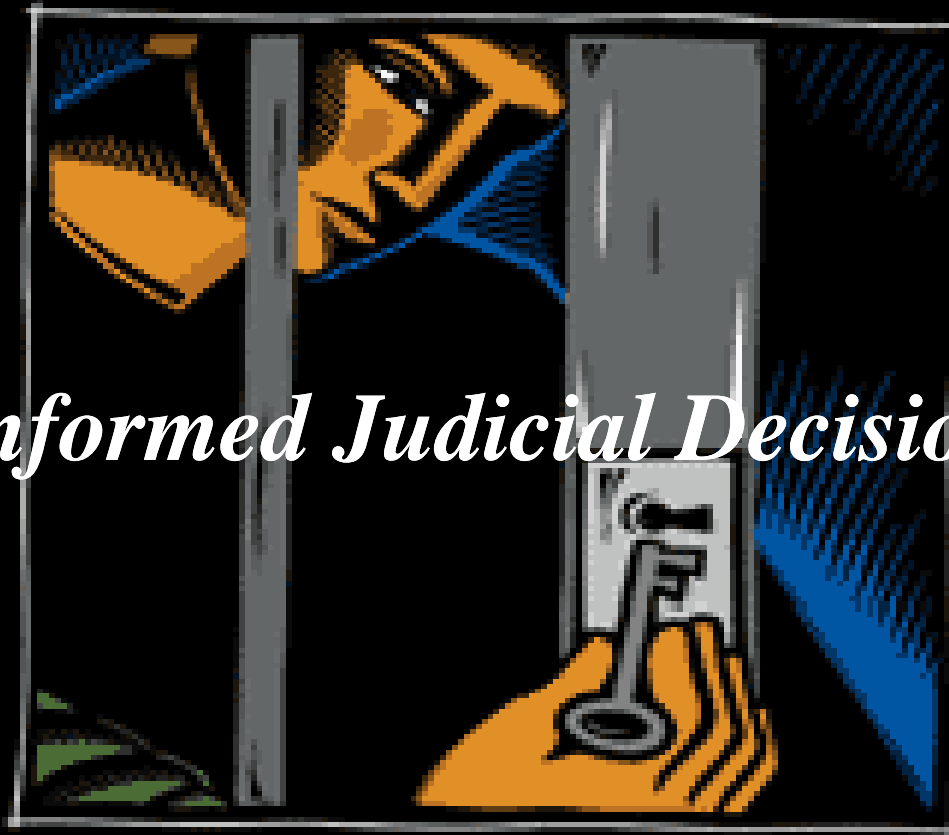


Science Informed Judicial Decision Making



Treatment
is the Key
drugabuse.gov

Treatment is the Key: Evidence Based Drug Abuse Treatment & Judicial Decision Making

Redonna K. Chandler, Ph.D.

Chief

Services Research Branch

Division of Epidemiology, Services, and Prevention Research

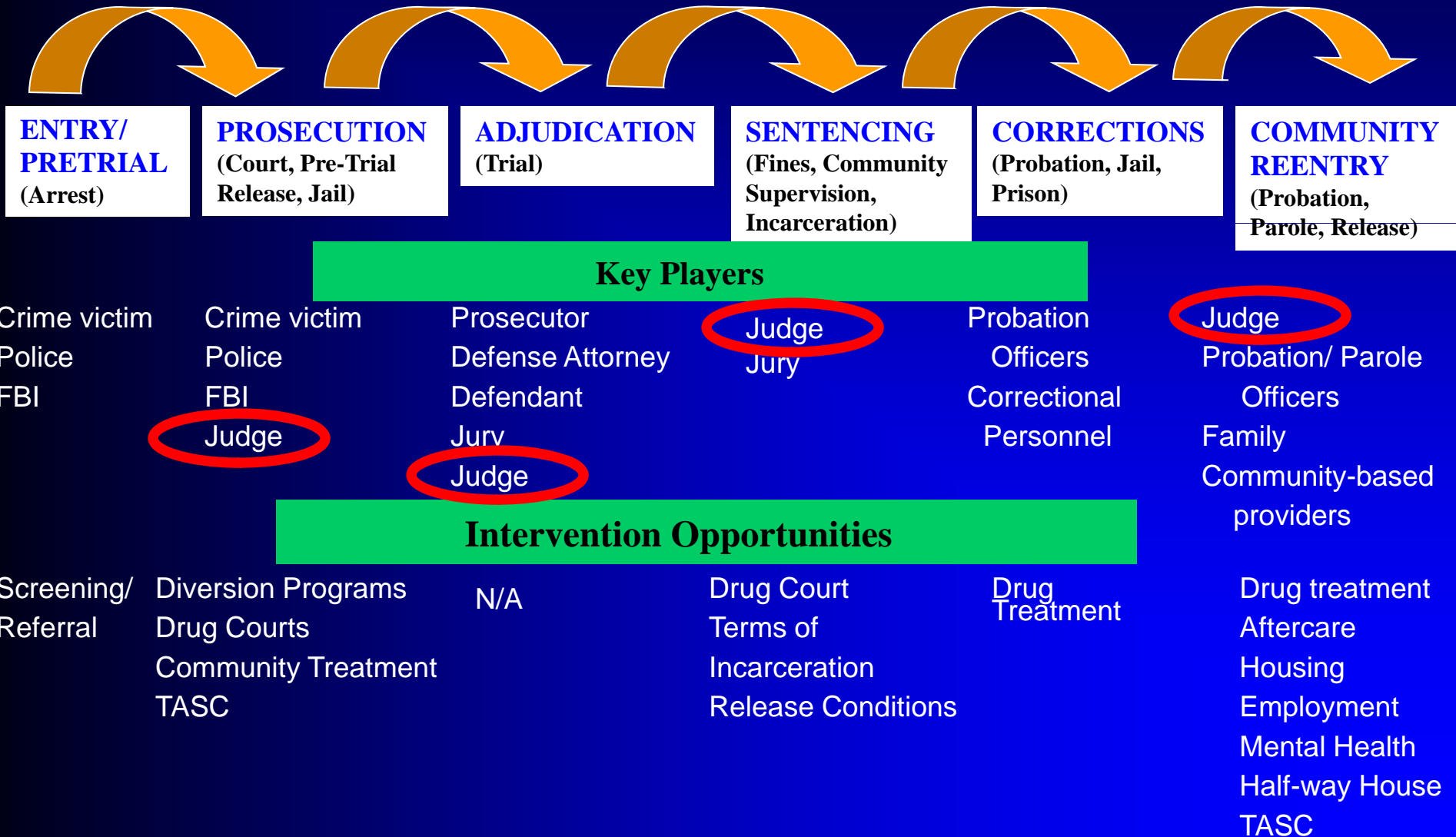
National Institute on Drug Abuse

National Judicial Training

November 4-6, 2009

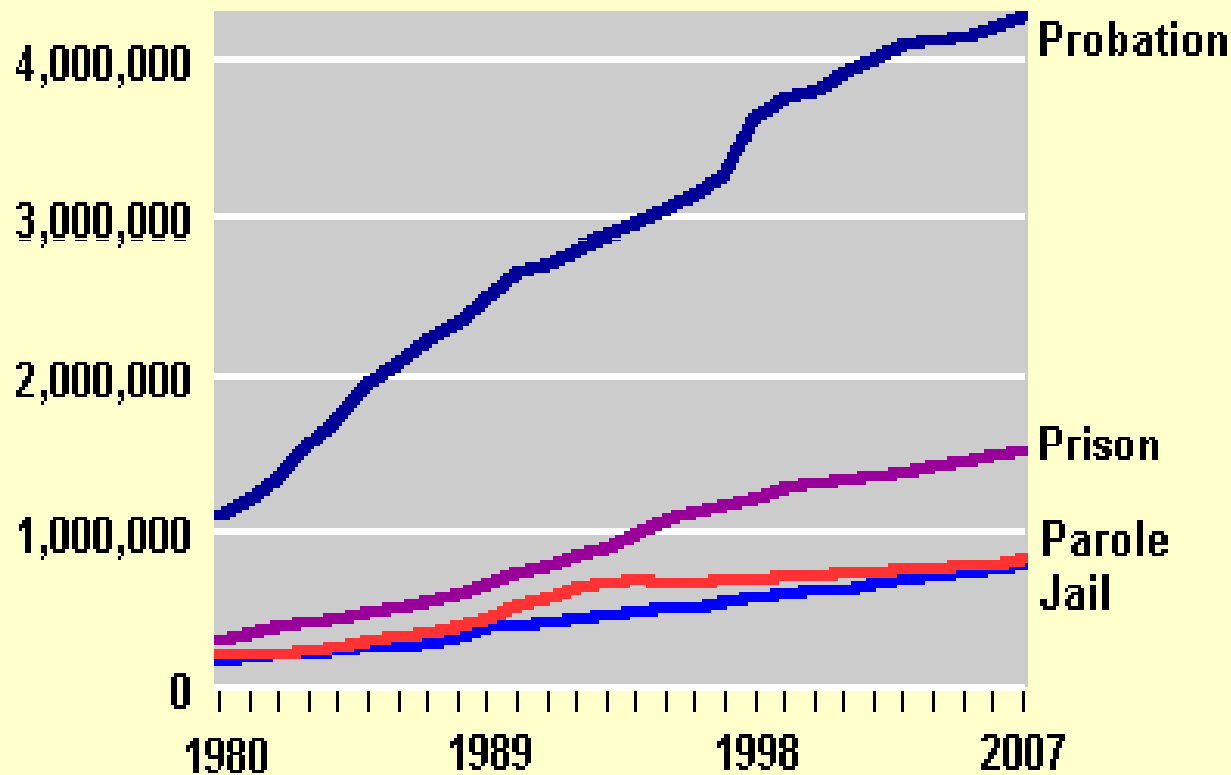


Addressing Drug Abuse in the Criminal Justice System



U.S. Adult Offender Population

Adult correctional populations, 1980-2007



Drug use involved in >50% of violent crimes and 60-80% of child abuse/neglect cases (NIJ, 1999)

Corrections officials estimate 70-85% of inmates need drug treatment (GAO, 1991)

68% of jail inmates report regular drug use (BJS, 2005)

2007, an estimated 7.3 million adults were involved in the criminal justice system

Drugs of Abuse and Crime are Linked

- **Regular Drug Use: 69% state, 64% federal prisoners¹**
- **Drug Dependence/Abuse ^{1,2}**
 - 53% jail; 53% state prison; 45% federal prison
- **Drug Use at Time of Offense ¹**
 - violent crime: 28% state; 24% federal prison
 - property crime: 39% state; 14% federal prison
 - drug trafficking: 42% state; 34% federal prison
- **Costs: \$107 Billion for Drug-Related Crime ³**

SOURCES: 1: BJS 2004 Survey of Prisoners (Mumola & Karberg, 2006/7); 2: BJS 2002 Survey of Jail Inmates (Karberg & James, 2005); 3: ONDCP, 2004

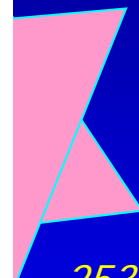
**Current Rates of
Drug Use Disorders and
Treatment
in Criminal Justice**

Estimated Size of the Correctional Population: 8+ M Adults, 650K Juveniles

424,046 adults
receive tx (7.6%)



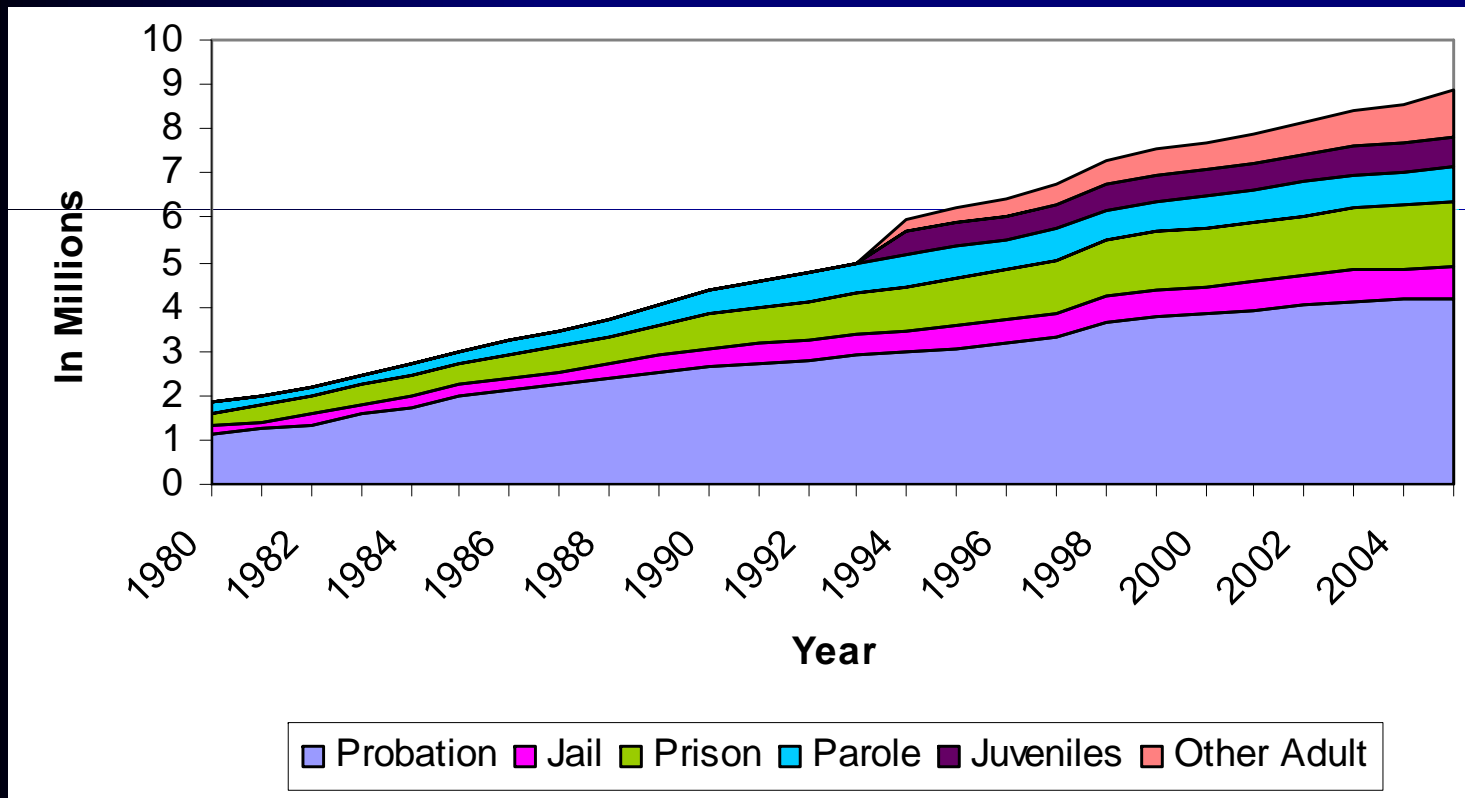
5,613,739
adults need TX
(4.5M males,
1.1M females)



253,034 juveniles
need TX
(198,000 males,
54,000 females)

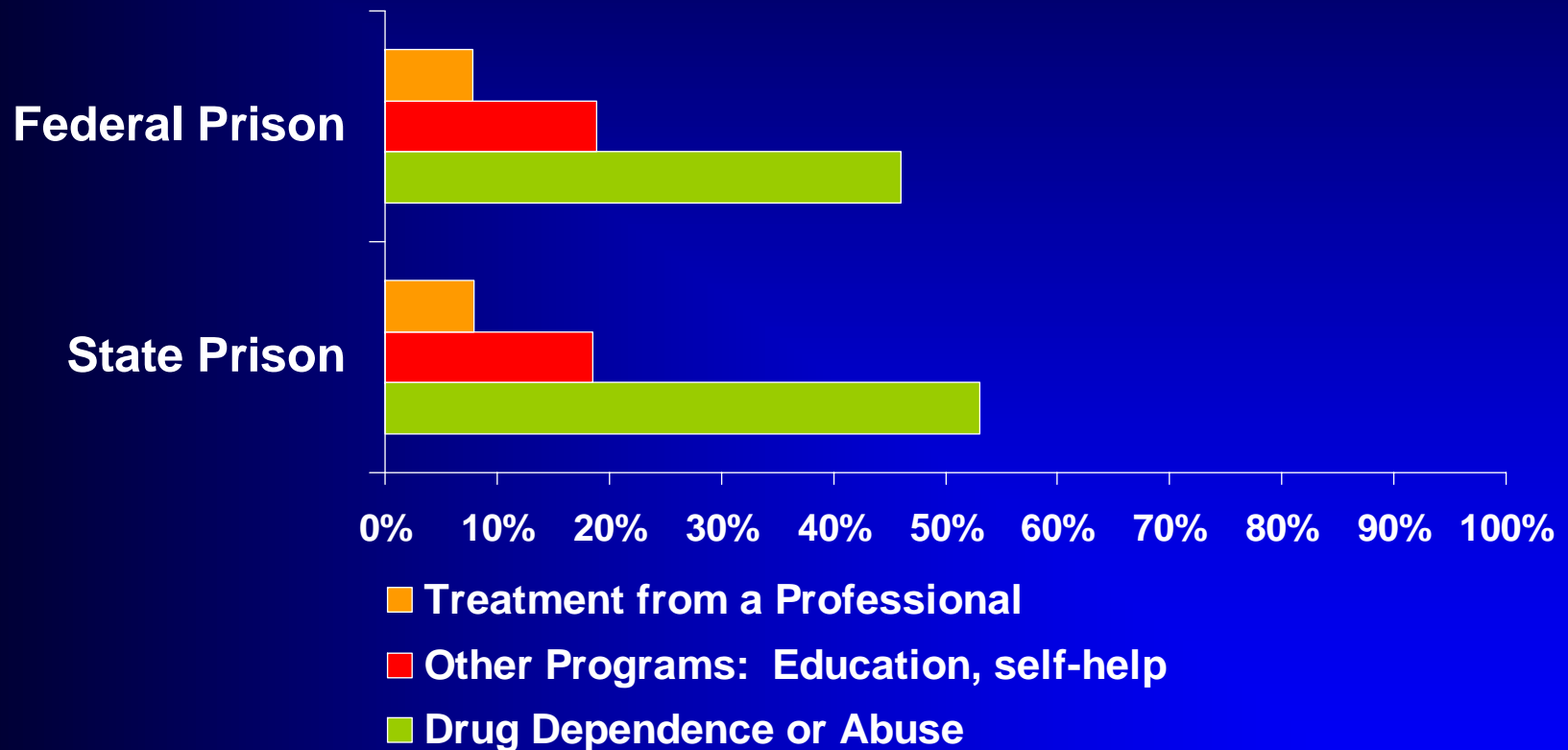


54,496 juveniles
GET tx (21.5%)



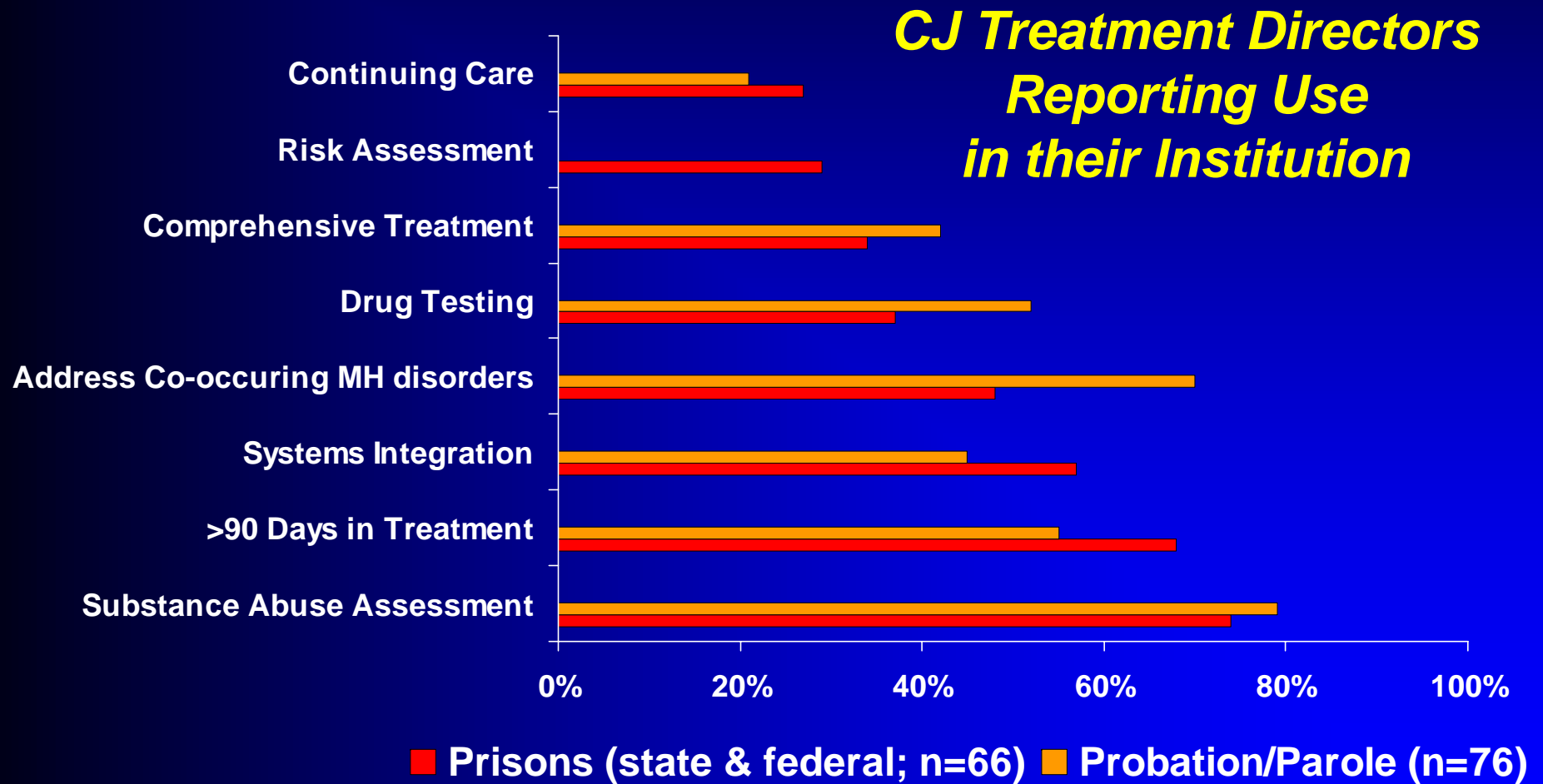
*Bureau of Justice Statistics, 2005 adjusted with estimates from Taxman, et al, 2007.

Many prison inmates have a drug use disorder... but *few* receive treatment



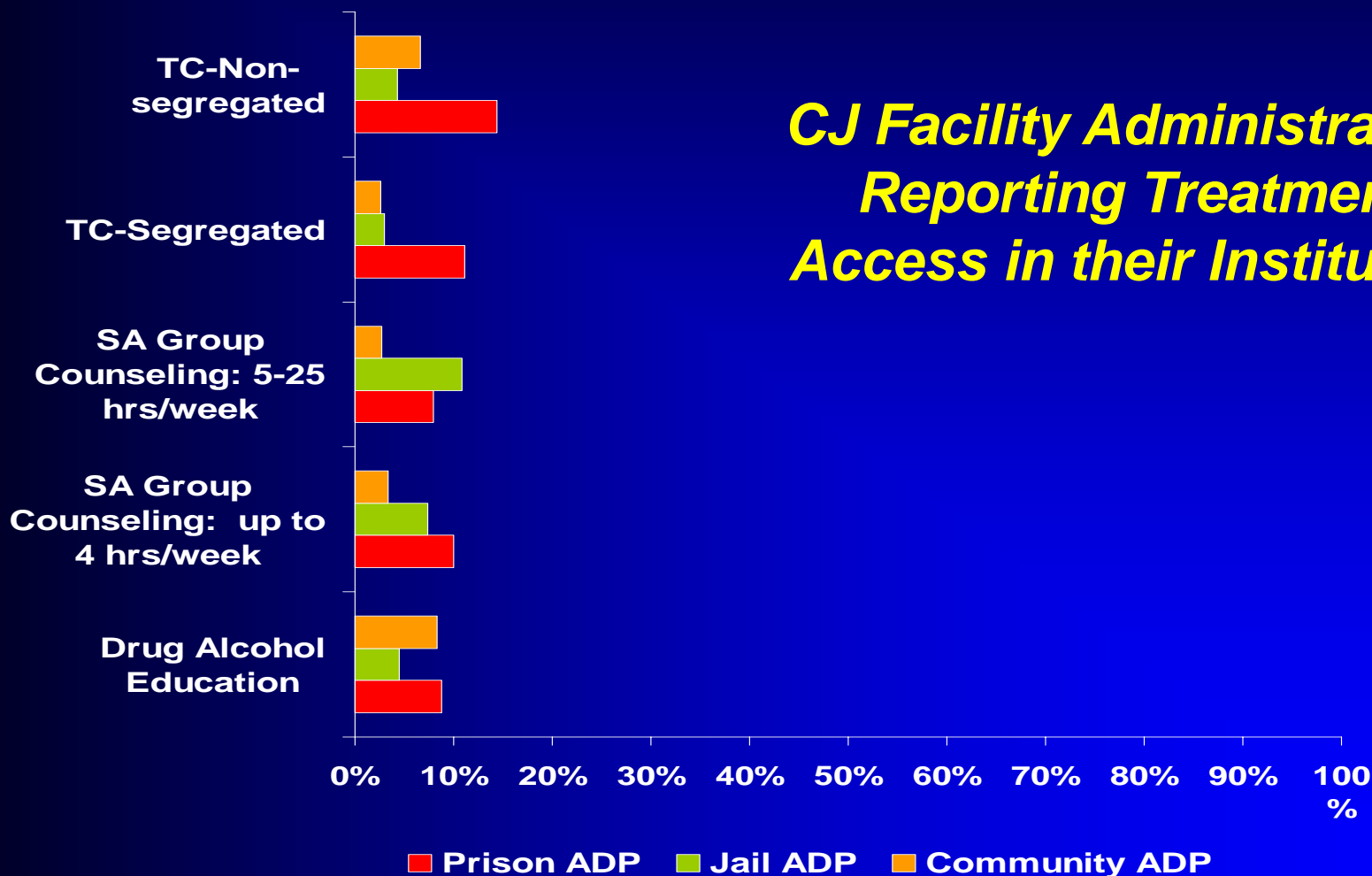
Sources: BJS: Mumola & Karberg (2006, revised 1/2007). Drug use and dependence, state and federal prisoners, 2004.

Many CJ facilities use evidence-based treatment . . .



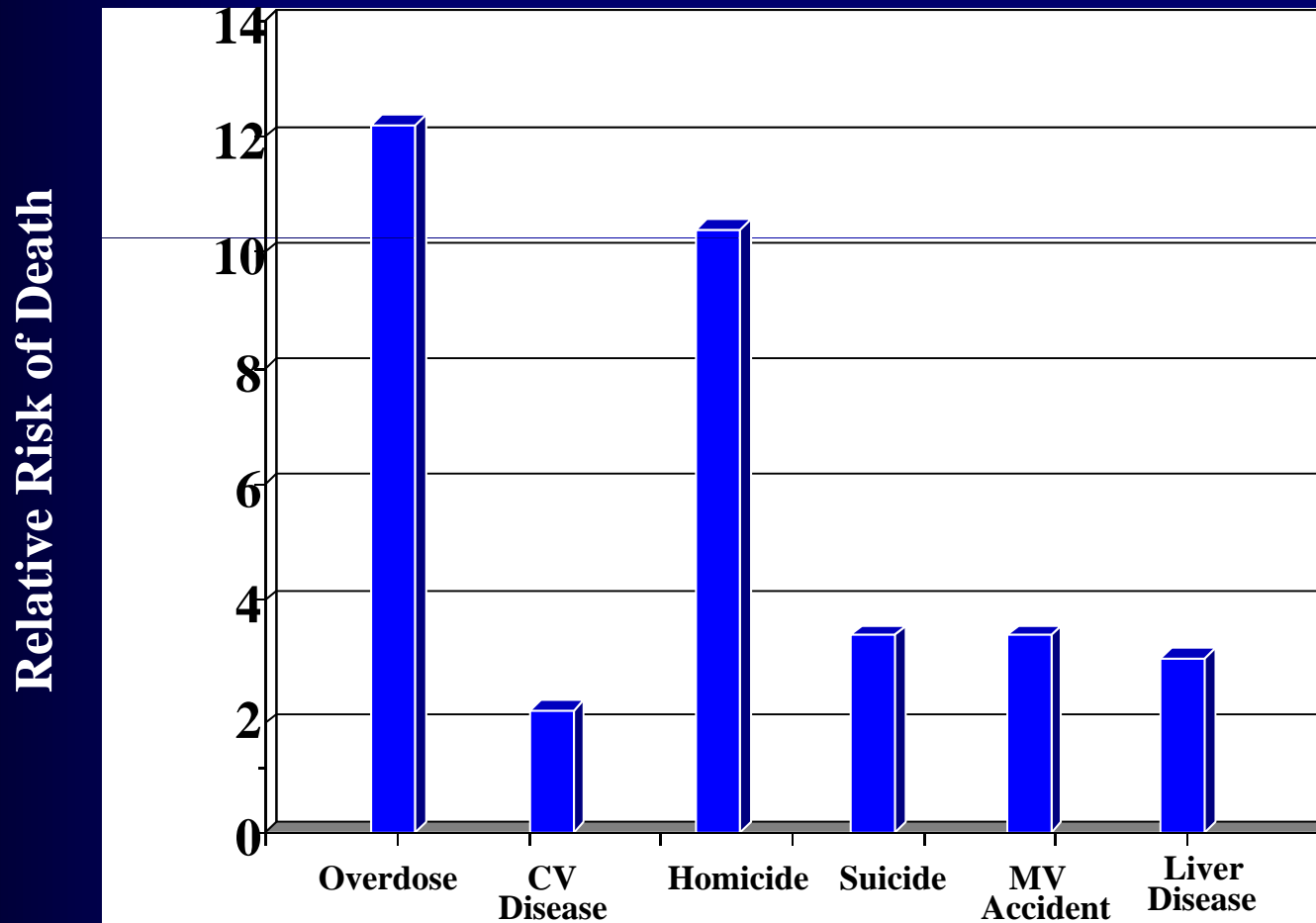
Source: CJDATS National Criminal Justice Treatment Practices Survey: Treatment Directors. Friedmann et al (2007). JSAT, 32, 267-277.

. . . but for few offenders (as % of average daily population)



Source: CJDATS National CJ Treatment Practices Survey: Taxman et al (2007). JSAT, 239-254, Tables 1, 3, 5.

Relative Risk of Death Among Former Inmates of the WA State Department of Corrections Compared to Other State Residents



Binswanger, IA et al., NEJM 356(2):157-165, 2007.

Addressing Drugs and Crime

Public Health Approach
-disease
-treatment

High Attrition

Public Safety Approach
-illegal behavior
-punish

High Recidivism

Integrated Public Health-Public Safety Strategy

Community-based treatment

Close supervision

Blends functions of criminal justice and treatment systems to optimize outcomes

Opportunity to avoid incarceration or criminal record

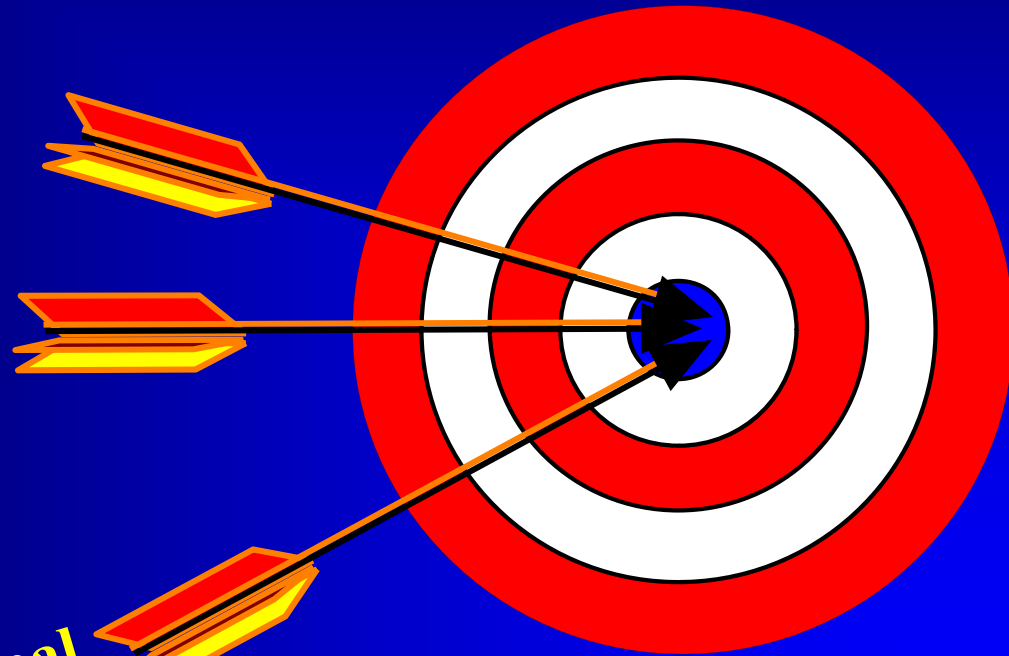
Consequences for noncompliance are certain and immediate

Goals of Drug Treatment: Keeping an Eye on the Target

Abstinence

**Functionality in
Family, Work
and Community**

*Reduced Criminal
Behavior*



What Can We Do About Vulnerability?

**How can we prevent drug
use and abuse?**



Goal of Prevention

To prevent the initiation of drug use and the escalation to addiction in those who have already started using.



What Does Science Tell Us About Effective Prevention Programs?

- Over the past 25 years, scientific research has identified key principles of effective prevention programs.

National Institute on Drug Abuse

Preventing Drug Use among Children and Adolescents

A Research-Based Guide
for Parents, Educators, and Community Leaders

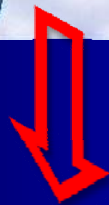
Second Edition



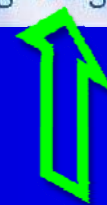
EXAMPLES OF RISK AND PROTECTIVE FACTORS

Risk Factors	Domain	Protective Factors
Early Aggressive Behavior	Individual	Self-Control
Poor Social Skills	Individual	Positive Relationships
Lack of Parental Supervision	Family	Parental Monitoring and Support
Substance Abuse	Peer	Academic Competence
Drug Availability	School	Anti-Drug Use Policies
Poverty	Community	Strong Neighborhood Attachment

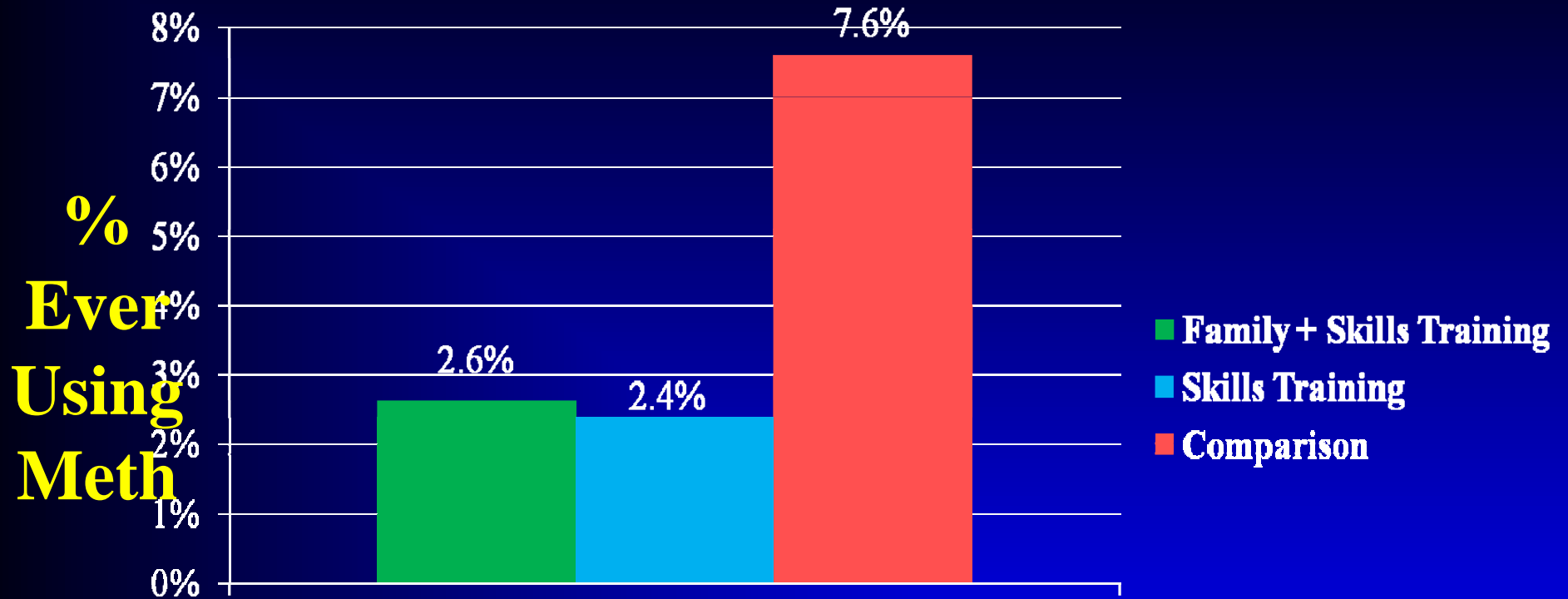
Reduce these



Elevate these



- *Prevention Programs Should Enhance Protective Factors and Reduce Risk Factors*



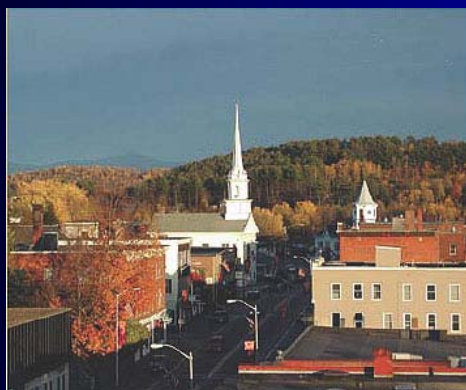
12th Grade Meth Use 6 Years After the Universal Strengthening Families and Life Skills Training Interventions

Source: Spoth, et al. Arch Pediatr Adolesc Med. 2006;160:876-882

- Prevention Programs Should Focus on All Forms of Drug Abuse*

The Challenges

- *How can we motivate communities to implement evidence-based prevention programs and assess their effectiveness?*
- *How can communities retain the core elements of proven programs while adapting them for their unique conditions (i.e., risk and protective factors)?*
- *How can communities implement and sustain effective programs?*



Communities That Care

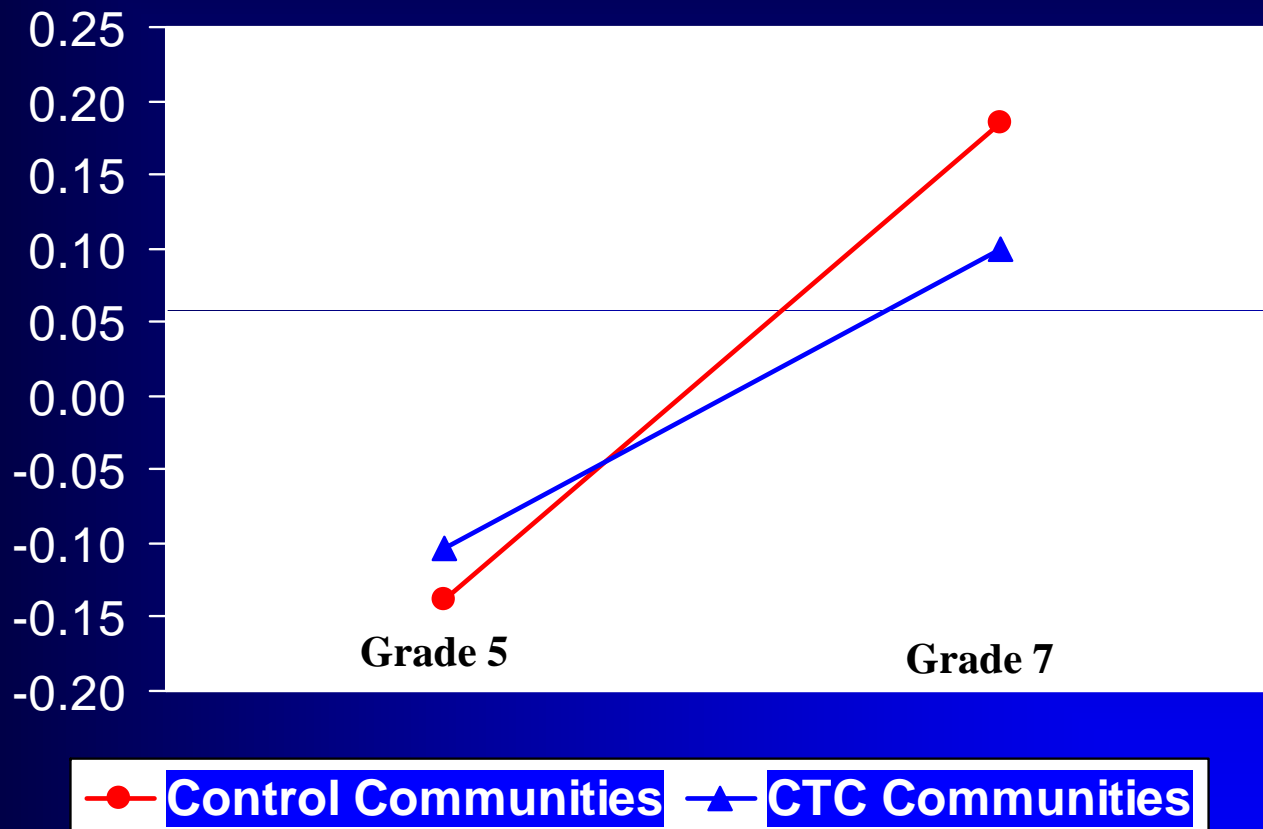


24 Communities; ~45,000 participants

Fagan, Hawkins & Catalano, 2007;
Quinby et al, 2007

Pre-post change in risk factors prioritized and targeted in CTC Communities

Average Level of Risk



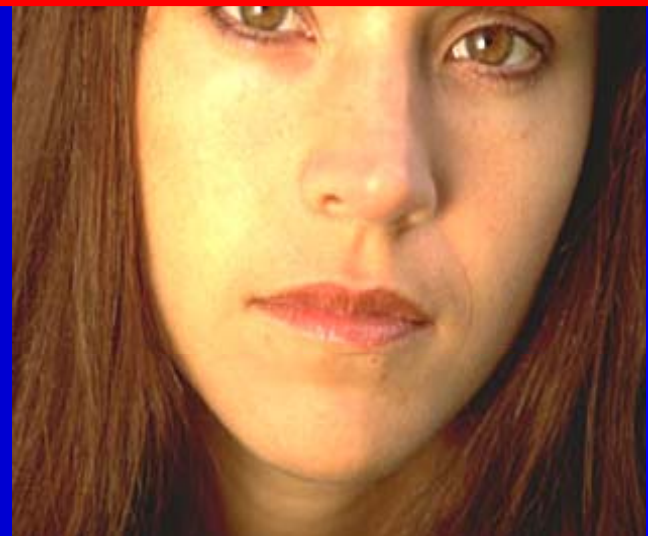
Note. Values are model-fitted levels of standardized average risk for students in the Youth Developmental Study panel sample. Nonsignificant difference in means at Grade 5, $t(11) = 0.61, p > .05$. Significant difference in means at Grade 7, $t(11) = -3.13, p = .01$.

Hawkins et al., in progress



Adolescent Treatment

In the Juvenile Justice System



Effective Family-Based Treatments for Adolescent Drug Abuse

- **Brief Strategic Family Therapy** (developed specifically for Hispanic adolescent polydrug abusers)
- **Functional Family Therapy** (heavily focused on family communication, developed for youth in juvenile justice)
- **Multi-Dimensional Family Therapy** (based on family systems theory, heavy focus on family roles and relationships, tested with juvenile justice involved youth)
- **Multi-Systemic Therapy** (treatment for conduct disorder, focus on structuring environment and consistency, tested with juvenile justice involved youth and in drug court settings)

Other Effective Treatments for Adolescent Drug Abuse

- **Cognitive Behavioral Therapy Group & Individual**
(teach cognitive strategies change maladaptive thinking, problem-solving, communication, coping skills for stress and cravings, refusal skills, some evidence CBG-G may not be effective with Hispanics)
- **Cognitive Behavioral Therapy-G with Motivational Enhancement** (assist with engaging adolescents in treatment)
- **Adolescent Community Reinforcement Approach**
(promising approach seeks to replace activities supporting drug use with pro-social activities in community)

Interventions for Adult Drug Abusing Offenders

**Not
Effective**

Effective

Promising

**Research
Needed**

~~Boot Camp~~

Residential TC's

Drug Courts

Reentry

~~Intensive
Supervision~~

CBT

Diversion

Serious Violent
Offender

~~Generic Case
Management~~

Contingency
Management

Moral
Reasoning

Reentry
Initiative
(SVORI)

Medications

Motivational
Interviewing

Strengths-
Based Case
Management

Drug Courts

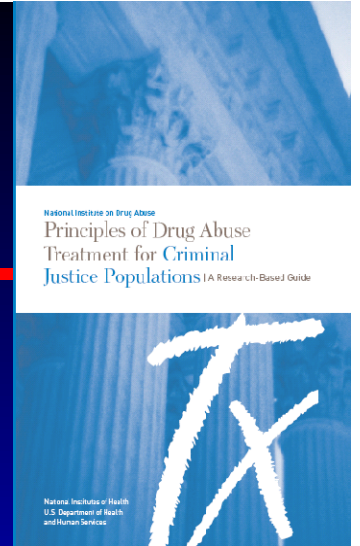


National Institute on Drug Abuse

Principles of Drug Abuse
Treatment for Criminal
Justice Populations | A Research-Based Guide

National Institutes of Health
U.S. Department of Health
and Human Services

Principles of Drug Abuse Treatment *For Criminal Justice Populations*

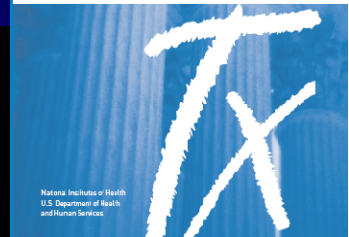


- ✓ **Drug addiction is a brain disease that affects behavior**
- ✓ **Recovery from drug addiction requires effective treatment, followed by management of the problem over time**
- ✓ **Treatment must last long enough to produce stable behavioral changes**
- ✓ **Assessment is the first step in treatment**

Drug addiction is a brain disease that affects behavior.

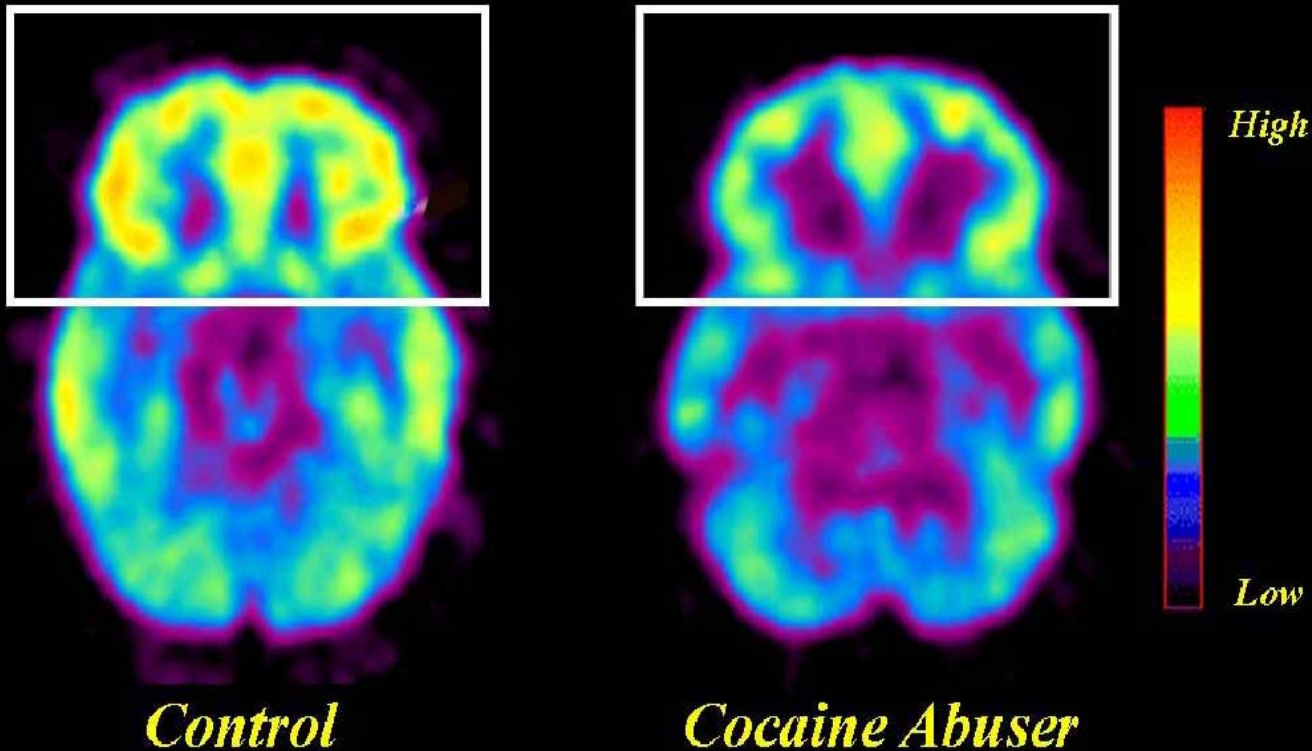


National Institute on Drug Abuse
Principles of Drug Abuse
Treatment for Criminal
Justice Populations: A Research-Based Guide



National Institute of Health
U.S. Department of Health
and Human Services

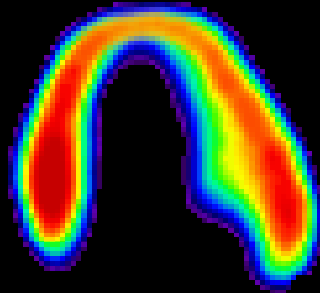
Brain changes in addiction help explain continued drug use and relapse.



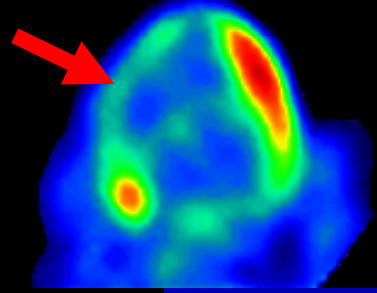
From the Laboratory of: Dr. Nora Volkow

ADDICTION IS A DISEASE OF THE BRAIN *as other diseases it affects the tissue function*

Decreased Heart Metabolism in Heart Disease Patient

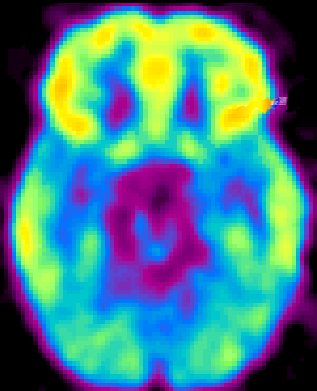


No Heart Disease

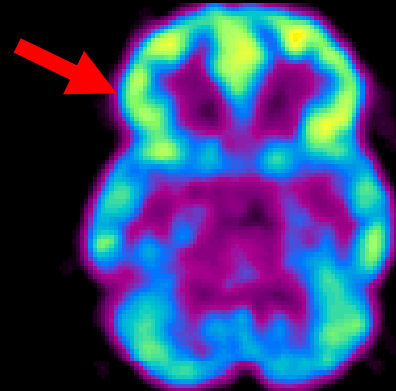


Diseased Heart

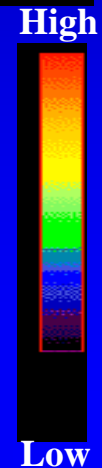
Decreased Brain Metabolism in Drug Abuse Patient



No Cocaine Abuse

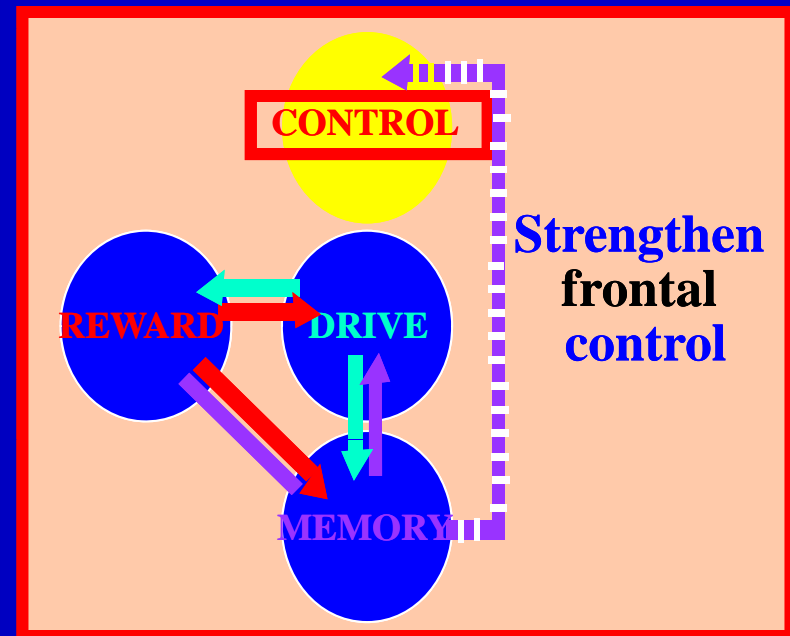
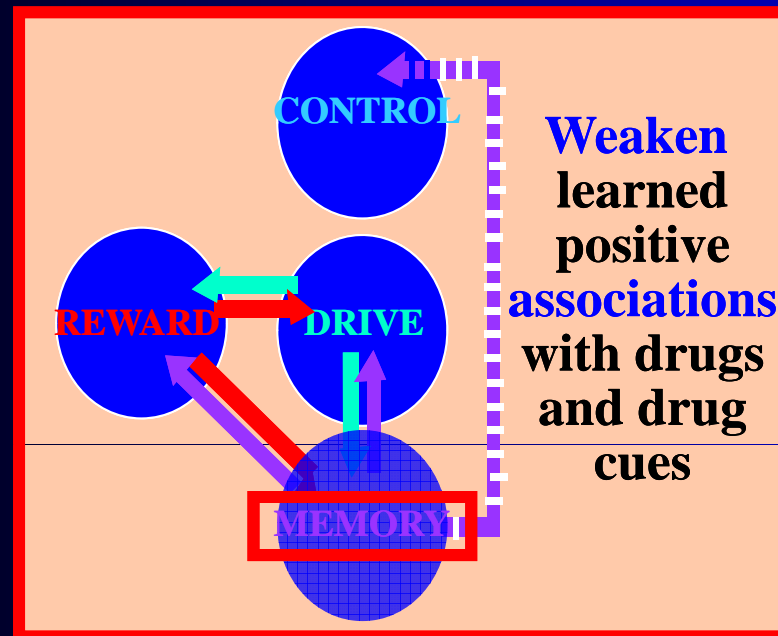
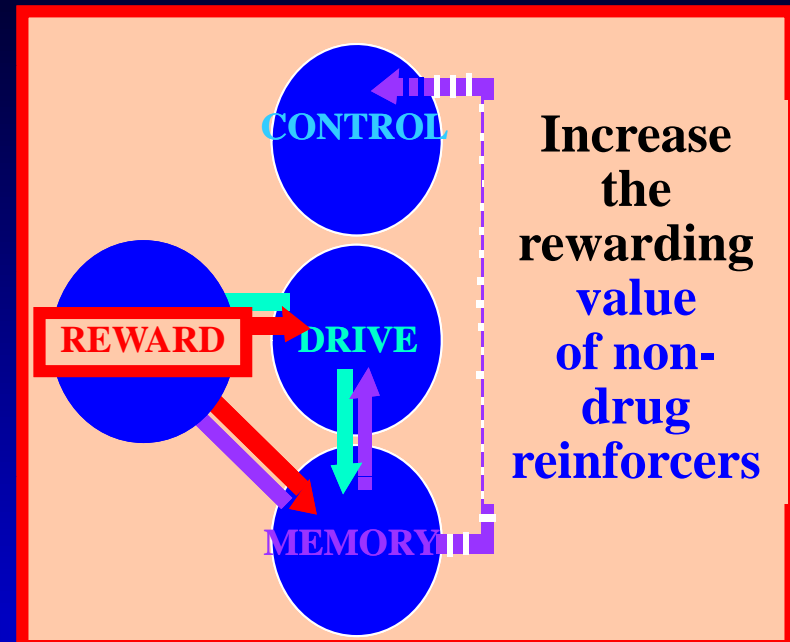
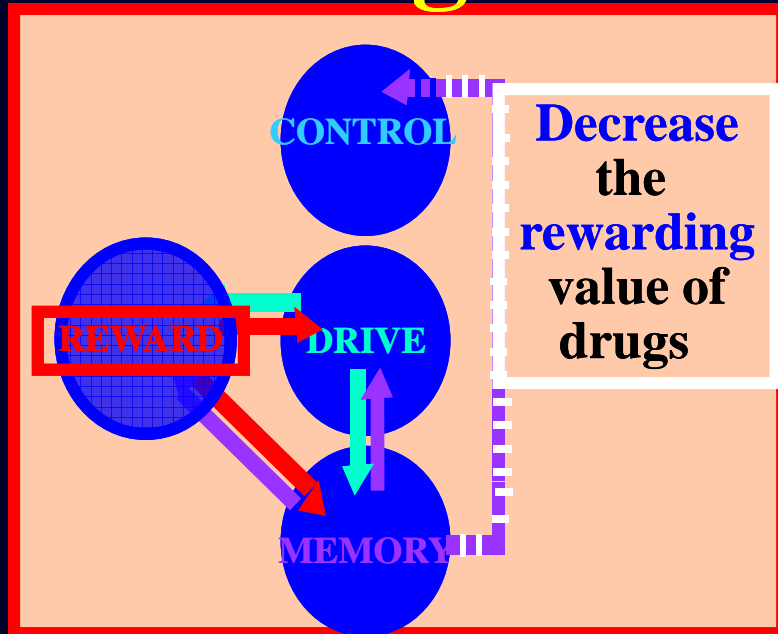


Cocaine Abuser

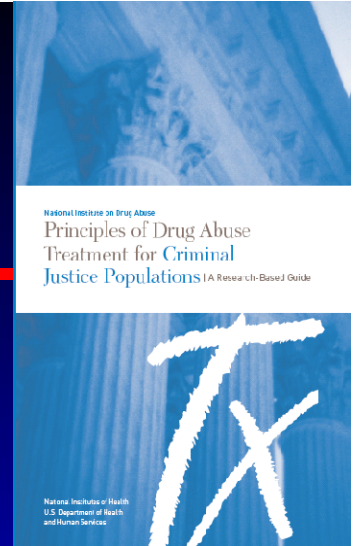


Sources: From the laboratories of Drs. N. Volkow and H. Schelbert

Treating the **ADDICTED** Brain

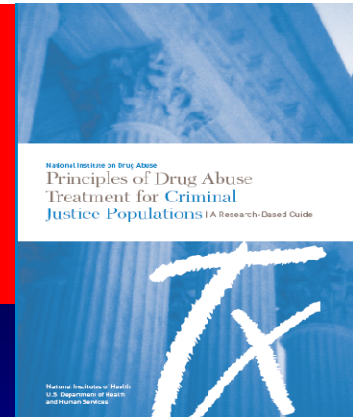


Principles of Drug Abuse Treatment *For Criminal Justice Populations*

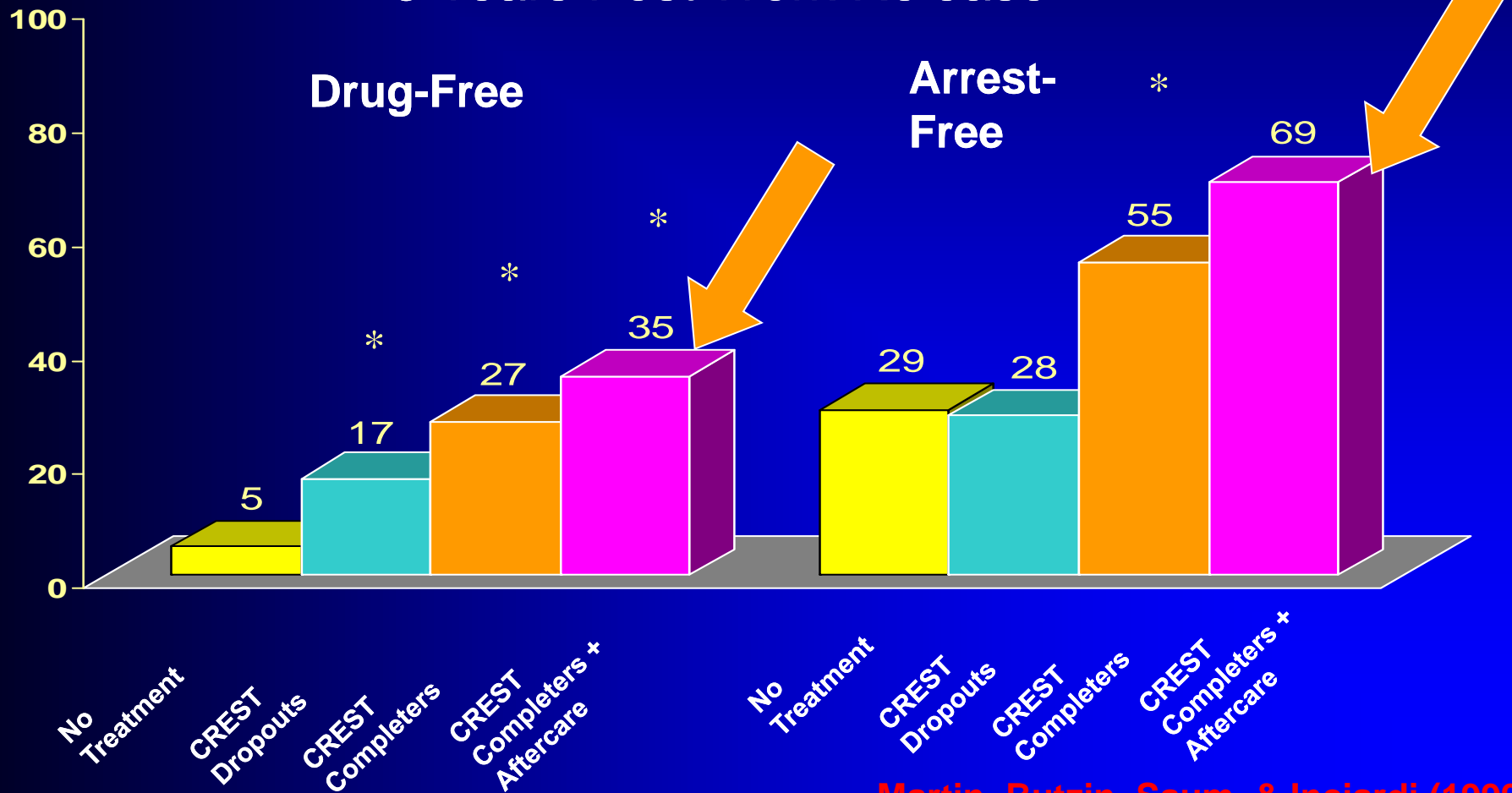


- ✓ Drug addiction is a brain disease that affects behavior
- ✓ Recovery from drug addiction requires effective treatment, followed by management of the problem over time
- ✓ Treatment must last long enough to produce stable behavioral changes
- ✓ Assessment is the first step in treatment

Treatment must last long enough to produce stable behavioral changes.



Delaware Correctional System 3 Years Post Work Release



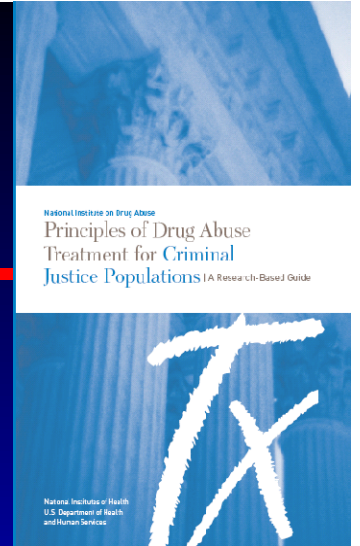
Martin, Butzin, Saum, & Inciardi (1999)

What does recovery look like on average?

- **Months 1-12 of Abstinence:**
 - More clean and sober friends
 - Less use, homelessness, violence and victimization
 - Less illegal activity and incarceration
- **Years 1-3 of Abstinence:**
 - Virtual elimination of illegal activity and illegal income
 - Better housing and living situations
 - Increasing employment and income
- **Years 4-7 of abstinence:**
 - More social and spiritual support
 - Better Mental Health
 - Housing and living situations continue to improve
 - Dramatic rise in employment and income
 - Dramatic drop in people living below the poverty line

Source: Dennis, Foss & Scott (2007)

Principles of Drug Abuse Treatment *For Criminal Justice Populations*

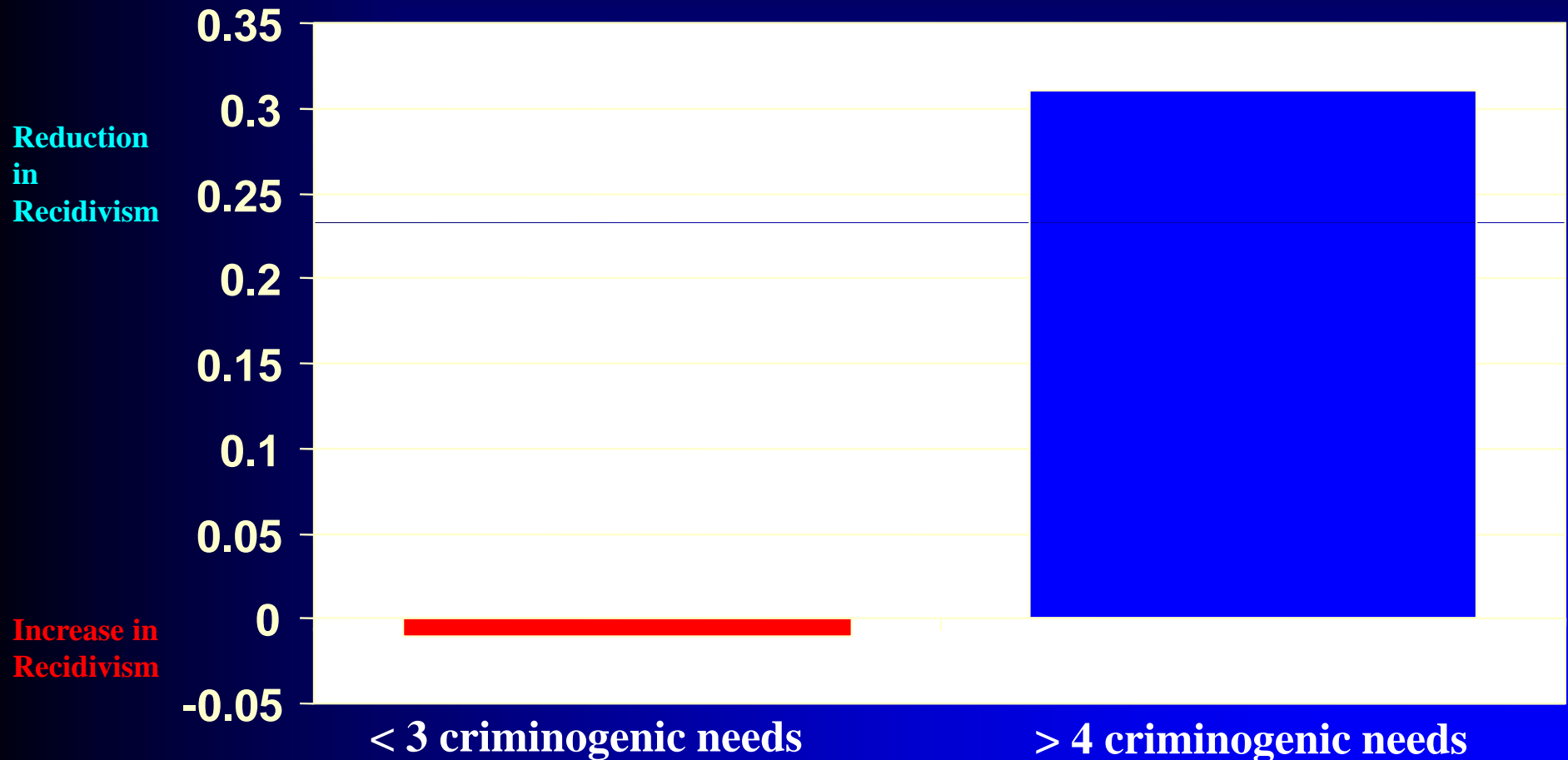


- ✓ Tailoring services to fit the needs of the individual is important
- ✓ Drug use during treatment should be carefully monitored
- ✓ **Treatment should target factors that are associated with criminal behavior**
- ✓ Criminal justice supervisions should incorporate treatment planning for drug abusing offenders & treatment providers should be aware of correctional supervision requirements

Offender Treatment Targets: *Criminogenic Needs*

- Antisocial feelings, attitudes, orientations, values
- **Alcohol/drug problems**
- Anger/hostility
- Problem solving
- Conflict resolution skills
- Attitudes toward school/work
- Emotional problems
- Family functioning
- Barriers to care

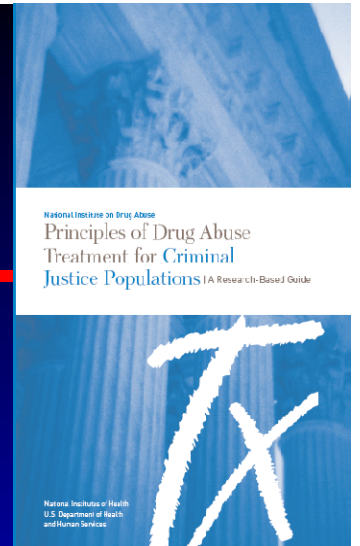
Targeting Multiple Criminogenic Needs Reduces Recidivism



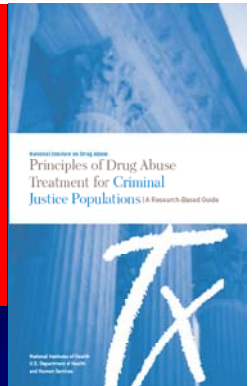
Adapted from Latessa, 2003. Original Source is Gendreau, P., French, S.A., and A.Taylor (2002). What Works (What Doesn't Work) Revised 2002. Invited Submission to the International Community Corrections Association Monograph Series Project

Principles of Drug Abuse Treatment *For Criminal Justice Populations*

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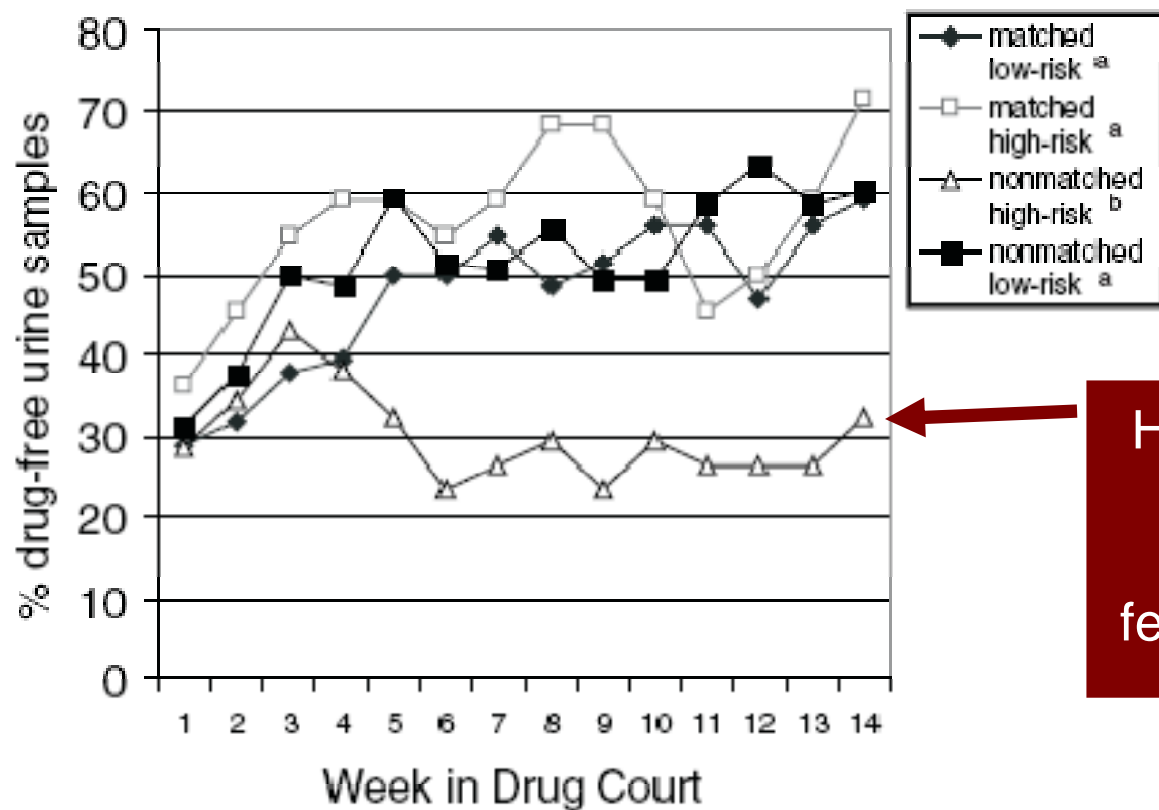
Tailoring services to fit the needs of the individual is important.



Matching Drug Court Judicial Supervision to Client Risk: The Wilmington, DE, Misdemeanor Drug Court Experiment

	<u>High Risk?</u> -- Anti-social Personality Disorder -- or History of Drug Abuse Treatment	
	Yes	No
Matched Judicial Supervision	Bi-weekly (n=22)	As needed (n=66)
Standard Judicial Supervision	Every 4 to 6 weeks (n=35)	Every 4 to 6 weeks (n=64)

Matching Judicial Supervision to Clients' Risk Status in Drug Court



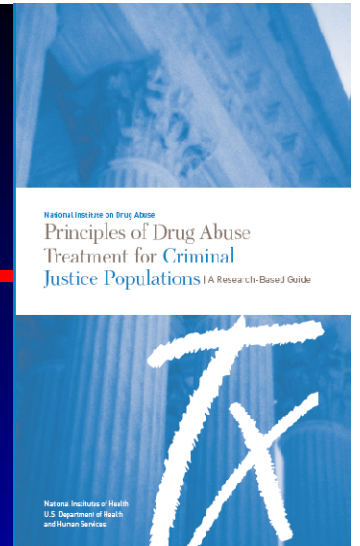
High risk clients with infrequent judicial monitoring have fewer negative urines

Figure 2: Proportions of Misdemeanor Drug Court Participants Providing Drug-Negative Urine Specimens by Condition and by Week.

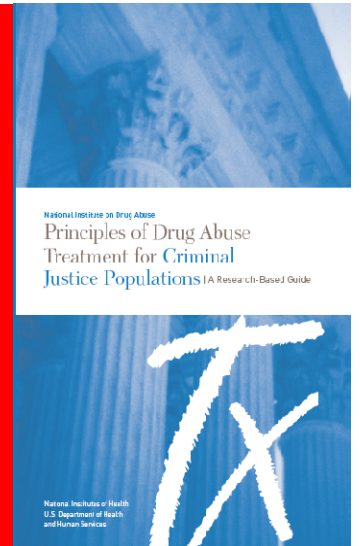
Source: Marlowe et al (2006). Crime & Delinquency, 52, 52-76.

Principles of Drug Abuse Treatment *For Criminal Justice Populations*

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CJ supervision should incorporate treatment planning for drug abusing offenders, & treatment providers should be aware of correctional supervision requirements.



The Problem: **Integrating Treatment & Supervision**

- CJ sanctions/incentives poorly integrated with drug treatment, even in drug court
- Sharing information is critical to integration
- Systematic data collection critical to understanding performance

Technology Supported Integration: eCourt Project

- web-based MIS for managing client-level, program-level information, & cj information
 - help line staff
 - case management
 - help CJ & treatment staff
 - monitor compliance with both treatment & supervision mandates
 - help the court
 - monitor progress

eCourt Screen Example: Court and Other CJ Supervision

https://smart.bgr.umd.edu - eCOURT-Staging - Microsoft Internet Explorer

eCOURT-Staging User: Sherman, Stephan Loc: Circuit Court, Prince George's County Client: **Kosinski, Rodney | M0101786789KO | Case #: 1** Print Report Print View Logout

Court and other Criminal Justice Supervision/Events for Kosinski, Rodney [Exp](#)

Date	Event	Type of Contact	Location	Outcome	Actions
2/13/2006	Parole Meeting	Face to Face	Probation/Parole Office		Review Delete

Detailed Information [Add New](#)

Event Date: Staff Name:

Event: Outcome:

Type of Contact:

Location:

Signed Note:

Unsigned Note (Work in Progress):

javascript:fireStateMachineEvent(null, 'New'); Internet

Court

**Drug
Test
Results**

eCourt Screen: Incentives & Sanctions

https://smart.bgr.umd.edu - eCOURT-Staging - Microsoft Internet Explorer

eCOURT-Staging

User: Sherman, Stephan
Loc: Circuit Court, Prince George's County
Client: **Kosinski, Rodney** | M0101786789KO | Case #: 1

Print Report Print Menu Logout

Incentives / Sanctions for Kosinski, Rodney (Export)

Behavior Date	Positive Behavior	Incentive	Behavior Date	Negative Behavior	Sanction	Actions
2/13/2006	Negative Urine		2/11/2006	Other Special Condition Violations		Review Delete

Graduated Incentives / Sanctions Details Add New

Positive Behavior Date: 2/13/2006 Positive Behavior: Negative Urine Incentive Date: 2/13/2006

Incentive/Reward: Selected Incentive/Reward

"Offender of the Month" Award
Letter of Support/Recommendation for Client
Other financial reward

Negative Behavior Date: 2/11/2006 Negative Behavior: Other Special Condition Violations Sanction Date: 2/13/2006

Sanctions: Selected Sanctions

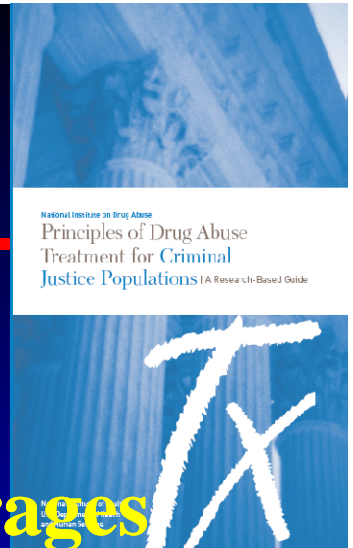
Administratively Terminated/Discharged
Area Restrictions Imposed or Extended
Arrest Warrant/Summons Requested

Signed Note: [Text Area]

Unsigned Note (Work in Progress): [Text Area] Sign Note

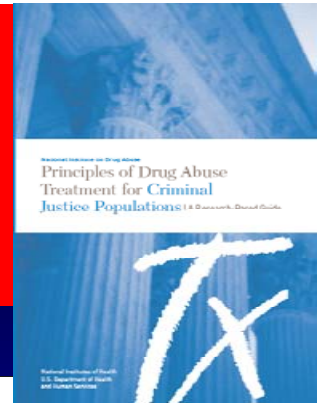
Cancel Save Finish

Principles of Drug Abuse Treatment *For Criminal Justice Populations*

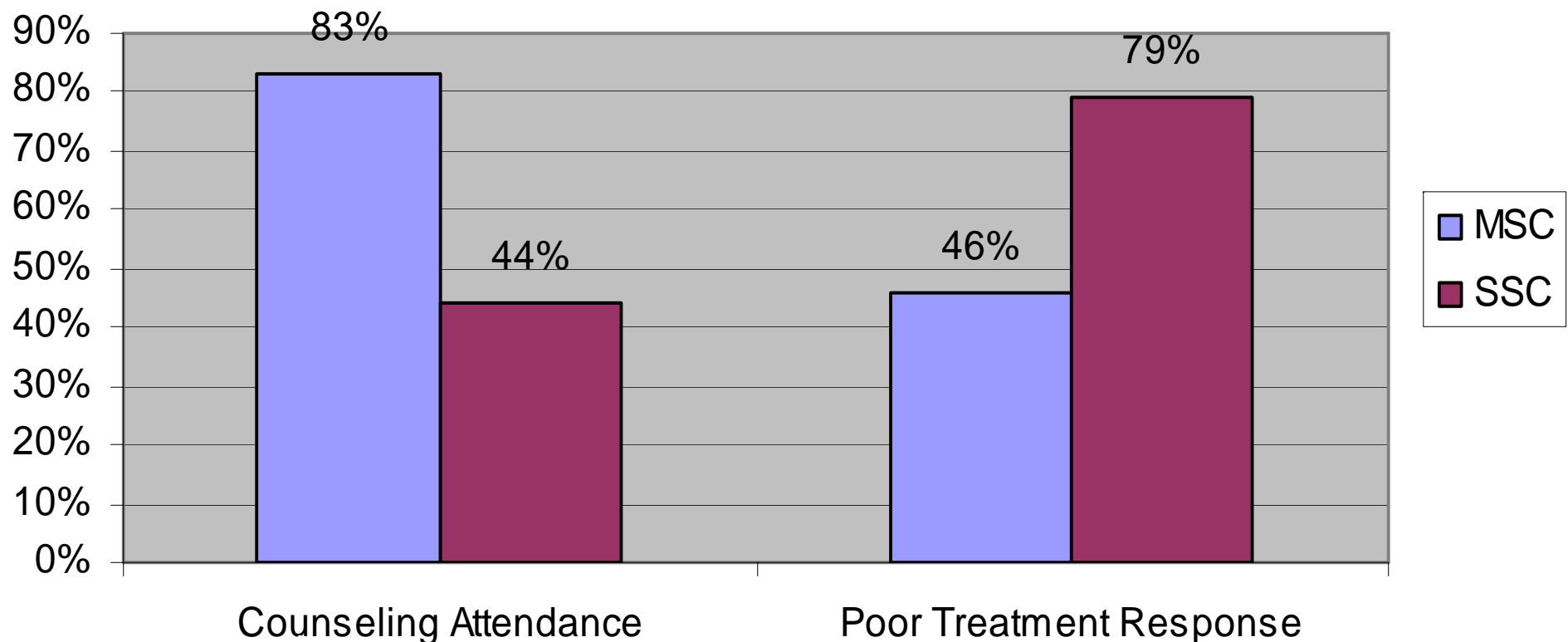


- ✓ Continuity of care is essential for drug abusers re-entering the community
- ✓ **A balance of rewards and sanctions encourages prosocial behavior & treatment participation**
- ✓ Offenders with co-occurring drug abuse & mental health problems often require an integrated treatment approach
- ✓ Medications are an important part of treatment for many drug abusing offenders
- ✓ Treatment planning for drug abusing offenders should include strategies to prevent & treat chronic medical conditions (HIV/AIDS, Hepatitis)

A balance of rewards and sanctions encourages prosocial behavior and treatment participation.



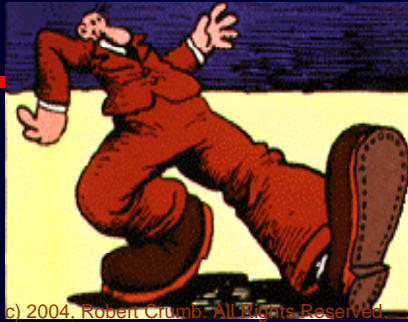
Motivated Stepped Care Vs. Standard Stepped Care
(n=127)



“Step’ N Out”: The Problem

- Parole officer more supervisory than agent of change
- Behavioral expectations often unclear, unrealistic or misaligned
- Sanctions & rewards often inconsistent, uncoordinated
- CJ supervision and addiction treatment often poorly coordinated

Addressing the Problem



Step'n Out

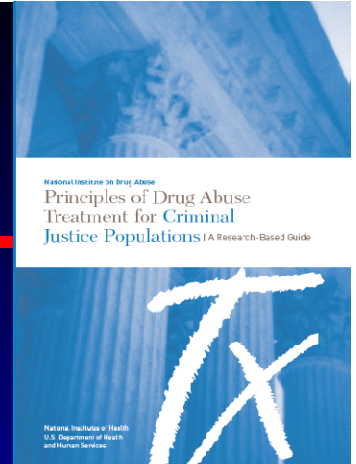
“Catching People Doing Things Right”

- Integrate parole & treatment, & jointly negotiate with offenders
 - clear, feasible and coordinated expectations
 - prevent conflicting requirements
- Reinforce *positive* behavior
 - emphasize social reinforcements
 - shape behavior, don't just “punish”
- Improve treatment adherence

Step' N Out -- continued

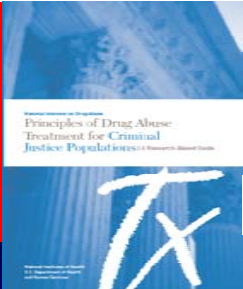
- Contracting (initial & subsequent sessions)
 - PO, counselor, client work together
 - Identify priorities for treatment and supervision
 - Contracts specified as target behaviors (small, feasible steps)
- Compliance reviewed *every session*
 - Notice and reinforce *positive* behaviors
 - Standardize negative contingencies
 - Graduated sanctions

Principles of Drug Abuse Treatment *For Criminal Justice Populations*

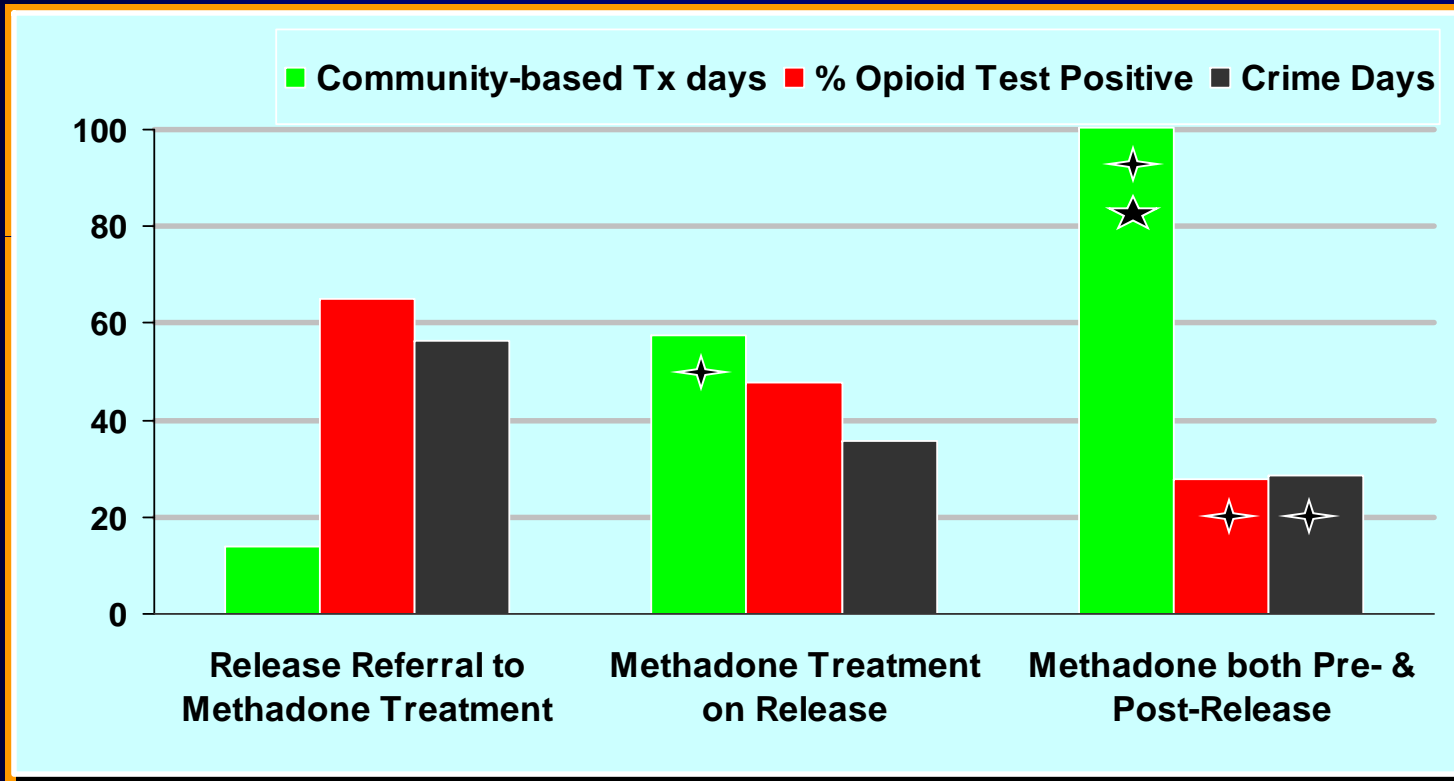


- ✓ Continuity of care is essential for drug abusers re-entering the community
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- ✓ Offenders with co-occurring drug abuse & mental health problems often require an integrated treatment approach
- ✓ **Medications are an important part of treatment for many drug abusing offenders**
- ✓ Treatment planning for drug abusing offenders should include strategies to prevent & treat chronic medical conditions (HIV/AIDS, Hepatitis)

Medications are an important part of treatment.



Methadone Experiment: 6 Mo Post Release (N=201)

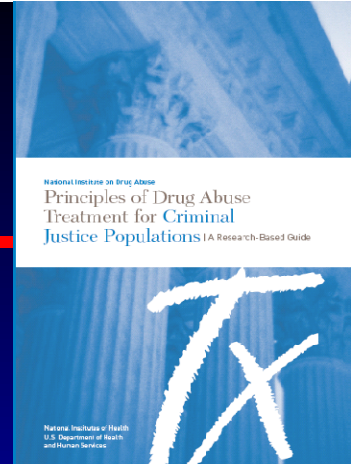


✦ -- signif. diff from referral
★ -- signif. diff from treatment only on release

Source: Gordon, M.S., Kinlock, T.W., Schwartz, R.P., O'Grady, K.E. (2008, in press). *Addiction*. A Randomized Clinical Trial of Methadone Maintenance for Prisoners: Findings at 6-Months Post-Release.

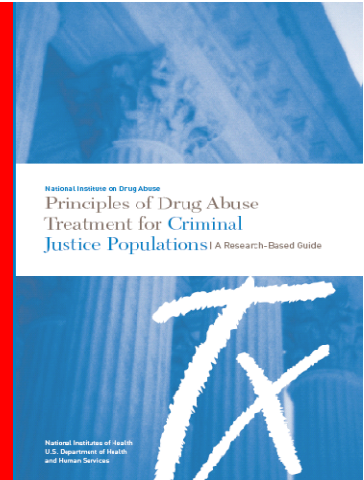
Principles of Drug Abuse Treatment

For Criminal Justice Populations

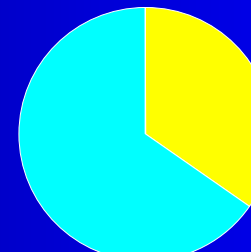
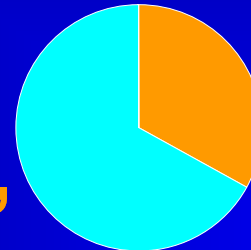
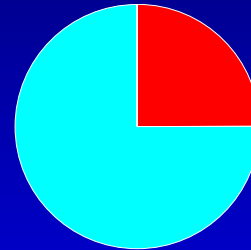


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Treatment planning for drug abusing offenders should include strategies to prevent & treat serious, chronic medical conditions (HIV/AIDS, Hep B & C, & TB)



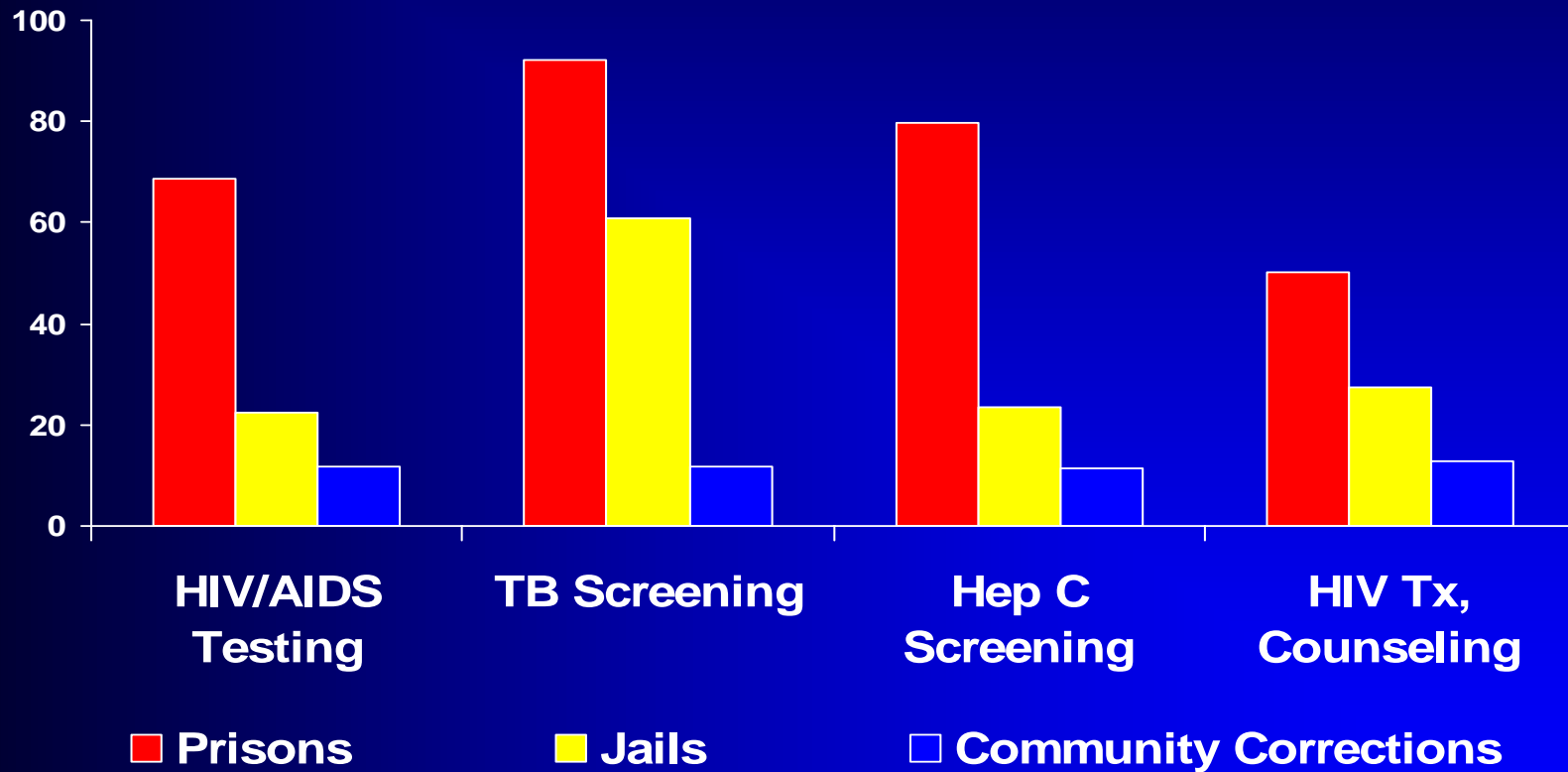
In a Given Year . . .
About 25% of all people in the US with HIV,
& 33% of those with HCV,
& 40% of those with TB
-- will pass through a correctional facility.



Source: Hammitt, Harmon, & Rhodes (2002). *AJPH*, 92 (11), 1789-1794.

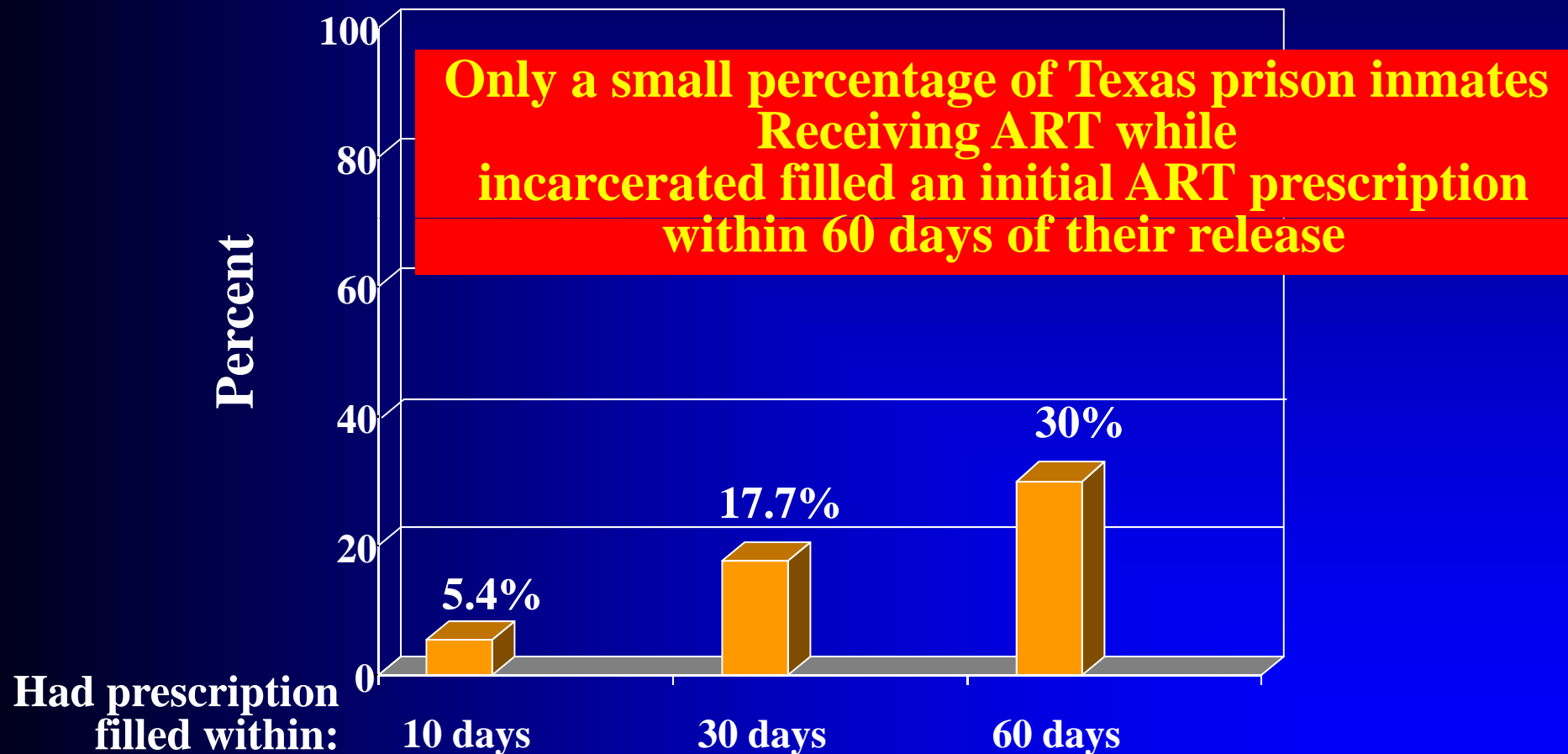
Prevalence of Health Screening & Services in Adult CJ

% Facilities Providing Service



Source: CJ-DATS National Criminal Justice Treatment Practices Survey, NIDA

Percentage of Inmates Who Filled an ART Prescription Within 60 Days of Release



Baillargeon J et al., JAMA 301(8):848-857, 2009.

Challenges

- Most offenders do not attend treatment, even if ordered.
- Most systems do not know whether offenders attend treatment.
- Treatment quality varies.
- Treatment often does not target criminogenic risks.

Is it being done?
What is being used?
Does it measure substance abuse,
and other criminogenic risks?

What's available in the system?
Use of evidenced based
interventions?
Target multiple problem areas?

Risk and Needs Assessment

Treatment Service System

Key Questions Judges Can Ask

Sanction/Rewards Department

What are the policies toward
sanctions/rewards?
How are they issued?
How are they monitored?

How do you develop rapport?
How to create environment of
fairness?
What ways do you use to
emphasize treatment importance?

Summary

- Drug abuse and dependence is a *chronic* disease requiring sustained treatment
 - *Relapse is to be expected as part of recovery*
 - *Effective treatment generally requires more than education, abstinence, and self-help* (but these are the most commonly offered modalities)
- Court supervision can be an important aid to treatment participation and success
 - *Reinforcing positive behavior, emphasizing treatment*
- Coordination between courts and treatment is essential
 - *Aligning expectations, sharing information, and coordinating responses*

Questions

- Reduce Crime
- Save Money
- Improve Lives



Treatment
is the Key
drugabuse.gov