



Drug Courts



November 2020

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), reentry, veterans, mental health, and co-occurring programs.

Program Development, Research, and Dissemination

Under the **Adult Drug Court and Veterans Treatment Court Discretionary Grant Program**, the **Bureau of Justice Assistance (BJA)** provides financial grants and other assistance to build drug court capacity for evidence-based practice and increase

¹ ncjrs.gov/pdffiles1/bja/205621.pdf

² ncj.org/resources/publications/standards

³ nij.ojp.gov/topics/articles/adult-drug-court-research-practice-r2p-initiative

⁴ ojjdp.ojp.gov/sites/g/files/xyckuh176/files/pubs/250368.pdf
ojjdp.ojp.gov/programs/juvenile-drug-treatment-court-guidelines

⁵ ncjrs.gov/pdffiles1/bja/188154.pdf

⁶ justiceforvets.org/resource/ten-key-components-of-veterans-treatment-court

⁷ nij.ojp.gov/topics/articles/nij-multisite-adult-drug-court-evaluation

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), the *Best Practice Standards*,² and *Seven Program Design Features*³ also available in Spanish.

Practice guidance resources are available for juvenile drug treatment courts.⁴

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

Also see *The Ten Key Components of Veterans Treatment Courts*.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.

participation among appropriate target populations. BJA maximizes criminal justice and treatment resources via partnerships including the Substance Abuse and Mental Health Services Administration, and the Department of Veterans Affairs. Through the **National Drug Court Resource Center**, BJA provides resources that support criminal justice professionals. The National Drug Court Institute delivers onsite and other operations development and implementation services under the **Adult Drug Court and Veterans Treatment Court Training and Technical Assistance Program**, and develops training curricula for conferences, regional meetings, and other training events. The **Adult Drug Court State-based Technical Assistance Program** at the Center for Court Innovation assists state court administrators in capacity building, and supports the online **National Training System for Treatment Court Practitioners**. The Tribal Law and Policy Institute (TLPI) serves tribal healing to wellness (drug) courts with a **Tribal Healing to Wellness Site-specific Training and Technical Assistance Program**.

The **Office of Juvenile Justice and Delinquency Prevention** (OJJDP) supports juvenile, family, and tribal drug court programs through financial grants and other assistance available to all programs across the Nation. OJJDP supports the planning and implementation of new juvenile drug treatment courts and the enhancement of existing juvenile drug treatment courts via partnerships with the National Association of Drug Court Professionals and the National Council of Juvenile and Family Court Judges for **Juvenile Drug Treatment Court Training and Technical Assistance**. OJJDP supports the implementation of Healing to Wellness courts in Indian Country in collaboration with the **Tribal Drug Court Training and Technical Assistance Center** provided by TLPI. Finally, OJJDP supports the enhancement of existing family drug courts, and the establishment of new programs, through planning and implementation initiatives including the **Family Drug Courts Training and Technical Assistance**.

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 currently manages the ongoing testing and evaluation of guidelines for juvenile treatment drug courts,¹¹ a national survey and a state assessment of best practices in family treatment courts. **NIJ's Multisite Evaluation of Veterans Treatment Courts** examined process and outcomes for eight programs (final report pending).

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.

⁸ ncjrs.gov/pdffiles1/nij/grants/219224.pdf

⁹ ncjrs.gov/pdffiles1/nij/grants/237108.pdf

¹⁰ ncjrs.gov/pdffiles1/nij/grants/251496.pdf

¹¹ ncjrs.gov/pdffiles1/ojjdp/grants/252719.pdf

RESOURCES*

BJA Drug Court Discretionary Grant Program

bja.ojp.gov/program/drug-court-discretionary-grant-program/overview

National Drug Court Resource Center

ndcrc.org

Adult Drug Court Training and Technical Assistance

ndci.org/resource/training/ta

State-based Adult Drug Court Training and Technical Assistance

courinnovation.org/training-ta

National Training System for Treatment Court Practitioners

treatmentcourts.org

Tribal Healing to Wellness Training and Technical Assistance

wellnesscourts.org

Family Drug Courts Training and Technical Assistance

cffutures.org/national-fdc-tta-program

Juvenile Drug Treatment Court Training and Technical Assistance

ndci.org/jdct

NIJ Overview of Drug Courts

nij.ojp.gov/topics/articles/overview-drug-courts

Adult Drug Court Research to Practice (R2P) Initiative

nij.ojp.gov/topics/articles/adult-drug-court-research-practice-r2p-initiative

* Resources are updated regularly; please contact BJA or OJJDP with any access issues.