

Drug courts: alternative to crowded court dockets, jails

The 1980s witnessed an unprecedented increase in the number of drug-related prosecutions across the United States, due in large part to enhanced policing efforts related to the rise in distribution and use of crack cocaine. To address overwhelmed court dockets and overcrowded jails, and with input from the treatment community, the Miami-Dade County judicial system created the nation's first drug court in 1989.

The drug-court model is now commonplace across the country, with more than 2,000 drug courts established or planned. Drug courts develop locally and reflect the needs of the communities served. Many variations exist, including Adult Drug Court, Juvenile Drug Court, Family Dependency Treatment Court, DUI/DWI Court, and Tribal Healing to Wellness Court. In Arkansas, the first drug court was established in the 6th Judicial District in Pulaski County in 1994. Today, there are 41 Adult Drug Courts, 10 Juvenile Drug Courts, and 10 DUI/DWI Courts across Arkansas.

The majority of Arkansas drug courts are post-adjudication programs, accepting clients only after a guilty plea has been entered. Participation eligibility requirements vary between judicial districts but, generally, the participant must be at least 18 years of age (or emancipated or adjudicated as an adult), be a legal resident of the district, have a demonstrated addiction/dependency, have no history of violent crime, and have

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What is a Drug Court?

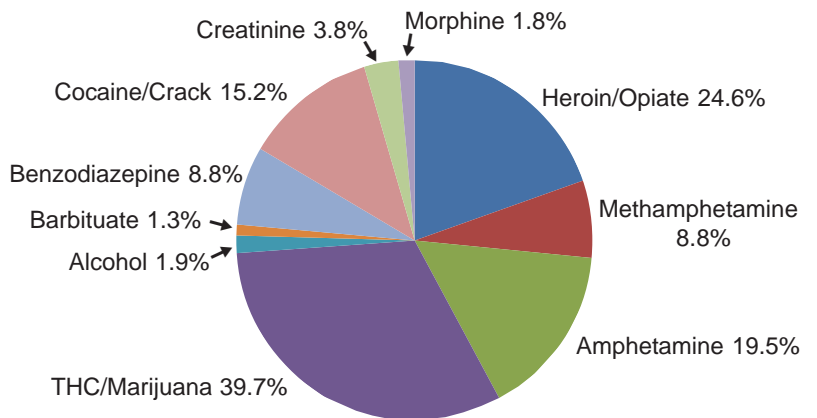
According to the National Association of Drug Court Professionals (NADCP), drug courts “represent the combined efforts of justice and treatment professionals to actively intervene and break the cycle of substance abuse, addiction, crime, delinquency, and child maltreatment.”¹ More information on drug courts is available from:

- Arkansas Judiciary, <http://courts.state.ar.us/drugcourt/index.cfm>
- Office of National Drug Control Policy, <http://www.whitehousedrugpolicy.gov/enforce/DrugCourt.html>
- National Drug Court Institute, <http://www.ndci.org/ndci-home/>
- National Association of Drug Court Professionals, <http://www.nadcp.org>

no other outstanding criminal cases. Like eligibility, participation requirements vary between districts but typically include no use of alcohol or drugs with frequent mandatory drug screenings, participation in treatment counseling (generally a 12-step or other self-help program), no criminal behavior, and proof of employment.

Between 7/1/2005 and 6/30/2006, 1,963 Arkansas drug court clients submitted to random drug screening, with 64,456 specimens submitted for an average of 33 specimens per client. Of these specimens, 3,616, or 5.6%, tested positive. The figure below illustrates the 10 most frequently found substances in positive specimens.²

10 Most Frequently Found Substances in Positive Specimens



Note: The level of creatinine in urine is tested to determine if the specimen has been diluted in an attempt to disguise drug use. In this figure, 136 (3.8%) specimens had questionable creatinine levels.

References:

- ¹ Facts On Drug Courts, <http://www.nadcp.org/learn/what-are-drug-courts>.
- ² Arkansas Drug Courts, Random Drug Testing Results for Drug Courts Operating in Fiscal Year 2006, Department of Community Corrections, March 2007.