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Exploratory Study on Drug Courts

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Drug Courts around the world

- Australia(Since 1998)
- United States (Since (1989)
- Canada (Since 1998)
- United Kingdom (Since 2005)
- New Zealand (Since 2012)



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Wikipedia



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Approaches in Drug Court

- **Problem-Solving** Court Based Program
- **Treatment based** alternatives to prisons. Relatively longer treatment period
- **Changing focus** from punishment towards lifestyle change and rehabilitation.
- **Reduce Drug Use → Reduce Crime**
- Rebuild Relations with family, Society and Victims →
Restore Lives



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Types of Drug Court in US

- Adult Drug Court
- Veterans Treatment Court - the Newest Model
- DWI (Driving while impaired) Court
- Family Dependency Treatment Court (Family Drug Court)
- Federal District Drug Court (Federal Reentry Court)
- Juvenile Drug Court
- Reentry Court
- Reentry Drug Court
- Tribal Healing to Wellness Court
- Back on TRAC: Treatment, Responsibility, Accountability on Campus



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<http://www.nadcp.org/learn/what-are-drug-courts/types-drug-courts>



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US Drug Court

- *A drug court is a specialized or problem-solving court-based program that targets criminal offenders and parents with pending child welfare cases who have alcohol and other drug addiction and dependency problems*
- *As of December 31, 2011, there were over 2600 drug courts operating throughout the U.S. More than half of these target adult offenders; others address juvenile, child welfare and different court case types.*



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www.nij.gov/topics/courts/drug-courts/Pages/welcome.aspx



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Adult Drug Courts

- 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.



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https://www.ncjrs.gov/spotlight/drug_courts/summary.html



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Juvenile Drug Courts

- 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.



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https://www.ncjrs.gov/spotlight/drug_courts/summary.html



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Family Drug Courts

- 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.



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https://www.ncjrs.gov/spotlight/drug_courts/summary.html



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Effectiveness - Financial

- Nationwide, for every \$1.00 invested in Drug Court, taxpayers save as much as \$3.36 in avoided criminal justice costs alone.
- When considering other cost offsets such as savings from reduced victimization and healthcare service utilization, studies have shown benefits range up to \$27 for every \$1 invested.
- Drug Courts produce cost savings ranging from \$3,000 to \$13,000 per client. These cost savings reflect reduced prison costs, reduced revolving-door arrests and trials, and reduced victimization.
- In 2007, for every Federal dollar invested in Drug Court, \$9.00 was leveraged in state funding.



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www.nadcp.org/learn/do-drug-courts-work



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Effectiveness – Reduce Crime

- Nationwide, 75% of Drug Court graduates remain arrest-free at least two years after leaving the program.
- Rigorous studies examining long-term outcomes of individual Drug Courts have found that reductions in crime last at least 3 years and can endure for over 14 years.
- The most rigorous and conservative scientific “meta-analyses” have all concluded that Drug Courts significantly reduce crime as much as 45 percent more than other sentencing options.



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Effectiveness - Recidivist rate

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Effectiveness – Ensure Compliance

- Unless substance abusing/addicted offenders are regularly supervised by a judge and held accountable, 70% drop out of treatment prematurely.
- Drug Courts provide more comprehensive and closer supervision than other community-based supervision programs.
- Drug Courts are six times more likely to keep offenders in treatment long enough for them to get better.

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Effectiveness – Restores Families

- Parents in Family Drug Court are twice as likely to go to treatment and complete it.
- Children of Family Drug Court participants spend significantly less time in out-of-home placements such as foster care.
- Family re-unification rates are 50% higher for Family Drug Court participants.



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ALL RISE

- **ALL RISE** describes how instead of imprisoning an addict, Drug Courts **insert hope and support** into the very lives of people who the traditional justice system says are hopeless.



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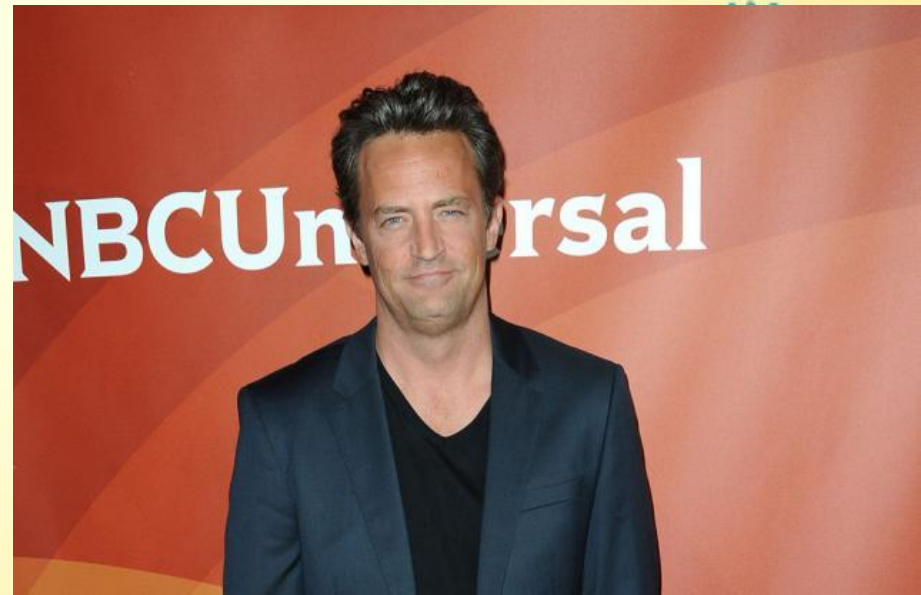
<http://www.nadcp.org/learn/all-rise>



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US Artists - Matthew Perry

- Quizzed on whether these people wouldn't have quit their drug habit anyway, he replied: "Well, that gets under the bigger question of whether these people are addicts or not. I mean if they're drug addicts and alcoholics they're going to keep going until something stops them. Drug court is a wonderful way to interrupt that process. It's a way to not throw these people away."



http://www.tv3.ie/entertainment_article.php?locID=1.803.810&article=121518



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Drug Treatment Court in Canada

- Drug Treatment Courts have the responsibility to handle cases involving drug-using offenders through a system involving comprehensive supervision, mandatory drug testing, treatment services (and other therapeutic interventions) and immediate sanctions and incentives.



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<http://www.cadt.org>



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- The objective of Drug Treatment Courts is to reduce substance abuse, crime and recidivism through the rehabilitation of persons who commit crimes to support their substance dependency. Drug Treatment Courts provide the focus and leadership for community-wide, anti-drug systems, bringing together criminal justice, treatment, education and other community-based partners in the reduction of substance dependency, abuse criminality and related harm.



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DTC – an option of last resort

- As many as 90% of DTC participants have a lengthy history of prior convictions; for example, in one Western Canadian DTC, participants had an average 24 prior convictions.
- Up to 70% of DTC clients suffer from depression or anxiety disorders, as well as their addiction, with many also having PTSD symptoms, and acute or chronic health needs.
- In some jurisdictions, up to 95% of participants are unemployed upon entering the program, with 22% of participants reporting criminal activity as their sole source of income.
- 90% of participants tested on a level of risk inventory (LS/CMI) rated 'high' or 'very high' risk to reoffend.
- In some courts, 75% of participants had unsuccessful treatment experiences prior to entering DTC.
- 86% or more of DTC participants began using drugs before their 18th birthday, with some starting as young as age 12.



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<http://www.cadtc.org>



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DTC is not an easier, softer way

- DTCs provide intensive treatment services, case management, and judicial supervision.
- DTC participants are released with a strict set of bail conditions, which include rules for curfew, living arrangements and limitations on people and places.
- Every week, DTC participants are required to attend court for 9-12 months or more.
- Residential treatment programs can last from 30 days to 6 months; some DTC programs provide 700 hours or more of outpatient treatment.
- DTC requires participants to provide random urine drug tests at least once or twice per week.
- To graduate, participants must: have an extended period of abstinence; have no new criminal charges; have stable housing; and be involved in pro-social activity such as employment, education or volunteer work.



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<http://www.cadt.org>



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DTC reduces substance use and crime

- A western Canadian DTC tracked participants for up to 18 months after graduation; over half had remained entirely crime free.
- Providing criminogenic treatment in DTC helps clients change their criminal thinking patterns and can reduce recidivism by 70%.
- A DTC in Ontario found that, in that city alone, DTC resulted in an annual reduction of \$3 Million spent on drugs. Criminal activity required to support that drug use (goods stolen and/or drugs trafficked) is estimated at another \$9M, for a total savings of approximately \$12M.
- One DTC reports frequency of drug use declining from an average of 28.5 days per month to only 0.8 days per month during participation in the program. Another in western Canada found about one-third of DTC participants remained clean and sober for a year or longer in the program.
- When a comparison was made between one DTC's participants and court-involved clients of a residential treatment program, 100% of the DTC participants were abstinent at follow-up compared to only 64% of those who had received addiction treatment, without the other supports and supervision of DTC.



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DTC improves and saves lives

- DTCs help reunite families. Approximately 50% of DTC participants re-establish a connection with supportive family members after entering the program.
- DTCs providing employment/education preparation services show impressive outcomes of up to 75% of participants moving on to educational or employment activities.
- At least 61% of participants enter DTC with acute or chronic health issues. At any given time as many as two-thirds of participants in some DTCs may be Hepatitis C positive. These issues are addressed through: onsite health services located in some DTCs; community health care partnerships; and intensive case management.
- A western Canadian DTC administered Cantril's Life Ladder – a simple scale measuring clients' quality of life perceptions – with 1 as the worst, and 10 as the best life. Clients' satisfaction with their lives overall improved from an average score of 1.8 on admission to 7.8 at graduation.



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Drug Courts in New South Wales

- To be eligible for the Drug Court Program a person must:
- be over 18 years of age
- reside in the correct Local Government Area (Reg 4) (Auburn, Bankstown, Baulkham Hills, Blacktown, Campbelltown, Cessnock, Fairfield, Hawkesbury, Holroyd, Lake Macquarie, Liverpool, Maitland, Newcastle, Parramatta, Penrith or Port Stephens)
- be pleading guilty
- be dependent on the use of illicit drugs
- be highly likely to be sentenced to full time imprisonment
- not be charged with violent or sexual assault offences
- not be charged with an offence under Div 2 of Part 2 of *Drug Misuse and Trafficking Act*.



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http://www.drugcourt.lawlink.nsw.gov.au/drgcrt/dc_index.html



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- The initial assessment takes up to 2 weeks, and includes general and mental health reviews conducted by Justice Health.
- A treatment plan may require a participant to enter a residential rehabilitation centre, or allow a participant to live in accommodation nominated by a participant and approved by the Court, or in supported accommodation organised by the Court.
- After the assessment stage the offender appears before the Drug Court where he or she enters a guilty plea, receives a sentence that is suspended, and signs an undertaking to abide by his or her program conditions. An offender may still be excluded from participation after the assessment stage because of:
 - ineligibility
 - unwillingness to participate
 - lack of a highly suitable treatment plan.

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http://www.drugcourt.lawlink.nsw.gov.au/drgcrt/dc_index.html



AUS Reference – Recidivist rate

- When the Drug Court and comparison group were compared on an *as-treated* basis members of the Drug Court group.
- **37 per cent** less likely to be reconvicted of any offence,
- **65 per cent** less likely to be reconvicted of an offence against the person,
- **35 per cent** less likely to be reconvicted of a property offence and
- **58 per cent** less likely to be reconvicted of a drug offence.



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http://www.bocsar.nsw.gov.au/bocsar/bocsar_mr_cjb121.html



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AUS Reference – Cost

- the total cost of the Drug Court program is **\$16.376** million per annum
- the estimated cost of dealing with the same offenders via the conventional sanctions would have been slightly higher (**\$18.134** million per annum).



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http://www.bocsar.nsw.gov.au/bocsar/bocsar_mr_cjb121.html



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Impact for Hong Kong

- What is the intervention to **identified substance abusers** – Punishment or Rehabilitation?
- What is the **service gap** in current practice?
- How to evaluate Cost-effectiveness?
- How to **strengthen the advantages** of compulsory treatment order and **weaken the negative impacts** towards the substance abusers?
- Any **joint cooperation** among probation officers, treatment and rehabilitation leaders, family members, legal professions?



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