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### ► [Adult drug courts.](#)

**United States Government Accountability Office.  
United States Government Accountability Office, 2011.**



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*Recent US drug court studies reviewed for the US Congress by its audit and evaluation office support their crime-reduction credentials, though most studies are methodologically weak. Generally too, benefits outweigh costs, but not consistently.*

**Summary** Drug courts specialise in closely supervising (through regular urine tests and court appearances) and ordering the treatment of suitable drug-related offenders to improve compliance with treatment as an alternative to prosecution or imprisonment. In what is intended to be a non-adversarial environment, judges impose sanctions or offer praise or more tangible rewards and adjust treatment depending on progress. The incentive for suspects or offenders is usually that charges or penalties will be reduced or dismissed on successful completion of the court's orders, which typically takes at least a year.

Most US courts (which account for the bulk of the evidence of their impacts) restrict their intake to non-violent, substance dependent defendants or offenders. Many exclude drug dealing offenders or those with extensive and serious criminal histories or serious mental health problems. As a result, most eligible offenders have been charged with drug or property crime and have relatively few prior convictions for serious offences.

In 2010 there were over 2500 drug courts in the USA including 1400 for adult offenders. Mandated by US law, in 2011 the [US Government Accountability Office](#) issued the featured report updating its previous assessments of how well adult courts have reduced crime and substance use and their associated costs and benefits. Its report takes in evaluations of 32 court programmes and 11 cost-benefit studies issued from February 2004 to March 2011.

### [Main findings](#)

Compared to alternative adjudication options, generally studies found drug courts were associated with lower rates of criminal recidivism and relapse to drug use, but few were

free of possible bias arising from non-random selection of drug court versus comparison offenders. Due mainly to reduced future victimisation and justice system expenditures, benefits to society expressed in financial terms usually but not always outweighed costs. Further information below.

Across the 32 evaluated court programmes, participants were generally less likely to be re-arrested than comparison group members drawn from criminal court. In 18 studies these differences were statistically significant. Among studies showing re-arrest differences, proportions of drug court participants re-arrested were 6% to 26% lower than comparison offenders; among drug court participants who completed their programmes, re-arrest rates were 12% to 58% lower. Across the eight programmes where this was measured, offenders sentenced by drug courts were less likely than comparison offenders to use drugs, though differences were not always statistically significant.

Cost-benefit analyses showed mixed results, net benefits ranging from plus \$47,852 to minus \$7,108 per participant. This balance was partly dependent on the expense of the alternative disposal; if community sentences supervised by a drug court replaced prison, the cost savings were likely to be positive and substantial.

Among the reviewed evaluations was the MADCE study, a [major study](#) funded by the US Department of Justice of 23 adult drug courts. This reported a two-year re-arrest rate for drug court participants 10% below that of the comparison group: 52% of drug court participants were later re-arrested compared to 62% of the comparison group. However, this difference was not statistically significant. The study also reported that drug court participants were significantly less likely than the comparison group to self-report having committed crimes when they were interviewed 18 months after the baseline (40% v. 53%), and drug court participants who did report committing crimes committed fewer than comparison group members.

## FINDINGS

This analysis and another more [extensive recent review](#) show there is no simple answer to the question, 'Do drug courts reduce crime?' The answer is – 'It depends.' What it depends on is partly what the court and the offenders are compared against. Weaker studies which cannot exclude the possibility that more promising offenders find their way to drug courts also find the largest effects. Effects remain even in randomised trials which should eliminate this possibility, but perhaps partly because these are so rare, pooled results from these trials have not been found to be statistically significant. Also, results vary with another feature of the comparator – the degree to which it replicates drug court processes. This probably works both ways: the gap between the two may be narrowed because the drug court is unable to fully implement a drug court model, or because the comparator already incorporates features of this model. Both influences may account for the lack of impact of Scottish drug courts in the main [UK study](#) to report on recidivism.

Two features appear to enhance the anti-crime effectiveness of drug courts: frequently seeing offenders to check on their progress, and being able to hold out the prospect that success will expunge the original offence. These were among the effective ingredients identified by an [extensive review](#) ([▶ below](#)) and by the large US [MADCE study](#) highlighted by the featured review. However, frequent hearings [have been found](#) to help only with

**high risk** offenders.

In its cost-benefit findings which highlighted the expense of the alternative sentence as a factor, the featured review touched on a **fundamental criticism** of US drug courts – that **most exclude** violent or drug dealing offenders or those with extensive criminal histories and serious mental health issues. The upshot is often a caseload of low-level drug offenders who are otherwise generally law-abiding, many of whom might have been more cheaply and appropriately diverted out of the criminal justice system altogether.

### **Selected recent reviews**

Findings from the featured review largely accord with other recent reviews which find the bulk of the evidence on the side of drug courts, but also that this evidential weight is not matched by enough methodological quality to be confident that drug courts caused recidivism reductions, as opposed to other factors the studies were unable to eliminate. Generally the more sound the set of studies, the less likely they are to find substantial recidivism reductions due to drug courts.

A **review** of interventions for drug using offenders produced for the Scottish Government accepted that research on Scottish drug courts **had not shown** these reduced crime yet cost more than normal procedures, which themselves embodied some drug court features including drug testing and treatment. It warned that the most rigorous international trials which had randomly allocated offenders to drug courts versus other judicial options found only weak crime reduction impacts which fell short of statistical significance.

Reservations in the Scottish review cited above over the evidence for drug courts from randomised trials were echoed in a **review** conducted by British experts for the Swedish Council for Crime Prevention. It was able to synthesise crime-reduction results from just two high quality trials. Together these registered an advantage for drug courts versus comparison judicial options, but not one which was statistically significant. According to this analysis, treatment in general had been shown to reduce drug-related crime, but the same could not yet be said of treatment delivered via a drug court.

How far most studies fall short of the gold standard randomised controlled trial was commented on by (at the time of writing) the **latest synthesis** of drug court studies. Among this "methodologically weak" body of work, just three of 92 studies of **courts** trying adults had randomly allocated offenders to these versus alternative judicial procedures. Across these three, recidivism was lower among drug court offenders, but the finding was not statistically significant, perhaps because in one atypical study the comparator featured even more intensive drug testing than the drug court. The next most sound studies typically attempted instead to match drug court and comparison offenders on key variables, or to adjust the findings for their relative risks of offending. Across these 20 studies, recidivism was modestly and significantly lower among drug court offenders, but such research designs have limited power to iron out the most important differences between offenders who are or are not referred to (or choose to be processed by) drug courts. Presumably crucial variables – like how committed the offenders is to succeed, their social and family support, or professional assessments of how well suited they are to a drug court regimen – are rarely available to researchers. This synthesis found that drug offence recidivism was lowest in courts which supervised offenders at least twice a month and which could hold out the prospect that success would expunge the original offence. The same was not true to of recidivism in general.

See a related Findings analysis for a summary of **British policy and experience** in relation to drug courts. For all Findings drug court analyses run **this search**. In particular see these **background notes** with a detailed consideration of one of the most methodologically rigorous studies to date, conducted in Baltimore with a caseload unusually relevant to the UK because it consisted mainly of heroin addicts with extensive criminal records. Though methodological concerns remained, it found that over the three years after offenders had been

allocated to the court or to normal proceedings, the average numbers of new arrests and charges were significantly fewer among drug court offenders and drug use was lower.

Last revised 08 April 2012

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