

DRUG TREATMENT COURT PROGRAM FOR THE AMERICAS

Updated July 2013

In the Hemispheric Drug Strategy endorsed by the OAS General Assembly in June 2010, all 34 member states of the hemisphere committed to exploring “the means of offering treatment, rehabilitation and recovery support services to drug-dependent criminal offenders as an alternative to criminal prosecution or imprisonment.” Through one such model, **Drug Treatment Courts**, the OAS is working with member states to develop innovative alternative strategies aimed at achieving results that restore the offenders to health while improving the conditions of their communities and enhancing security. At its core is the principle of the ‘marriage’ of treatment and justice, whereby health experts and addiction specialists join with professionals from the judiciary in a program designed to address both the affliction of drug addiction to the individual, and the effect that addiction and drugs can have on crime rates and insecurity in our wider societies.



Drug treatment courts vary from jurisdiction to jurisdiction, but most involve suspension of the judicial process provided the offender *volunteers* to participate in a drug treatment program. The judge supervises the offender’s progress in treatment with the assistance and cooperation of a collaborative multidisciplinary team which includes the prosecutor, defense attorney, social workers (case officers), treatment providers, and probation officers. The offender typically

spends a number of months in treatment under court supervision, and must report to the court under the terms of a protocol agreed by the parties. During the status hearing before the judge, the DTC team reports on the participant’s progress. The participant himself then addresses the court in an open session with an update on his/her own development, including specific challenges (e.g. housing, work, children, relationships, finances). The judge holds overall authority throughout the process.

CICAD is working with a number of organizations to identify innovations and good practices in addressing the needs of drug-dependent offenders, both through drug treatment courts and other holistic approaches that treat the individual, while still ensuring that the community’s security concerns are met.



Drug Treatment Court Program for the Americas.

Goals:

To help governments and court systems of OAS member states set up pilot drug treatment courts in their jurisdictions by:



- Generating and/or consolidating government policies, legal reforms and public awareness;
- Building capacity and exchanging information and good practices among DTCs;
- Providing technical assistance to OAS member states for DTC implementation and evaluation.



The OAS, through the Drug Treatment Court Program for the Americas, is supporting member states to find better ways to **treat individuals** with a drug abuse problem; **prevent violence**; **promote citizen security**; **reduce crime**; **improve neighborhoods and communities**; and **reduce the risk of relapse into drug use**. This model is cost-effective; and improves the wellbeing of our citizens.

GROWING HEMISPHERIC PARTICIPATION



Since OAS launched the DTC Program for the Americas in December 2010, the following countries have approached CICAD to participate: **Jamaica, Trinidad and Tobago, Bahamas, Barbados, Belize, Argentina, Costa Rica, El Salvador, Panama, the Dominican Republic, and Peru.**



The **United States, Canada,** and **Chile** have drug treatment courts in operation. **Jamaica** and **Mexico** have already developed **DTC pilot projects.**

This program is being carried out with the financial support of the governments of **Canada, the United States, and Trinidad and Tobago.**

Status by country as of July 2013 (countries initiating DTC pilot projects)

There are currently over 2,600 drug treatment courts in the **United States**; 13 in **Canada**; 2 in **Jamaica**; 1 in **Mexico**; and 18 in **Chile**. Since the launch of the OAS program, several countries showed interest in exploring the implementation of DTC pilot projects under the OAS DTC Program for the Americas:

Jamaica: In February 2011, more than 60 judges, prosecutors, defense attorneys, probation and police officers, and treatment providers were trained in Montego Bay. This training was carried out by a Canadian team. St. Catherine and St. Ann, and one more parish will launch a pilot project in 2013/2014. Jamaica is finalizing the process of signing an MOU with OAS.

Trinidad and Tobago: On September 11th 2012, Trinidad launched the first pilot project in San Fernando. This comes exactly 1 year after T&T stated their intention to open a DTC within that period. A policy paper has been drafted by the Government of Trinidad and Tobago. Plans are currently being laid to open another adult DTC in the city of Tunapuna with discussions of Juvenile DTC in the capital, Port of Spain.

Bahamas: Judges and members of the future DTC team participated in a training workshop in Trinidad and Tobago in October 2011. Bahamas is currently reviewing the feasibility of the DTC model.

Barbados: In June 2012 a workshop was held in Bridgetown, Barbados to “sensitize” government representatives, stakeholders, and the public to the idea of Drug Treatment Courts. Barbados signed the MOU and began to take the first steps to opening a pilot DTC in 2013.

Belize: In May 2012, representatives of the judicial and health sectors attended the 18th Annual NADCP Training Conference in Nashville, TN. A steering committee meeting was then held with CICAD to establish plans to conduct a feasibility study. Belize is in the process of evaluating the feasibility of the model.

Argentina: In 2011, the Argentine drug control agency SEDRONAR conducted a feasibility study of the DTC model in cooperation with CICAD. The Province of Salta has made important progress during 2012, forming a steering committee for the future launch of a pilot project and a workshop was held there in March of 2013. As a result of these efforts a pilot project is expected in September of 2013.

Dominican Republic: In 2011, the National Drug Commission conducted a feasibility study in cooperation with CICAD. The study was discussed during a meeting in August 2011. In October 2011 the Supreme Court supported a future DTC pilot in Santo Domingo. An MOU with CICAD was signed in 2013. The first pilot project the Dominican Republic was launched in May of 2013 while plans are in place for a second pilot in the city of Santiago.

Costa Rica: The Costa Rican’s drug control agency (ICD), in coordination with the Supreme Court, the drug treatment agency (IAFA), and other institutions began drafting a feasibility study of the DTC model in Costa Rica. The first Pilot Project was launched in February of 2013 in San Jose. There has been a promising discussion of the prospect of a juvenile court to address the problem of juvenile delinquency and addiction.

Mexico: CICAD is currently working in conjunction with the Center for Court Innovation (CCI) on a diagnostic study of the drug treatment court operating in Monterrey, Nuevo Leon.

Panama: Judges and members of the future DTC team participated in a training workshop in Nashville, TN in 2012 and in Washington, DC in 2013. Panama is currently reviewing the feasibility of the DTC model. A Pilot Project is expected to be launched before the end of 2013

Peru: A workshop was held in Peru in March of 2013 to determine the feasibility of DTCs within the national context and the country is currently reviewing an MOU with CICAD.

Colombia: After CICAD 53, a letter of interest was submitted and Colombia will participate in the international track of the CICAD DTCs/NADCP meeting in July of 2013.

DTCs WORK:

In the US, **75% of Drug Court graduates remain arrest-free at least two years after leaving the program**. DTCs significantly **reduce crime as much as 35 % more than other sentencing options**. Unless substance abusing/addicted offenders are regularly supervised by a judge and held accountable, 70% drop out of treatment prematurely (<http://www.nadcp.org>).

A western Canadian DTC tracked participants for up to 18 months after graduation; **over half had remained entirely crime free**. Providing criminogenic treatment in DTC helps clients change their criminal thinking patterns and **can reduce recidivism by 70%** (<http://www.cadtcp.org>).

A DTC in Ontario found that, in that city alone, DTC resulted in an **annual reduction of \$3 million spent on drugs**. Criminal activity required to support that drug use (goods stolen and/or drugs trafficked) is estimated at another \$9M, for a total savings of approximately \$12M (<http://www.cadtcp.org>).

In the US, **for every \$1 invested** in Drug Court, taxpayers save as much as **\$3.36 in averted criminal justice costs** alone. When considering other cost offsets such as savings from reduced victimization and healthcare service utilization, studies have shown benefits range up to \$12 for each \$1 invested (<http://www.nadcp.org>).

Publications

Establishing Drug Treatment Courts: Strategies, Experiences and Preliminary Outcomes (2010)



This publication was carried out by CICAD; the Justice Programs Office, School of Public Affairs, American University; the Institute for International Research on Criminal Policy (IRCP), Universiteit Gent; the General Prosecutor’s Office of Chile; and the International Association of Drug Treatment Courts (IADTC).

For the development of this initiative, CICAD is working with experts from various organizations, such as American University, the National Association of Drug Court Professionals, the Canadian Association of Drug Treatment Courts, the Center for Court Innovation.