

THE LEGAL SYSTEM AND YOU



Drug Courts: A Win-Win for Individuals, Society and the Criminal Justice System Ⓣ

(NAPSA)—Plagued by a national opioid addiction problem, millions of individuals continue to suffer from dependence in our country.ⁱ The issue is even more pronounced in the criminal justice system. In fact, the lifetime incidence of substance abuse or dependence in the prison population is roughly 74 percent.ⁱⁱ In 2011, nearly half, or 48 percent, of inmates were serving time for non-violent, drug-related offenses.ⁱⁱⁱ

There has been a 790 percent increase in the federal prison population since 1980, according to a 2012 Congressional Research Service report.^{iv} Today, there are more than 214,000 inmates in federal prison, compared to 25,000 inmates in 1980.^{v,vi} The rising inmate population has led to overcrowding of cells, and thus a public priority to find solutions to the high incarceration numbers.

Historically, opioid dependence had been viewed as a failure of motivation, willpower or character.^{vii} More recently, however, scientists have proven that addiction has a biological basis whereby the repeated use of opioids may lead to physical changes in the brain. Over time, science has shown a person's brain can adapt to the regular use of opioids, leading the individual to need these drugs to function.^{viii}

As a result of this new perspective, there is growing public support for managing addiction as a complex health issue in need of treatment options rather than punishment. In April 2014, the Pew Research Center found that 67 percent of people nationwide favored treatment for users of drugs including cocaine and heroin, compared to 26 percent who favored prosecution and incarceration for these individuals.^{ix}

The shift in public opinion combined with a need to reduce prison populations is resulting in a growing number of judges and corrections officials across the country that are establishing programs designed to offer some

offenders treatment options and rehabilitation rather than jail time. These programs, commonly referred to as drug courts, divert approximately 120,000 non-violent, substance-abuse-involved offenders each year to treatment instead of jail or prison.^x Drug court programs have demonstrably better outcomes, including reduced recidivism and reduced costs, compared with traditional courts.^{xi}

According to a multi-site study from the Department of Justice, drug court participants reported less criminal activity (40 percent vs. 53 percent) and had fewer rearrests (52 percent vs. 62 percent) than comparable offenders not in drug court programs. Reducing recidivism also saved communities an average of \$5,680 to \$6,280 per offender overall.^{xii} Reform efforts are underway at the federal level, including modifications to charging policies for low-level nonviolent offenders and sentencing reform.

For those diverted into drug court programs, the focus is on immediate treatment for substance abuse and dependence as well as working towards long-term goal of prevention of relapse. Prevention of relapse is important because many former inmates return to their communities having been "detoxed," but re-entry into previous environments may trigger the urge to use. Concurrently, their tolerance has been lowered significantly during the course of treatment, leaving them more vulnerable to overdose. These circumstances fuel the need to bolster prevention and re-entry programs to help improve outcomes for people returning to communities from incarceration as well as to address public safety.

Drug court programs that offer treatment may include intense monitoring, peer support and medical treatment. Treatments increasingly being used by courts, prisons and jails across the United States to fight opioid

dependence include naltrexone, oral or injection; buprenorphine; and methadone.

Research has shown that combining medication with psychosocial support is a comprehensive way to help patients with addiction, and including medication with psychosocial support is now considered the optimal evidenced-based approach.^{xiii} Of course, treatments do not work the same for everyone. Treatment plans must be tailored to address each person's drug addiction patterns and drug-related medical, psychiatric and social problems, and patients should discuss with their providers what's best for them.^{xiv}

Many drug court treatment programs are showing promise. For example, a local Massachusetts sheriff, with support from community health officials, has started using medication-assisted treatment to assist individuals with criminal involvement in their return to the community.

According to the sheriff, "In my experience, many people who seek and receive treatment are able to remain opioid-free. It is a day-to-day struggle and the path is difficult, but there are treatment options available that may help."

Drug courts show promise in making drug policy more efficient and effective by providing alternatives to incarceration for non-violent offenders suffering from substance abuse and dependence. The drug court model offers state and local governments a cost-effective way to increase the percentage of addicted offenders who achieve sustained recovery, thereby improving public safety and reducing costs associated with re-arrest and additional incarceration.^{xv}

For more information on opioid dependence and its treatment, please visit www.recoveryispossible.com.

ⁱ Substance Abuse and Mental Health Services Administration. Results from the 2013 National Survey on Drug Use and Health: Summary of National Findings. <http://www.samhsa.gov/data/sites/default/files/NSDUHresultsPDFWHTML2013/Web/NSDUHresults2013.pdf>. Last updated September, 2014. Accessed November 18, 2014.

ⁱⁱ Peters RH, Greenbaum PE, Edens JF, Carter CR, Ortiz MM. Prevalence of DSM-IV substance abuse and dependence disorders among prison inmates. *American Journal of Drug and Alcohol Abuse*. 1998; 24(4):573-587.

ⁱⁱⁱ Carson AE, Shabol WJ. Prisoners in 2011. Washington, DC: Bureau of Justice Statistics. 2012. NCJ 239808.

^{iv} Congressional Research Service. The Federal Prison Population Buildup: Overview, Policy Changes, Issues, and Options. <http://fas.org/sgp/crs/misc/R42937.pdf>. Last updated April 15, 2014. Accessed October 23, 2014. (p.1, p.50)

^v Congressional Research Service. The Federal Prison Population Buildup: Overview, Policy Changes, Issues, and Options. <http://fas.org/sgp/crs/misc/R42937.pdf>. Last updated April 15, 2014. Accessed October 23, 2014. (p.1, p.50)

^{vi} Federal Bureau of Prisons. About our Agency. <http://www.bop.gov/about/agency/>. Accessed October 23, 2014.

^{vii} National Institutes of Health. Effective Medical Treatment of Opiate Addiction: Consensus Development Conference Statement November 17-19, 1997. <http://consensus.nih.gov/1997/1998treatopiateaddiction108html.htm>. Last updated 1997. Accessed October 23, 2014.

^{viii} Williams JT, MacDonald JC, Manzoni O. Cellular and synaptic adaptations mediating opioid dependence. *Physiol Rev*. 2001; 81: 313.

^{ix} Pew Research Center. America's Changing Drug Policy Landscape. <http://www.people-press.org/files/legacy-pdf/04-02-14%20Drug%20Policy%20Release.pdf>. Last updated April, 2014. Accessed October 23, 2014. (p.1)

^x Office of National Drug Control Policy. Fact Sheet. DRUG COURTS A Smart Approach to Criminal Justice. http://www.whitehouse.gov/sites/default/files/ondcp/Fact_Sheets/drug_courts_fact_sheet_5-31-11.pdf. Last updated May, 2011. Accessed October 6, 2014.

^{xi} Office of National Drug Control Policy. Fact Sheet. DRUG COURTS A Smart Approach to Criminal Justice. http://www.whitehouse.gov/sites/default/files/ondcp/Fact_Sheets/drug_courts_fact_sheet_5-31-11.pdf. Last updated May, 2011. Accessed October 6, 2014.

^{xii} U.S. Department of Justice. Drug Courts. <https://www.ncjrs.gov/pdffiles1/nij/238527.pdf>. Last updated May, 2014. Accessed October 23, 2014

^{xiii} National Quality Forum. Evidence-Based Treatment Practices for Substance Use Disorders. http://www.apa.org/divisions/div50/doc/Evidence_-_Based_Treatment_Practices_for_Substance_Use_Disorders.pdf. Posted 2005. Accessed August 11, 2013.

^{xiv} National Institute on Drug Abuse. Drugs, Brains, and Behavior: The Science of Addiction. <http://www.drugabuse.gov/publications/drugs-brains-behavior-science-addiction/treatment-recovery>. Last updated August, 2010. Accessed December, 2013.

^{xv} Office of National Drug Control Policy. Fact Sheet. DRUG COURTS A Smart Approach to Criminal Justice. http://www.whitehouse.gov/sites/default/files/ondcp/Fact_Sheets/drug_courts_fact_sheet_5-31-11.pdf. Last updated May, 2011. Accessed October 6, 2014.