

Do Drug Courts Work?

Brief Analysis No. 717

by Jessica Huseman

August 5, 2010

Drug courts are judicially supervised programs that provide long-term treatment and other services to nonviolent drug law offenders. Cases can be referred to drug courts in lieu of or in addition to traditional criminal punishment, such as incarceration or probation.



Dallas Headquarters:
12770 Coit Road, Suite 800
Dallas, TX 75251
972.386.6272
Fax: 972.386.0924

www.ncpa.org

Washington Office:
601 Pennsylvania Avenue NW,
Suite 900, South Building
Washington, DC 20004
202.220.3082
Fax: 202.220.3096



For a period lasting a minimum of one year, offenders receive treatment and help readjusting to life outside of prison and without drug use. Participants are randomly drug tested and regularly appear before a judge to review their progress. They can be sanctioned or rewarded based on such behavioral criteria as attending meetings, staying drug free and working.

Drug courts are a relatively recent phenomenon. The number of drug courts has increased from zero in 1988 to more than 2,000 in 2008. The federal government is a major funder of the courts, spending \$40 million on them in fiscal year 2009. Many say that drug courts save taxpayers money and are more effective than prison alone. But is that true?

The High Cost of Imprisonment. After almost three decades of growth, the U.S. prison population reached 2.3 million in 2007. This large prison population comes with a hefty price tag. In 2007, the United States spent \$44 billion on the prison system — four times (or \$33 billion) more than in 1987. The average annual

cost of incarceration is \$24,000 per inmate. A number of states spend as much or more money on their corrections system as they do on higher education, including Connecticut, Vermont, Delaware, Oregon and Michigan.

The Rate of Drug Use Among Criminals. More than 60 percent of those arrested test positive for alcohol or some type of drug. Some 80 percent of convicted criminals abuse drugs or alcohol, and more than 50 percent can be defined as clinically addicted. Prison itself does little to curb drug abuse:

- In 2004, about 21 percent of prisoners were in jail for a drug-related offense — this percentage has not changed since 1994.
- More than half of inmates will return to prison within three years of their release.
- Even if they do not return to prison, 95 percent of convicts will return to drug use.

Similarly, probation, which is often considered an alternative to incarceration, is not an effective deterrent to drug use. Between 50 percent and 70 percent of probationers fail to comply with drug testing and treatment requirements, which only subjects them to more jail time at taxpayer expense.

The Effectiveness of Drug Courts. Professors at the Universi-

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ty of Pennsylvania found that drug courts had a compliance rate six times higher than any other current method of treating criminals with drug addictions. They also found that drug courts were two to three times more successful than other methods in reducing recidivism, drug use and unemployment.

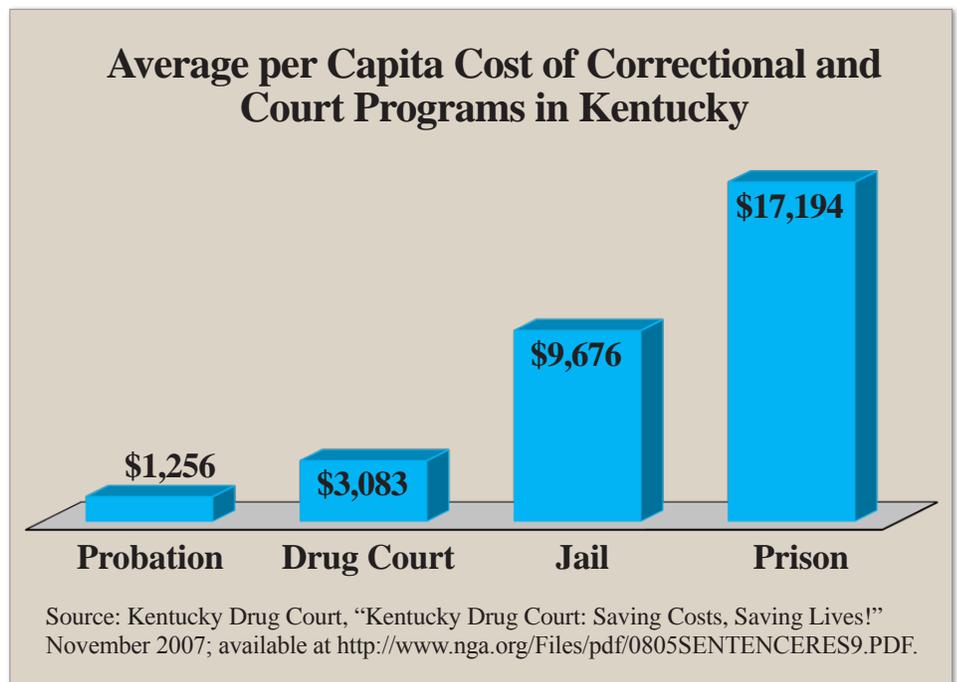
Studies have also shown that drug users who have children are more likely to complete a drug court program than any other type of treatment. Among families whose children have been taken away because of their parents' drug use, reunification rates are 50 percent higher if a parent completes a drug court program, and those children spend less time, on average, in out-of-home placements.

Drug Courts Save Money.

According to the National Association of Drug Court Professionals, cost savings due to drug courts range from \$4,000 to more than \$12,000 per client. Nationwide, for every dollar invested in drug courts, taxpayers save as much as \$3.36 in avoided criminal justice costs alone.

A 30-month U.S. Department of Justice study of Portland, Oregon's Multnomah County Drug Court, the second oldest in the nation, found that it saved almost \$5,000 per participant, on average, totaling more than \$1.5 million per year. The net savings included the actual cost of judges, courtrooms and drug tests, avoided trials and jail time, and avoided victimization costs, such as lost work days, medical expenses and so forth.

Managing an offender through drug court costs more than proba-



tion alone, but much less than jail or prison. According to a statewide evaluation of drug court programs in Kentucky [see the figure]:

- In 2004, it cost an average of \$1,256 per year for an offender on traditional probation.
- It cost \$3,083 to manage an offender through drug court, including administrative and treatment costs.
- By contrast, the one year cost of maintaining an offender in jail was \$9,676 or \$17,194 in prison.

The Need for More Drug Courts. The U.S. Department of Justice recently identified 1.2 million people in the criminal justice system who would be eligible for drug court but do not have access due to their location.

According to estimates from the National Association of Drug Court Professionals:

- Drug court programs only serve about half of those who qualify, and less than 10 percent of those arrestees at risk for drug and alcohol abuse who would benefit.
- If the programs treated all currently eligible individuals, it would save \$2.14 for every \$1 invested, totaling \$1.17 billion annually.
- Furthermore, if drug courts were expanded to treat all arrestees at risk for drug or alcohol abuse or dependence, it would save an estimated \$3.36 for every \$1 invested, totaling an additional \$32.3 billion annually.

Conclusion. Given the success of drug courts, and the projected savings if more programs were implemented, the United States should use drug courts to save taxpayers' money and effectively treat criminals with drug problems. *Jessica Huseman is an intern with the National Center for Policy Analysis.*