

2010 NASC Conference

Sound Sentencing Policy: Balancing Justice and Dollars

Roundtable Discussion

DRUG COURTS

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National Association of Drug Court Professionals

The Plural of Anecdote is *not* data



1. “Drug Courts discriminate against racial minorities and the poor”
2. “Drug Courts do not allow sufficient time for evidentiary discovery”
3. “Drug Courts impede input from defense counsel”
4. Drug Courts ‘cherry-pick’ and ‘net-widen’”
5. “Drug Courts sentence terminated defendants more harshly than if they had never entered the program in the first place.”
6. “Drug Court is expensive and often not effective”

Drug Courts Have Withstood Rigorous Scientific Scrutiny



Effectiveness of Drug Courts

More research has been published on the effects of adult Drug Courts than all other C.J. programs combined

The scientific community has put drug courts under its microscope and concluded that **drug courts work better than jail or prison, better than probation, and better than treatment alone.**

Multi-Site Adult Drug Court Evaluation “MADCE” (NIJ, 2009)

■ Drug Court vs. Comparison Sites

- Drug Court: 23 sites in 7 clusters ($n = 1,156$)
- Comparison: 6 sites in 4 clusters ($n = 625$)

■ Repeated Measures

- Interviews at baseline, 6 months & 18 months
- Oral fluids drug test at 18 months
- Official recidivism records up to 24 months

“Drug Courts Reduce Crime”



“Drug Courts Reduce Substance Abuse”



“Drug Courts Increase Employment and School Enrollment”



“Drug Courts Improve Family Relationships”



The Scientific Community Agrees

- *Campbell Collaborative*
- *Center for Court Innovation*
- *National Center on Addiction & Substance Abuse (CASA) at Columbia University*
- *National Center for State Courts*
- *National Institute of Justice (USDOJ)*
- *NPC Research*
- *RAND*
- *Research Triangle Institute*
- *Treatment Research Institute at the Univ. of Pennsylvania*
- *The Sentencing Project*
- *The Urban Institute*
- *University of Nevada*
- *University of Cincinnati*
- *U. S. Government Accountability Office*
- *Washington State Institute for Public Policy*

The Verdict Is In

- Drug courts reduce crime by up to 45%
- Drug courts reduce drug use by more than 35%
- Drug courts return an average of \$2.21 to the justice system for every one dollar invested and up to \$12 in community impacts for every dollar invested
- Drug courts improve family cohesion and reduce family conflict

Effectiveness of Drug Courts

By 2006, **five** meta-analyses, conducted by highly respected and independent research organizations revealed superior effects for Drug Courts over randomized or matched comparison samples.

Citation	Institution	Number of Drug Courts	Crime Reduced on Average by...
Wilson et al. (2006)	Campbell Collaborative	55	14% to 26%
Latimer et al. (2006)	Canada Dept. of Justice	66	14%
Shaffer (2006)	University of Nevada	76	9%
Lowenkamp et al. (2005)	University of Cincinnati	22	8%
Aos et al. (2006)	Washington State Inst. for Public Policy	57	8%

- 1. The best Drug Courts were found to reduce crime by as much as 45 percent.**
- 2. Across all five meta-analyses, Drug Courts show approximately a 12 percent greater reduction in criminal recidivism over the alternatives.**



2,459 Drug Courts

1,317 Adult Drug Courts

476 Juvenile Drug Courts

322 Family Treatment Courts

172 DWI Courts

89 Tribal Healing to Wellness Courts

38 Veterans Treatment Court

30 Reentry Drug Courts

29 Federal Drug Courts

5 Campus Drug Courts

Setting the Record Straight

- Over 99,900 currently being served (2/3 reporting)
 - 1.2 million in need
- Over 22,500 graduates per year (2/3 reporting)
- 53% retention rate (nat. avg.)
- Cost per participant is \$7,119 (nat. avg.)

Racial Disparities ?

- On average, African-Americans represent 21% of the Drug Court population.
- On average, Spanish, Hispanic or Latino/Latina persons represent 10% of the Drug Court population.
- African American representation is similar in Drug Courts (21%) to that in probation and parole settings (29%).
- Spanish, Hispanic or Latino/Latina representation is similar in Drug Courts (10%) to that in probation and parole settings (13%).

Drug Courts Have Not Come Close to Being Fully Implemented

- 56% of U.S. Counties do not have an adult drug court, 84% do not have a juvenile drug court and 87% do not have a family drug court.
- 96% of states/territories reported that Drug Court capacity could be expanded.
- The primary factor limiting program expansion is funding, and not a lack of judicial interest.

Who Responds Best to Drug Court?

- High-Risk/High Need Offender
 - Has a high prognostic risk of failure without treatment
 - Early onset of substance abuse and delinquency
 - Prior felony convictions/prison-bound
 - Previously unsuccessful attempts at treatment
 - Co-existing diagnosis of antisocial personality disorder (APD) or a preponderance of antisocial peers or associates
 - Long history of drug dependence

(Lowenkamp et al., 2005; Marlowe et al., 2006, 2007)



Ongoing Judicial Involvement to Ensure Completion of Treatment



Drugs of Choice Among Participants

- **Cocaine/crack** (27%) and alcohol (27%), cannabis (22%) and methamphetamine (16%) are the top substances abused among participants in Urban Drug Courts.
- **Alcohol** (33%), cannabis (20%) and cocaine/crack (18%) and methamphetamine (18%) are the top substances abused among participants in Suburban Drug Courts.
- **Methamphetamine** (30%) and alcohol (30%), cannabis (14%) and heroin (12%) are the top substances abused among participants in Rural Drug Courts.

State Appropriations

- Twenty-six states reported an increase in funding for Drug Courts between 2007 and 2009 budget cycles; ten states reported decreases in funding and three states reported no change
- Combined state appropriations totaled \$242,960,480.00 for Drug Court in 2009
- State appropriations increased for Drug Courts by over \$62 million (35%) from 2007 to 2009

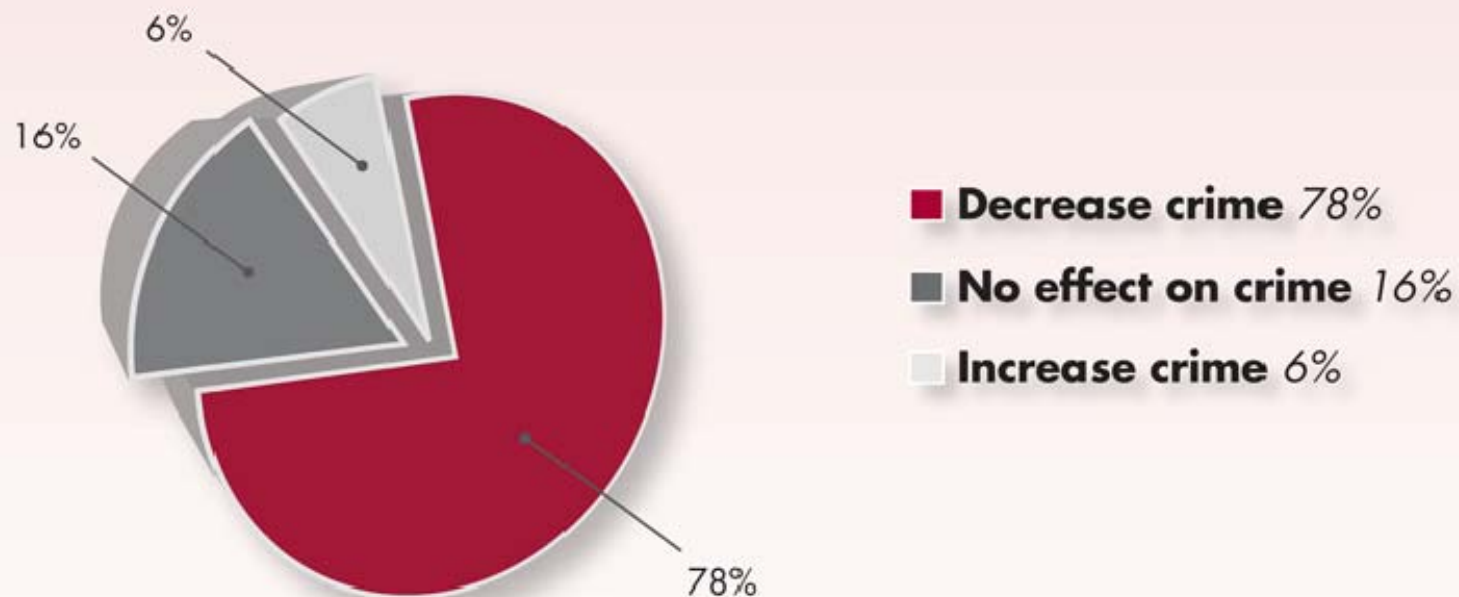
Any Treatment Can Cause Unwanted Side-Effects



- Especially if the Tx is not administered properly or if its prescribed to the wrong patient
- Some Drug Courts are serving the wrong population
- Some Drug Courts do not follow (water-down) the model to the detriment of some of their participants

More than three quarters of the Drug Courts (78%) were found to have significantly reduced crime

(Shaffer, 2006)



Fidelity to the Model

- The closer Drug Courts follow the *10 Key Components (DOJ 1997)*, the larger the effects. *Failure to do the following cuts effectiveness by as much as one half! (NPC Research, 2008)*
 - ✓ Regular attendance by the judge, defense counsel, prosecutor, treatment and law enforcement
 - ✓ Judicial status hearings optimally bi-weekly
 - ✓ Drug Testing at least twice-weekly
 - ✓ Graduated responses
 - ✓ Substance abuse treatment

Recommendations

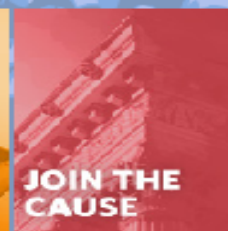
1. Ensure Drug Courts target high risk/high need, prison-bound offenders;
2. Require risk-needs assessments performed and considered (referenced) in sentencing decisions to ensure the right type of offender is sentenced to the right disposition/services.
3. Develop operational standards to guide the actions of Drug Court professionals using NPC Research, MADCE (NIJ), and CJ-DATS (NIDA).

Recommendations

- Close the service gap by directing the large population of drug-addicted offenders into Drug Courts
- Fulfill the goal of a Drug Court in every county in the U.S.
- Set a research agenda to assess (and where necessary correct) foreseeable side-effects of Drug Court practices.

DRUG COURTS WORK

THEY TRANSFORM LIVES



HEADLINES



Drug czar kicks off anti-meth ad campaign

Palmer, of Malden, kicked his habit about five years ago, thanks in large part to a treatment program mandated through the Franklin County Drug Court.



Mexico announces plan to test special Drug Courts

The idea was praised by visiting U.S. drug czar Gil Kerlikowske, who noted "drug courts" can sentence people to rehabilitation programs instead of prison.



Drug Czar Kerlikowske Leads Shift in Drug Policy

The Obama administration hopes to more than double the funding for drug courts in next year's budget.

[Read more](#)

IADTC

International Association of Drug Treatment Courts (IADTC)

International organization for raising awareness about Drug Treatment Courts

MEMBERSHIP

Interested in becoming an NADCP member? Membership benefits the Public, Drug Court Professionals, and Graduates.

GO >

Drug Court Professionals & the Public
Together we shape the future.

GO >

Drug Court Alumni
Let your voice be heard.

WHAT'S NEW

The Washington Post

States Seek Less Costly Substitutes For Prison

NEW YORK Cash-strapped states are increasingly turning to alternative sentencing methods...

[Read more](#)

GET THE FACTS

Want the facts on Drug Courts? Click here for the latest research.



> GIVE NOW



NADCP

National Association of Drug Court Professionals

NADCP will not rest until there are Drug Courts within reach of every American in need.



NDCI

NATIONAL DRUG COURT INSTITUTE

National Drug Court Institute (NDCI)
Training & Publications for Drug Court Professionals



NCDC

National Center for DWI Courts

National Center for DWI Courts (NCDC)
Training & Publications for DWI Court Professionals

SERVICES FOR COURT PROFESSIONALS

ANNUAL CONFERENCE

NADCP 16th Annual Training Conference
June 2-5, 2010 Boston, MA



2009 CONFERENCE HIGHLIGHTS