court program.

WHEREAS, the Kentucky Adult Drug Court is an alternative sentencing court program administered by the Kentucky Administrative Office of the Courts that provides substance-addicted and substance-dependent adult criminal offenders with alternatives to adjudication and incarceration through case management, treatment, counseling, and judicial oversight; and

WHEREAS, the Administrative Office of the Courts has found that participation in the Adult Drug Court program has a significant impact on reducing the recidivism and re-arrest rates of graduated drug court participants; and

WHEREAS, a nationwide review of state drug court programs by the Government Accountability Office found that there is a lack of standardized criteria for effectively evaluating drug court programs beyond their economic impact and participant recidivism and re-arrest rates; and

WHEREAS, ensuring impartial access to and participation in the Kentucky Adult Drug Court program is vital to the administration of justice in the Commonwealth of Kentucky;

NOW, THEREFORE,

Be it resolved by the Senate of the General Assembly of the Commonwealth of Kentucky, the House of Representatives concurring therein:

➔Section 1. The staff of the Legislative Research Commission is directed to study the Kentucky Adult Drug Court's participant demographic data, including race, income level, age, education, and gender, by judicial district.

➔Section 2. Using the criteria set forth in Section 1 of this Resolution, questions to be addressed in the study shall include:

(1) What is the demographic breakdown of participants who enter into a drug court program versus participants who successfully graduate from drug court?

(2) What is the average length of time between participant enrollment in drug court and graduation?

(3) What number, if any, of participants have their probationary period extended beyond the statutory maximum in order to complete and graduate from the drug court program?

(4) What, if any, is the average cost to the Commonwealth for extending a participant's probationary period to ensure completion of the drug court program?

(5) If a participant is expelled from drug court, does this impact the subsequent incarceration period that he or she serves in comparison to the time the participant would have served if he or she had not enrolled in drug court?

(6) What impact, if any, does representation by a public advocate or private counsel have on the likelihood of an offender's acceptance into and participation in drug court?

(7) What long-term impact do graduation from drug court and drug court aftercare have on a participant's likelihood of re-arrest and recidivism?

➔Section 3. The staff shall transmit the results of the study to the Legislative Research Commission, for distribution to the appropriate interim joint committee, by December 1, 2016.

➔Section 4. Provisions of this Resolution to the contrary notwithstanding, the Legislative Research Commission, shall have the authority to alternatively assign the issues identified herein to an interim joint committee or subcommittee thereof, and to designate a study completion date.