

Drug Courts: Can We Make Them More Effective?



In recent years, Drug Courts have become a popular, widely praised and rapidly expanding alternative for dealing with drug offenders and sometimes with people charged with nonviolent crimes who are drug users. Drug Courts are an evolving approach that substitutes mandatory treatment for incarceration. Because drug courts are new, much of the research on their effectiveness is recent, incomplete and inconclusive.

There are 700 Drug Courts in operation across the nation. Concerns about their fairness and effectiveness have been raised.

- ✓ *Providing coerced treatment, at a time when the needs for voluntary treatments are not being met, creates the strange circumstance of someone needing to get arrested to get treatment.*
- ✓ *People who are forced into treatment may not actually need it. They may just be people who use drugs in a non-problematic way who happened to get arrested.*
- ✓ *Drug Courts only rely on abstinence-based treatment. For example, methadone is not available to heroin addicts. In addition, they rely heavily on urine testing rather than focus on whether the person is succeeding in employment, education or family relationships.*
- ✓ *Drug Courts often mandate twelve-step treatment programs that some believe to be an infringement on religious freedom.*
- ✓ *Drug Courts invade the confidentiality of patient and health care provider. The health care provider's client is really the court, prosecutor and probation officer, rather than the person who is receiving drug treatment.*
- ✓ *Drug Courts are creating a separate system of justice for drug offenders not based on the time honored adversarial roles of defense attorney, prosecutor and judge. Therefore, a relapsed patient may end up with much harsher penalties than from a regular court.*
- ✓ *Drug Courts may result in more people being prosecuted than ever, thus expanding the harm caused by the drug laws.*

**The intent to emphasize treatment is commendable.
Let's work together to mitigate potential harm.**

**For more information, visit: <http://www.csdp.org>.
Common Sense for Drug Policy, Kevin B. Zeese, President
703-354-9050, 703-354-5695 (Fax), info@csdp.org**