



The Facts on Drugs and Crime in America

Our nation's prison population has exploded beyond capacity.¹

- 1 in 100 U.S. citizens is now confined in jail or prison.
- The U.S. incarcerates more people per capita than 26 of the largest European nations combined.
- Incarceration rates in the U.S. are *nine times greater* for young African-American men between the ages of 20 and 34 years.

Most inmates are in prison, at least in large part, because of substance abuse.

- 80 percent of offenders abuse drugs or alcohol.²
- Nearly 50 percent of jail and prison inmates are clinically addicted.³
- Approximately 60 percent of individuals arrested for most types of crimes test positive for illicit drugs at arrest.⁴

Imprisonment has little effect on drug abuse.

- 60 to 80 percent of drug abusers commit a new crime (typically a drug-driven crime) after release from prison.⁵
- Approximately 95 percent return to drug abuse after release from prison.⁶

Providing treatment without holding offenders accountable for their performance in treatment is ineffective.

- Unless they are regularly supervised by a judge, 60 to 80 percent drop out of treatment prematurely and few successfully graduate.⁷

The Facts on Drug Courts

What is a Drug Court?

Drug Courts are judicially-supervised court dockets that strike the proper balance between the need to protect community safety *and* the need to improve public health and well-being; between the need for treatment *and* the need to hold people accountable for their actions; between hope and redemption on the one hand *and* good citizenship on the

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other. Drug Courts keep nonviolent drug-addicted individuals in treatment for long periods of time, supervise them closely. Clients receive the treatment and other services they require to stay clean and to lead productive lives, but they are also held accountable by a judge for meeting their own obligations to society, themselves and their families. They are regularly and randomly tested for drug use, required to appear in court for the judge to review their progress, and receive rewards for doing well and sanctions for not living up to their obligations.

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. Drug Courts significantly reduce drug use and crime and do it cheaper than any other justice strategy.

The success of Drug Courts has spawned new generations of problem-solving court programs that are successfully confronting emerging issues for our nation. For example, Veteran's Treatment Courts are adapting to the needs of our heroes from the armed services, who sometimes have difficulty adjusting to civilian life or coping with combat-related stress, and may become involved with the justice system. Rather than ignore their plight, Veteran's Treatment Courts provide the treatment and structure they need to resume productive lives. And Reentry Drug Courts are assisting individuals leaving our nation's jails and prisons to succeed on parole and avoid a recurrence of crime and drug abuse.

Drug Courts strike the proper balance between the need for treatment and the need for accountability.

- Drug Courts provide more comprehensive and closer supervision than other community-based programs, such as probation.⁸
- Drug Courts are six times more likely to keep offenders in treatment long enough for them to get better.⁹

Drug Courts reduce crime more than any other program.

- The most rigorous and conservative scientific estimates from "meta-analyses" have all concluded that drug courts significantly reduce crime as much as 35 percent compared to the alternatives.¹⁰
- After an extensive 2005 review of the scientific literature, the Government Accountability Office (GAO) concluded drug courts significantly reduce crime compared to the alternatives.¹¹
- In a nationally representative study of more than 2,000 graduates from over 90 Drug Courts, the average recidivism rate was only 16 percent in the first year after leaving the program, and 27 percent after the second year.¹² This compares very favorably to recidivism rates on conventional probation, in which 46 percent commit a new offense and over 60 percent commit a probation violation.¹³

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Drug Court's effects on crime can last for years, if not decades.

- In rigorous experimental studies, reductions in crime lasted at least 3 years and longer-term effects are still being evaluated by the researchers.¹⁴
- In one study, effects on crime lasted over 14 years.¹⁵

Drug Courts are the most effective strategy we have for combating the scourge of methamphetamine addiction.

- In one study comparing 8 different treatment programs for methamphetamine addiction, Drug Court produced the highest rates of abstinence from methamphetamine as measured by urine drug screen tests.¹⁶
- In that same study, Drug Court produced the longest period of consecutive abstinence from methamphetamine, in some instances doubling, tripling and even quadrupling the length of time clients avoided using methamphetamine compared to other programs.¹⁷
- In another study, abuse of methamphetamine was reduced by more than 50% for clients in a Drug Court program as compared to outpatient treatment alone without Drug Court supervision.¹⁸
- These effects on methamphetamine abuse lasted more than a year after the clients had left treatment, and the researchers are still examining longer time periods.¹⁹
- Attendance in treatment was also increased by over 40% for methamphetamine abusers in Drug Court as compared to other programs.²⁰
- Successful graduation rates from treatment increased by nearly 80% for clients in the Drug Court.²¹

Family Drug Courts preserve families and save abused and neglected children.

- Parents in Family Drug Courts are more likely to go to treatment and complete it.²²
- Their children spend significantly less time in out-of-home placements such as foster care.²³
- Family re-unification rates are 50 percent higher for them and their children.²⁴

Drug Courts save taxpayers considerable money.

- Studies reveal average cost savings ranging from more than \$4,000 to more than \$12,000 per client.²⁵
- These cost savings are due, in part, to reduced prison costs, reduced revolving-door arrests and trials, and reduced victimization.
- For every Federal dollar invested in Drug Court, \$4.30 is leveraged in state funding.

Drug Courts are not reaching many of the citizens who need them and who could benefit greatly from them.²⁶

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- Drug Courts only serve about one half of non-violent, drug-addicted arrestees who are already eligible for these programs.
- Drug Courts serve less than 10% of arrestees who are at risk for drug or alcohol abuse or dependence and could benefit from these programs.
- If Drug Courts were expanded so that they could treat all *currently eligible* individuals, this would save \$2.14 for every \$1.00 invested, totaling \$1.17 billion annually.
- If Drug Courts were expanded so they could treat all arrestees who are *at-risk for drug dependence*, this is estimated to save \$4.13 for every \$1.00 invested, totaling an additional \$1.65 billion annually.
- If Drug Courts were expanded so they could treat all arrestees who are *at-risk for drug or alcohol abuse or dependence*, this is estimated to save \$3.36 for every \$1.00 invested, totaling an additional \$32.3 billion annually, and millions of crimes would be averted.

¹ Pew Center on the States. (2008). *One in 100: Behind Bars in America 2008*.

² Belenko & Peugh (1998). *Behind bars: Substance abuse and America's prison population*. New York: Center on Addiction & Substance Abuse at Columbia University.

³ Karberg & James (2005). *Substance dependence, abuse, and treatment of jail inmates, 2002*. Washington, DC: Bureau of Justice Statistics, U.S. Dept. of Justice; Fazel et al. (2006). Substance abuse and dependence in prisoners: A systematic review. *Addiction*, 101, 181-191.

⁴ National Institute of Justice. (1999). *Annual report on drug use among adult and juvenile arrestees*. Washington DC: U.S. Dept. of Justice.

⁵ Langan & Levin (2002). *Recidivism of prisoners released in 1994*. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice; Spohn & Holleran (2002). The effect of imprisonment on recidivism rates of felony offenders: A focus on drug offenders. *Criminology*, 40, 329-357.

⁶ Hanlon et al. (1998). The response of drug abuser parolees to a combination of treatment and intensive supervision. *Prison Journal*, 78, 31-44; Martin et al. (1999). Three-year outcomes of therapeutic community treatment for drug-involved offenders in Delaware. *Prison Journal*, 79, 294-320; Nurco et al. (1991). Recent research on the relationship between illicit drug use and crime. *Behavioral Sciences & the Law*, 9, 221-249.

⁷ University of California, Los Angeles. (2005). *Evaluation of the Substance Abuse and Crime Prevention Act, 2005 Report*. Los Angeles: UCLA Integrated Substance Abuse Programs; Marlowe (2002). Effective strategies for intervening with drug abusing offenders. *Villanova Law Review*, 47, 989-1025.

⁸ Belenko (1998). Research on drug courts: A critical review. *National Drug Court Institute Review*, 1, 1-42.

⁹ Marlowe et al. (2003). A sober assessment of drug courts. *Federal Sentencing Reporter*, 16, 153-157.

¹⁰ Aos et al. (2006). *Evidence-based public policy options to reduce future prison construction, criminal justice costs, and crime rates*. Olympia: Washington State Institute for Public Policy; Lattimer (2006). *A meta-analytic examination of drug treatment courts: Do they reduce recidivism?* Canada Dept. of Justice; Lowenkamp et al. (2005). Are drug courts effective: A meta-analytic review. *Journal of Community Corrections*, Fall, 5-28; Shaffer (2006). *Reconsidering drug court effectiveness: A meta-analytic review*. Las Vegas, NV: Dept. of Criminal Justice, University

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of Nevada; Wilson, et al. (2006). A systematic review of drug court effects on recidivism. *Journal of Experimental Criminology*, 2, 459-487.

¹⁰ U.S. Government Accountability Office. (2005). *Adult drug courts: Evidence indicates recidivism reductions and mixed results for other outcomes* [No. GAO-05-219]. Washington, DC: Author.

¹¹ Roman et al. (2003). *Recidivism rates for drug court graduates: Nationally based estimate - Final report*. Washington DC: The Urban Institute and Caliber.

¹² Langan & Cunniff. (1992). *Recidivism of felons on probation*. Washington DC: Bureau of Justice Statistics.

¹⁴ Gottfredson et al. (2005). The Baltimore City Drug Treatment Court: 3-year outcome study. *Evaluation Review*, 29, 42-64.

¹⁵ Finigan et al. (2007). *The impact of a mature drug court over 10 years of operation: Recidivism and costs*. Portland, OR: NPC Research, Inc.

¹⁶ Rawson et al. (2004). A multi-site comparison of psychosocial approaches for the treatment of methamphetamine dependence. *Addiction*, 99, 708-717.

¹⁷ Id.

¹⁸ Marinelli-Casey et al. (2008). Drug court treatment for methamphetamine dependence: Treatment response and post-treatment outcomes. *Journal of Substance Abuse Treatment*, 34, 242-248.

¹⁹ Id.

²⁰ Id.

²¹ Id. See also Huddleston (2005). *Drug Courts: An effective strategy for communities facing methamphetamine*. Washington DC: Bureau of Justice Assistance, U.S. Dept. of Justice.

²² Boles et al. (2007). The Sacramento Dependency Drug Court: Development and outcomes. *Child Maltreatment*, 12, 161-171; Worcel et al. (2007). *National Family Treatment Drug Court Evaluation*. Portland, OR: NPC Research.

²³ Milliken & Rippel (2004). Effective management of parental substance abuse in dependency cases. *Journal of the Center for Families, Children & the Courts*, 5, 95-107.

²⁴ Boles et al., *supra*; Worcel et al., *supra*.

²⁵ Aos, *supra*; Carey et al. (2006). California drug courts: Outcomes, costs and promising practices: An overview of phase II in a statewide study. *Journal of Psychoactive Drugs, SARC Supplement 3*, 345-356; Finigan et al., *supra*.

²⁶ Bhati, A. S., Roman, J. K., & Chalfin, A. (2008, April). *To treat or not to treat: Evidence on the prospects of expanding treatment to drug-involved offenders*. Washington, DC: The Urban Institute.