



Drug Courts



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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 officers, 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 such as 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 approach that is tailored to the needs of youth with substance use disorders. 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

NUMBER AND TYPES OF DRUG COURTS

There are more than 3,100 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), the Drug Court Standards,² and BJA's Seven Program Design Features,³ also available in Spanish.

Juvenile drug courts are guided by *Juvenile Drug Treatment Court Guidelines*.⁴

Family drug courts are guided by 10 *Key Principles for Permanency Planning for Children*.⁵

Tribal Healing to Wellness Courts have updated *The Key Components*.⁶

RESEARCH FINDINGS

NIJ's Multisite Adult Drug Court Evaluation⁷ 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 <https://www.ndci.org/resources/publications/standards>

³ <http://www.nij.gov/topics/courts/drug-courts/pages/research2practice.aspx>

⁴ <https://www.ojjdp.gov/pubs/250368.pdf>

⁵ http://www.ncjfcj.org/sites/default/files/keyprinciples.final_.permplanning.pdf

⁶ <http://www.ncjrs.gov/pdffiles1/bja/188154.pdf>

⁷ <http://nij.gov/topics/courts/drug-courts/pages/madce.aspx>

adult target populations and to maximize criminal justice and treatment resources, such as partnerships 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 National Drug Court Institute (NDCI) delivers onsite and other operations development and implementation services under the **Adult Drug Court Technical Assistance Project**. The **Statewide Adult Drug Court Training and Technical Assistance Program** at the Center for Court Innovation assists state court administrators and has a National Training System for Treatment Court Practitioners. The Tribal Law and Policy Institute serves tribal healing to wellness (drug) courts with a **Tribal Drug Court Training and Technical Assistance Program**. NDCI also reports updates on drug court activities and delivers extensive curricula to drug court professionals through national conferences, regional planning, and other training meetings.

The **Office of Juvenile Justice and Delinquency Prevention (OJJDP)** supports juvenile, family, and tribal drug court programs through financial grants and other assistance. In 2016, OJJDP released **Juvenile Drug Treatment Court Guidelines** that provide juvenile courts with an evidence-based, treatment-oriented approach. These are now in the testing phase to examine implementation and outcomes. OJJDP is working with the National Council of Juvenile and Family Court Judges, American University, and the National Association of Drug Court Professionals to deliver **Juvenile Drug Treatment Courts** training and technical assistance. OJJDP also supports the implementation of Healing to Wellness courts in Indian Country with the assistance of the **Tribal Drug Court Training and Technical Assistance Center**. OJJDP supports the implementation of family drug courts through a variety of planning and implementation initiatives and works with **Family Drug Courts Training and Technical Assistance Program** to provide training and technical assistance to family drug courts across the nation. OJJDP, Children and Family Futures, and the National Association of Drug Court Professionals are collaborating to develop national standards for family drug courts.

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.⁸ **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 incarcerations. 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.⁹ **NIJ's Evaluation of Second Chance Act Adult Reentry Courts** found mixed impact and cost results: one demonstrated reduced rearrests, reconvictions, and reincarcerations meaning lower costs; whereas recidivism rates decreased but not significantly in two sites, and increased in the other sites, meaning higher costs. Also, program success may relate to consistent treatment resources for a target population with substance use disorders, wraparound services for multiple criminogenic needs, and judicial use of incentives and sanctions.¹⁰ **NIJ's Multisite Evaluation of Veterans Treatment Courts** currently examines process and outcomes for eight U.S. programs.

BJA and NIJ's joint **Adult Drug Court Research to Practice (R2P) Initiative** promotes the 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

<https://www.ndci.org/resources/training/ta>

Statewide Adult Drug Court Training and Technical Assistance Program

https://www.courtinnovation.org/sites/default/files/documents/Treatment_Court_Training_and_Technical_Assistance_Fact_Sheet.pdf

National Training System for Treatment Court Practitioners

<https://treatmentcourts.org/>

Tribal Drug Court Training and Technical Assistance Program

<http://www.wellnesscourts.org>

Juvenile Drug Treatment Court Guidelines

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

Family Drug Courts Training and Technical Assistance Program

<http://www.cffutures.org/national-fdc-tta-program/>

Juvenile Drug Treatment Courts Technical Assistance Project

<http://www.american.edu/spa/jpo/Juvenile-Drug-Courts.cfm>

NIJ Research on Drug Courts

<https://www.nij.gov/topics/courts/drug-courts/Pages/welcome.aspx>

Adult Drug Court Research to Practice (R2P) Initiative

<http://research2practice.org>

⁸ <https://www.ncjrs.gov/pdffiles1/nij/grants/219224.pdf>

⁹ <https://www.ncjrs.gov/pdffiles1/nij/grants/237108.pdf>

¹⁰ <https://www.ncjrs.gov/pdffiles1/nij/grants/251496.pdf>