



Drug Courts



May 2016

Background

Drug courts are specialized court docket programs that target criminal defendants and offenders, juvenile offenders, and parents with pending child welfare cases who have alcohol and other drug dependency problems. Although drug courts vary in target populations and resources, programs are generally managed by a multidisciplinary team including judges, prosecutors, defense attorneys, community corrections, social workers and treatment service professionals. Support from stakeholders representing law enforcement, the family and the community is encouraged through participation in hearings, programming and events like graduation.

Adult drug courts employ a program designed to reduce drug use relapse and criminal recidivism among defendants and offenders through risk and needs assessment, judicial interaction, monitoring and supervision, graduated sanctions and incentives, treatment and various rehabilitation services. Juvenile drug courts apply a similar program model that is tailored to the needs of juvenile offenders. These programs provide youth and their families with counseling, education and other services to: promote immediate intervention, treatment and structure; improve level of functioning; address problems that may contribute to drug use; build skills that increase their ability to lead drug- and crime-free lives; strengthen the family's capacity to offer structure and guidance; and promote accountability for all involved.

Family drug courts emphasize treatment for parents with substance use disorders to aid in the reunification and stabilization of families affected by parental drug use. These programs apply the adult drug court model to cases entering the child welfare system that include allegations of child abuse or neglect in which substance abuse is identified as a contributing factor. Program goals include helping the parent to become emotionally, financially and personally self-sufficient; promoting the development of parenting and coping skills adequate for serving as an effective parent on a day-to-day basis; and providing services to their children.

Other types of drug courts have emerged to address issues specific to unique populations, including tribal, driving while intoxicated (DWI), campus, reentry, veterans and mental health courts.

Program Development, Research and Dissemination

Through financial grants and other assistance, the Bureau of Justice Assistance (BJA) supports building drug court capacity to increase participation among appropriate adult target populations and to maximize criminal justice and treatment resources,

NUMBER AND TYPES OF DRUG COURTS

There are more than 3,000 drug courts across the United States, half of which are adult treatment drug courts.

Adult drug courts are guided by 10 key components (see *Defining Drug Courts: The Key Components*¹) and BJA's Seven Program Design Features, available in Spanish.²

Juvenile drug courts are guided by 16 strategies; see *Juvenile Drug Courts: Strategies in Practice*.³

Family drug courts are guided by 10 Key Principles for Permanency Planning for Children.⁴

Tribal Healing to Wellness Courts have updated *The Key Components*.⁵

RESEARCH FINDINGS

NIJ's Multisite Adult Drug Court Evaluation⁶ found:

- Participants reported less criminal activity (40% vs. 53%) and had fewer rearrests (52% vs. 62%) than comparable offenders.
- Participants reported less drug use (56% vs. 76%) and were less likely to test positive (29% vs. 46%) than comparable offenders.
- Treatment investment costs were higher for participants, but with less recidivism, drug courts saved an average of \$5,680 to \$6,208 per offender overall.

¹ <https://www.ncjrs.gov/pdffiles1/bja/205621.pdf>.

² <http://www.nij.gov/topics/courts/drug-courts/pages/research2practice.aspx>.

³ <http://www.ncjrs.gov/pdffiles1/bja/197866.pdf>.

⁴ http://www.ncjfcj.org/sites/default/files/keyprinciples.final_.permplanning.pdf.

⁵ <http://www.ncjrs.gov/pdffiles1/bja/188154.pdf>.

⁶ <http://nij.gov/topics/courts/drug-courts/pages/madce.aspx>.

such as in partnership with the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Department of Veterans Affairs. BJA provides training and technical assistance through the **National Drug Court Resource Center**, which supports several drug court services. The **Adult Drug Court Technical Assistance Project** at American University delivers onsite and other operations development and implementation services. The **Statewide Adult Drug Court Training and Technical Assistance Program** at the Center for Court Innovation assists state court administrators and has a National Drug Court Online Learning System. The Tribal Law and Policy Institute serves tribal healing to wellness (drug) courts with a **Tribal Drug Court Training and Technical Assistance Program**. The **National Drug Court Institute** reports information updates on drug court activities and delivers an extensive curriculum to drug court professionals through national conferences, regional planning and other training meetings.

The **Office of Juvenile Justice and Delinquency Prevention (OJJDP)** supports juvenile and family drug court programs through financial grants and other assistance, including assessment tool development and state standards guidance. In 2007, OJJDP partnered with SAMHSA and the Robert Wood Johnson Foundation to better serve substance-abusing delinquents by developing a **Juvenile Drug Courts/Reclaiming Futures Program** model; an evaluation found participating youth with high levels of criminal behavior and substance use had better outcomes compared to those in other juvenile drug courts or intensive outpatient treatment programs.⁷ The **Juvenile Drug Courts Mentoring and Support Services Initiative** provides training and technical assistance through the National Council of Juvenile and Family Court Judges to juvenile programs, and through the Center for Children and Family Futures to family programs. The FY 2014 **Initiative to Develop and Test Guidelines for Juvenile Drug Courts** is a two-phase project that will provide juvenile courts with an evidence-based, treatment-oriented approach that emphasizes family engagement and addresses the substance abuse and often co-occurring mental health challenges experienced by the youth.

The **National Institute of Justice (NIJ)** funds research on drug court processes, impact and cost-efficiency. One evaluation tracked 10 years of cohorts in the Multnomah County Drug Court and found rearrests were lower 5 years or more later for participants than for comparable drug offenders; however, reductions ranged from 17 percent to 26 percent across cohorts with changes in programming and judge assignments. **NIJ's Multisite Adult Drug Court Evaluation** found that programs significantly reduce drug use and criminal offending — both during and after program participation. Compared to traditional case processing and supervision, drug courts have higher investment costs, especially in treatment services. However, savings associated with victim and criminal justice system costs are greater due to fewer crimes, rearrests and incarceration. Drug courts that target offenders with high criminogenic risk and high substance abuse treatment needs yield the most effective interventions and maximize return on investment.

BJA and NIJ's joint **Adult Drug Court Research to Practice (R2P) Initiative** promotes the timely dissemination of information emerging from research on addiction science, substance abuse treatment and drug court programs. The project awarded to the National Center for State Courts and American University produced webinars, webcasts and other research dissemination to practitioners, policymakers and other stakeholders.

RESOURCES

BJA Drug Court Discretionary Grant Program

https://www.bja.gov/ProgramDetails.aspx?Program_ID=58

National Drug Court Resource Center

<http://ndcrc.org/>

Adult Drug Court Technical Assistance Project

<http://www.american.edu/spa/jpo/initiatives/drug-court/index.cfm>

Statewide Adult Drug Court Training and Technical Assistance Program

<http://www.drugcourtta.org/>

National Drug Court Online Learning System

<http://www.drugcourtonline.org/>

Tribal Drug Court Training and Technical Assistance Program

<http://www.wellnesscourts.org/>

National Drug Court Institute

<http://www.ndci.org/ndci-home/>

National Council of Juvenile and Family Court Judges

<http://www.ncjfcj.org/>

Center for Children and Family Futures

<http://www.cffutures.org/>

Juvenile Drug Courts/Reclaiming Futures Program

<http://www.ojjdp.gov/programs/ProgSummary.asp?pi=44>

Initiative to Develop Juvenile Drug Treatment Court Guidelines

<http://www.ojjdp.gov/Juvenile-Drug-Treatment-Court-Guidelines.html>

NIJ's Research on Drug Courts

<http://nij.gov/topics/courts/drug-courts/pages/welcome.aspx>

Adult Drug Court Research to Practice (R2P) Initiative

<http://research2practice.org/>

⁷ <https://www.ncjrs.gov/pdffiles1/ojjdp/grants/249744.pdf>.