

The Progression of Drug Courts

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Abstract

In the criminal justice field, there is a growing concern for the increase of substance abuse problems among offenders. Since the late 1980s, courts have increased efforts in developing drug court programs to accommodate offenders who are alcohol or drug dependent. Research on drug court programs has provided evidence of their effectiveness through measurements of program completion, and recidivism and relapse rates. Currently, research has shifted from studying drug court program effectiveness, to examining the services drug courts provide to offenders and if it makes the program more effective. This article examines whether additional services in the drug court program, like employment assistance, improve the offenders likelihood of a sober and crime-free lifestyle. In addition, it will not also examine the rates of relapse and recidivism, but it will also examine studies that focus on the longevity of sobriety and noncriminal behavior. Through several online databases, I found research regarding drug court programs. Results suggest that the more involved the program is with the offender, with additional services, the more likely the offender will not reoffend or relapse. Future research should examine more into what specific services provided in conjunction to drug court programs are considered more effective in assisting the offender.

Drug Courts: Where We Are and Where We Can Be

A Review of Literature

Introduction

Across the United States, about 80% of criminal offenders abuse drugs or alcohol and 60% of arrestees have tested positive for the presence of illegal drugs in their system at the time of arrest (NCADD 2009). Since large numbers of offenders have some form of substance abuse problems, the courts have developed more effective methods of handling those who enter the criminal justice system with alcohol or drug dependency. In the late 1980s the first drug court program was developed in Miami, Florida (Deschenes, Ireland and Kleinpeter 2009). Since then, other states have followed, creating drug court programs within their communities to better serve and treat addicted offenders. This is an effort to see the offender as an addict rather than a criminal, treating their addiction rather than punishing their offense. Drug courts have increased across the US dramatically from 1 in 1989 to 1,813 in 2003 (Vick and Keating 2007). The main goal the judge, the attorneys and the staff have is for the client to successfully create and complete a recovery plan that will hopefully tackle the addiction and end any criminal behavior (Vick and Keating 2007). In this review, I will present the research on drug court programs that suggest that drug court programs are effective in lowering recidivism rates. Although evidence shows positive effects of drug courts, it also suggests improvement with the services the program provides. Most studies of drug court programs focus on the successes of participation and completion in terms of the individual. Drug court programs are offered to offenders who commit crimes and have a substance dependency. By gathering data on recidivism and relapse rates

among the participants and nonparticipants, researchers are able to conclude what effects drug court programs provide.

Throughout my review, I will attempt to provide an analysis of several different studies that answer the following questions: (1) What results have recent articles in peer-reviewed journals found concerning drug treatment programs offered as an alternative to criminal punishment (i.e. probation or prison)? (2) What are the positive and negative results of these programs? What could improve? (3) What have researchers not included in this research? What research is suggested for the future of drug court programs? This analysis is committed to assessing research on drug court programs in the beginning of the 21st century. The focus will be on research methods that assist in determining generalizability, services provided within the drug court program and the outcomes of drug court programs throughout the US.

Methods

In this literature review, the articles that I will analyze were published between 2001 and 2013. The studies provided on the Northeastern University's Library Search Database were from JSTOR, EBSCO and Academic Search Premier. Since the data is combined results from several different studies and I will be reviewing and discussing them, my review will result in a narrative review. The sample data includes seven scholarly sources from journals and publishers across the US. This narrative review will also include data from the government-affiliated reports provided through the National Council on Alcoholism and Drug Dependency.

I also classified the research or programs as “successful” or “unsuccessful”. Success was measured on whether a majority and an increase of clients remained sober, were not involved in crime and graduated the program during the time period the research was conducted.

Each study throughout this literature review either used the words participant, addict, client, or offender interchangeably. To clear any confusion, they are all considered the same individuals, just with several different titles.

Outcomes of Current Drug Court Programs

Although drug courts are somewhat a new form of specialized court programs, they have been researched in qualitative and quantitative methods for several years. In general, drug court programs are considered a success (Standford and Arrigo, 2005). Drug court programs differ state-to-state and community-to-community with ways in which they function and services provided within the program. When drug courts were first introduced, there was minimal information regarding their success and they were not thoroughly reviewed. Since drug court programs are becoming increasingly common not only in the US but around the world, extensive research has developed on the topic. In the past 15 years, there have been numerous studies on drug courts that provide us with their success, failures and future suggestions.

Studies of drug court programs show that they are successful (Standford and Arrigo, 2005), but the question has risen: what about drug courts make them successful? In 1994, a study conducted in Baltimore, Maryland formed a drug court program that divided the offenders into two separate

groups. The services provided to each group were different from one another. One group participated in a treatment based program that would solely focus on and treat the offender's addiction. The other group's program focused on supervision of the offenders, with no treatment involved. The findings of this study suggested that the treatment based program was a more effective approach (Banks and Gottfredson, 1994). The offenders under treatment were more likely to successfully complete the drug court program over the offenders that participated in the program that only supervised them. This study aided to the idea that in order for a drug court program to be considered successful, the program must offer treatment as a main objective.

In addition to properly dealing with one's addiction through drug court programs, there is a need to incorporation of other health services for the individual (Wenzel, Longshore, Turner and Ridgely, 2001). Providing other services for the individual may assist in their adjustment back to a crime-free and sober lifestyle. Below is a model of the joining of drug courts and health services and how one can expect the structure to be.

Although supervision will not independently increase the number of clients who successfully complete drug court programs, it does factor into the way in which drug courts operate. The question then rises, who needs to monitor the activity of the individuals while they are participate in drug courts? Some may believe it's the judges, or staff members' responsibility. A study conducted in South Dakota researched whether or not supervision could effectively be the community's responsibility.

Over recent years, there seems to be a shift in traditional forms criminal justice operation to a community-based one. Unfortunately, when it comes to the supervision of drug court clients, community supervision was not considered successful, since many of the clients relapsed or reoffended (Vick and Keating, 2007). It seems as though not all aspects of the criminal justice system can take on a community role, leaving the responsibility to judges and staff members.

Another method past research has used when determining the likelihood of drug court completion, is analyzing the attachments, backgrounds and lifestyles of the clients. Their surroundings may have influenced the path they have taken. In a study conducted in Arkansas, thorough research was done on 16 clients to determine any trends in data (Fulkerson, Keena and O'Brien, 2013). Since one may consider 16 participants as too small of a representation to generalize, making the study less credible, there was a need for more research. Another study was conducted that included 196 participants, and followed similar methods to the study done in Arkansas. Evidence suggests that those who appear ready to seek out help with their addiction are more likely to be successful in the drug court programs (Fulkerson, Keena and O'Brien, 2013) rather than those who simply view it as a way to avoid a criminal charge. Also, those who have former attachments, like employment, are more likely to successfully complete drug court (Hartley and Phillips, 2001). This research suggests that one may be able to predict if one offender is more likely to benefit from drug court programs based on their background.

Drug court programs are considered successful compared to other methods in the criminal justice system (Stanford and Arrigo, 2005). The question that remains is how can we improve the programs that are in place to increase the likelihood of success increases? Evidence from previous research suggests that other attachments raise the likelihood of success (Hartley and

Phillips, 2001). Research studying drug courts that incorporate other services, like employment and education has become more recent. Across a year period study in Orange County, California in 2009, data was collected on the effectiveness of including other services within drug courts. In this instance, the drug court included a residential treatment service, group and individual counseling, employment and education opportunities (Deschenes, Ireland, and Kleinpeter 2009). Evidence suggested the new services influenced an increased success rate in participants. When researching, this appears to be the only implementation of its kind. Not only is funding generally low, but additional services are expensive. In reality, this is not an aspect every drug court could include in their program.

Discussion

Some of the research suggests that education and employment incentives assist the client in becoming a more contributing citizen for not only himself or herself but for society. The more attachment and social involvement the client has to society, the less likely they are to relapse or recidivate. Some data suggests making more efforts and services available to certain disadvantaged populations. The study conducted in Orange County, California suggests that aspects of this specific drug court program be tested other community settings in order to determine if it could be generalizable. The study conducted in Iowa suggests that verbal praise of each client and physical paper certifications are minor but powerful incentives for the clients (Fulkerson, Keana and O'Brien 2013).

In the long run, the effects drug courts have on the costs and funding are lower than imprisoning them. Ultimately, if the client succeeds in the program, they will have lesser or nonexistent criminal charges, making them more likely to obtain employment. Drug courts not only improve the life of the individual, they improve the overall production of communities. Drug court programs can only improve in the future. Research suggests implementing more incentives around education and employment would create a more successful program (Deschenes, Ireland, and Kleinpeter 2009). The research conducted on drug court programs should also investigate more on whether individualized or group counseling would improve the chances of success for the client. Currently, programs seem to include both with some form of AA or NA meetings. Individualized counseling will be more costly, but as the programs progress and portray more trusting results. Consideration should be put toward individualized counseling. Although the studies are not generalizable since they only pertained to a certain number of clients in a certain societal area, the results suggest further trial in other locations. Not only do drug courts lower recidivism rates and decrease the prison population, it aids the client in overcoming their addiction and oftentimes, if completed successfully, diminishes criminal records or charges.

References

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