

# Strengthen and Expand Access to Addiction Treatment Services for Justice Involved Individuals

Drug treatment can be incorporated into criminal justice settings in a variety of ways; these include treatment as a condition of probation, drug courts that blend judicial monitoring and sanctions with treatment, treatment in prison followed by community-based treatment after discharge, and treatment under parole or probation supervision. By working together, the criminal justice and treatment systems can optimize resources to benefit the health, safety, and well-being of individuals and the communities they serve.

– Principles of Drug Abuse Treatment for Criminal Justice Populations, National Institute on Drug Abuse

## PREVALENCE OF ADDICTION AND ACCESS TO TREATMENT IN CRIMINAL AND JUVENILE JUSTICE SYSTEMS

- >> Eighty percent of state prisoners report a history of drug or alcohol use.<sup>1</sup> In fact, more than half (55 percent) of state prisoners report using drugs or alcohol during the commission of the crime that resulted in their incarceration. Two-thirds of convicted jail inmates were “actively involved in drugs” prior to their admission, and 36 percent were using drugs or alcohol at the time of their offense.<sup>2</sup>
- >> Nationally, only ten percent of state prisoners in 1997 reported receiving formal addiction treatment during their incarceration, down from 25 percent in 1991. Further, only three percent of jail inmates participate in formal treatment while incarcerated.<sup>3</sup>
- >> Approximately 16% of incarcerated individuals have a mental illness diagnosis.<sup>4</sup> More than 70% of the people with mental illness in jails nationwide also have substance use disorders.<sup>5</sup>
- >> A survey of juvenile detainees in 2000 found that about 56 percent of the boys and 40 percent of the girls tested positive for drug use at the time of their arrest.

## BENEFITS OF TREATMENT FOR JUSTICE INVOLVED INDIVIDUALS

- >> The largest economic benefit of addiction treatment is seen in avoided costs of crime (incarceration and victimization costs). Effective treatment decreases future drug use and drug-related criminal behavior, can improve the individual’s relationships with his or her family, and improves prospects for employment.<sup>6</sup>
- >> Residential prison treatment is more cost effective if individuals attend treatment post-release, according to research. One study found that those who completed both an in-prison therapeutic community program and community-based aftercare were significantly less likely to be reincarcerated than other comparison groups: only 25 percent of this cohort was reincarcerated while 64 percent of aftercare drop-outs and 42 percent of untreated prisoners went back to prison within three years of their release.<sup>7</sup>
- >> Evidence-based interventions include cognitive-behavioral therapy to help participants learn positive social and coping skills, contingency management approaches to reinforce positive behavioral change, and motivational enhancement to increase treatment engagement and retention.<sup>8</sup>
- >> Medications can be an important component of effective drug treatment. Despite evidence of their effectiveness, addiction medications are underutilized within the criminal justice system. Still, some jurisdictions have found ways to successfully implement medication therapy for individuals under court supervision.<sup>9</sup>



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## SUBSTANCE USE DISORDERS AMONG COURT INVOLVED YOUTH

- > > From 1986 to 1996, drug-related juvenile incarcerations increased nearly threefold. In 2002, about 60 percent of detained boys and nearly half of the girls tested positive for drug use.
- > > The number of juvenile court cases involving drug offenses more than doubled between 1993 and 1998, and 116,781 adolescents under the age of 18 were arrested for drug violations in 2002.
- > > Juveniles entering the criminal justice system can bring a number of serious issues with them—substance use, academic failure, emotional disturbances, physical health issues, family problems, and a history of physical or sexual abuse. Girls comprise nearly one-third of juvenile arrests, a high percentage reporting some form of emotional, physical, or sexual abuse.<sup>10</sup>

## THE IMPACT OF STATE LEVEL REFORM IS SIGNIFICANT

- > > In Texas, Sen. Whitmire and Rep. Madden helped enact a legislative package that represents a striking redirection of corrections policy in a state known for being tough on crime. The centerpiece is a \$241 million network of short-term residential diversion and treatment facilities for low-level substance using individuals and additional outpatient drug and mental health treatment resources. The package will save Texas \$210 million over the next two years, and an additional \$233 million if the programs cut recidivism as expected and help to avert the construction of three proposed prisons.<sup>11</sup>
- > > A study conducted over a 90-day period comparing the criminal justice and mental health systems in Connecticut for people diverted from jails and for those with similar characteristics who were not diverted, found a decreased cost of \$2,497 for those who were diverted into alternative care.<sup>12</sup> ●

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2. Doris James Wilson, *Drug Use, Testing, and Treatment in Jails*, Department of Justice, Bureau of Justice Statistics (Washington, DC: 2000), NCJ 179999.

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4. "Subcommittee on Criminal Justice: Background Paper." *New Freedom Commission on Mental Health*. June 2004. 3.

5. "Mental Illness and the Criminal Justice System: Redirecting Resources Toward Treatment, Not Containment." *American Psychiatric Association*. 2, May 2004. 3.

6. *Principles of Drug Abuse Treatment for Criminal Justice Populations*, [http://www.nida.nih.gov/PODAT\\_CJ/faqs/faqs1.html#1](http://www.nida.nih.gov/PODAT_CJ/faqs/faqs1.html#1)

7. Kevin Knight, D. Dwayne Simpson, and Matthew Hiller, "Three-Year Reincarceration Outcomes for In-Prison Therapeutic Community Treatment in Texas," *The Prison Journal* 79 (1999):337-351.

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9. *Id.*

10. *Id.*

11. *Changing Direction: A Bipartisan Team Paves a New Path for Sentencing and Corrections in Texas*, January 2008, available online: <http://www.pewcenteronthestates.org/uploadedFiles/Whitmire%20Madden%20QA.pdf>

12. *Subcommittee on Criminal Justice: Background Paper.* *New Freedom Commission on Mental Health*. June 2004. 6.