



National Institute of Justice

Update

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The Drug Court Movement

The drug court movement began in the 1980's in response to the growing number of drug-related court cases. Traditional law enforcement and corrections policies alone were not having the impact on drug supply and demand that the proponents of the "War Against Drugs" had hoped. As a result, in the summer of 1989, an administrative order from the chief judge of Florida's 11th judicial circuit set the first drug court in motion. A new report of the National Institute of Justice and the State Justice Institute, *Justice and Treatment Innovation: The Drug Court Movement*, examines the Drug Court Movement and the findings of the First National Drug Court Conference.

A new way of doing things

The drug court approach departed from the traditional court approach by systematically bringing drug treatment to the criminal justice population entering the court system. Traditionally, the court had referred selected offenders "out" to treatment as a condition of probation. In the drug court, treatment is anchored in the authority of the judge who holds the defendant or offender personally and publicly accountable for treatment progress.

In the Miami drug court, the judge works with the prosecutor, defender, and drug treatment specialists as a team to select the appropriate treatment approach, monitor progress in the courtroom, and help overcome problems (for example, housing and employment) that may hinder treatment progress. Although controversial, the approach adopted in Miami has influenced officials to implement drug courts in more than 20 other jurisdictions nationwide between 1991 and 1993.

Core elements of a drug court

One of the most striking characteristics of the expansion in drug court programs has been the diversity in court structure, treatment programs, and target populations. One of the principal aims of the First National Drug Court Conference, held in Miami in December 1993, was to identify core elements of a drug court. More than 400 judges, prosecutors, defense lawyers, and drug treatment specialists designated the following elements as crucial to the success of a drug court:

- Judicial commitment and leadership.
- Collaboration among criminal justice agencies, courts, treatment agencies, and community organizations.
- Education and training programs for judges, prosecutors, defenders, and other criminal justice practitioners in substance abuse, addictive behaviors, and treatment approaches.
- Education and training programs for treatment providers and public health officials in criminal justice concerns and procedures.
- A specifically defined target population that considers both drug involvement and public safety risk.
- A custom-designed treatment program that addresses the specific treatment needs of the court's targeted population.
- Integrated information management that links the court with criminal justice and treatment agencies and provides adequate supervision for defendants/offenders.
- Funding sources for drug court startup and maintenance.

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- A detailed, comprehensive implementation plan that includes scheduled milestones and orientation and training for everyone involved.
 - An evaluation strategy that defines desired outcomes, identifies the types of information required to measure those outcomes, and defines a timetable for the reporting and analysis of those outcomes.

Future needs

In 1994, Federal legislation was enacted to support the growing local and State interest in drug courts. The Violent Crime Control and Law Enforcement Act authorizes support for local and State drug courts. The need for funding is just one of the issues confronting the drug court movement. Other needs include defining parameters and standards for drug courts. At the Drug Court Conference, participants described a wide variety of approaches to defining the drug court's target population, determining eligibility requirements, implementing screening mechanisms, designating the components of a drug treatment program, avoiding net-widening, and defining a successful drug court graduate. The need to establish appropriate drug court standards is particularly important to help ensure that Federal funds are spent on implementing a clearly defined concept.

NIJ-sponsored research and evaluation

The Crime Act of 1994 also provides support for research and evaluation studies of drug courts, both those receiving Crime Act funds and others. The evaluations are intended to find out whether drug court programs are having their desired effects, and the research will create a knowledge base that can be used in examining drug court policies and programs and applying this knowledge to improve them. NIJ is responsible for the evaluation and research and will be soliciting proposals to conduct the studies in the near future.

Justice and Treatment Innovation: The Drug Court Movement, by John Goldkamp, published by NIJ and the State Justice Institute, is a working paper of the First National Drug Court Conference. It can be obtained free from the National Criminal Justice Reference Service (NCJRS), Box 6000, Rockville, MD 20850 (800-851-3420). Ask for NCJ 149260.

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