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Drug courts and justice

Do drug treatment courts help curb drug use and crime?

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Investing \$550,000 to cut \$3 million in net spending is a good deal. Changing lives at the same time is a great deal.

A recent evaluation of the Ottawa Drug Treatment Court (ODTC) has concluded that the four year old pilot project has done just that. A \$550,000 a year grant from the Department of Justice has netted a reduction of \$ 3 million annually into the local drug trade – that’s not including the cost of crime associated with drug use. [1] Over the coming months, the Department of Justice will decide if it should renew funding for six drug treatment courts in Canada, of which the earliest endeavour started in Toronto in 1998. If this evaluation is any indicator, they should renew the funding.

Reducing the ODTC to dollars and cents ignores the real story behind the pilot project. It is a remarkable tale of how community partnerships are improving lives with the aim to reduce criminal recidivism, substance abuse, and to improve social indicators such as housing, education and employment.

Meet the typical offender entering drug court. Most often they are living in the shelter system, couch surfing or crashing at crack houses. They spend on average \$550 a day on drugs, supporting their habit in part or wholly through crime. Most come with pre-existing health issues and untreated mental health concerns. Many have a history of repeat offending, eventually serving out a life sentence through a series of short sentences, a few months at a time. Most leave the detention facility to enter treatment with nothing more than the shirt on their back. As James Budd, Director of the Ottawa Drug Treatment Court at Rideauwood Addiction and Family Services suggests, “We work with the most difficult of the most difficult and we work with people that other treatment providers are simply often unwilling to provide treatment to.” [2]

How it works

The DTC alternative sentencing route is not an easy road to travel. Participants must be approved by the Crown Attorney’s office and are not eligible if their offenses include violent or sexual offenses, home invasion and residential break and enters or drinking and driving offenses. Applicants must also undergo careful screening by treatment services before

acceptance. Once approved, participants plead guilty to all outstanding charges and enter a 30 day assessment period in which they can be dismissed or voluntarily leave the program, and revoke their guilty plea and proceed through the regular court process.

Treatment occurs under the watchful eye of the court. Participants undergo regular urine testing, court appearances twice a week and curfews and daily treatment. Dedicated drug court justices, crown attorneys, and treatment practitioners meet twice a week before court to review the progress of participants.

The treatment aspect of the program consists of two phases. The first focuses on stabilization and treatment, the second on improving social indicators such as housing, education and employment. Budd pointedly states, "It's not enough to just treat the addiction, you have to target the criminality." [3] When the program introduced treatment activities addressing criminal thinking and behaviour after the first year of the pilot, recidivism by participants while in the program dropped 71 percent.

While residential treatment is available for some participants, most are living in the community. Learning to alter behaviour happens "in real time," meaning participants navigate life change while confronting the temptations life in the city offers. This is one reason why the court and treatment providers help participants manage relapses without terminating the DTC process— provided participants are honest about their mistakes. Lying and dishonesty can lead to a return to court sentencing.

Rideauwood has partnered with the John Howard Society, Elizabeth Fry Society and other organizations to provide housing, education and other initiatives. A successful partnership with Ontario Works' Addiction Services Initiatives assists participants with achieving sources of income. Community partnerships are helping participants achieve the skills and means for long term success.

Does it work?

Some critics of DTCs suggest the program criminalizes what they deem to be strictly a health issue. Critics have also argued that the program delays the criminal process for those who end up returning to regular court. [4]

Budd suggests that 29 percent complete a minimum of 150 days which covers core treatment activities. The last four months focus on transitional elements such as housing and education. While it is difficult to determine success rates of average treatment programs, some sources suggest the typical 28 day rehabilitation program achieves a 15 to 30 percent success rate. Those who complete the full DTC program and graduate receive one day of probation from the court – the minimum sentence under provincial law.

"We've met our pilot project objectives;" says Budd "reduction of recidivism by 71%, reduce substance use at a street value of 3 Million dollars a year, and we've demonstrated improved social indicators in housing, income, employment, education and health and wellness." [5] The long-term success of the pilot project's participants remains to be measured by the Department of Justice. Just how effective the process is for participants in the long term will be an important indicator in determining success. In the short term, this partnership of justice and treatment is helping a hard to reach demographic make

significant life changes.

Endnotes

[1] The evaluation calculates this estimate by examining drug use rates of participants while in the program during a six month capture period. Intake data was examined to determine the street value of drugs used before entering drug court for an equivalent period to time spent in treatment for each participant. These numbers were then adjusted to represent a one year period. The street value of drug use during participation was subtracted from the street value of drug use before participation in the program to determine the reduction in spending on drugs over one year.

[2] Personal communication with James Budd, April 29, 2009.

[3] *Ibid.*

[4] CBC News (2009, Mar. 10). Drug treatment courts' future up in air. Retrieved May 5, 2009 from <http://www.cbc.ca/health/story/2009/03/10/drug-treatment-courts.html#socialcomments>

[5] Personal communication with James Budd, April 29, 2009.