

**Statement of**  
**West Huddleston**  
**Chief Executive Officer**  
**National Association of Drug Court Professionals**  
**Before the**  
**House of Representatives**  
**Appropriations Committee**  
**Subcommittee on Commerce, Justice, and State**

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THE HOUSE APPROPRIATIONS COMMITTEE**

## **Introduction**

Chairman Mollohan, Ranking Member Frelinghuysen, and distinguished members of the committee, I am West Huddleston, Chief Executive Officer of the National Association of Drug Court Professionals. On behalf of the over 1900 drug courts nationwide, and the over 120,000 annual drug court participants that NADCP represents, I thank you for the opportunity to speak to you today about the critical need to restore the funding for the Department of Justice's (DOJ) Drug Court Discretionary Grant Program to the historical level of \$40 million.

A program with such irrefutable outcomes and incredible merit as drug court must exist as the cornerstone of America's fight against substance abuse, addiction and escalating prison populations. Yet, it now faces an uncertain future.

The entire drug court field, 19,000 professionals strong, was deeply troubled to learn of the cuts to drug court funding in Congress in 2006 – an unfathomable 75% reduction from 2005's \$40 million appropriation. And now, with only \$10 million left to the DOJ Drug Court Discretionary Grant Program, drug courts are unable to meet the increasing needs of our criminal justice system in addressing the problem of substance-abusing offenders. As you know, President Bush has proposed eliminating the drug court program and implementing a new, consolidated Byrne Justice Assistance Grant (JAG) Program at a dramatically-reduced funding level for all state and local law enforcement programs.

We can not afford to stop investing in drug courts, a valuable resource to combat crime in our cities and rural areas across the country. National research has concluded that drug courts decrease criminal recidivism rates; save taxpayer dollars; increase retention in treatment; and provide the best example of a federal-state partnership that offers the federal government a real, cost-effective deliverable in the fight against crime.

We have already seen the negative impact of reduced funding for drug courts. In the past two years, as a direct result of the decreased funding level, states have been unable to leverage critical federal funding to meet the needs of the increasing number of citizens that could benefit from the program. Discouraging further state and local investment in this proven strategy undermines Congress' past investment and severely threatens the sustainability of this valuable program.

Drug courts serve approximately 120,000 clients annually. However, with an estimated 7 million alcohol- and drug-dependent offenders in the American justice system, inadequately funding drug courts cripples the capacity of the programs to provide treatment to an increasing population of those in need. Without this access the disease of addiction continues unabated directly impacting the public safety and public health of our communities.

## **History of Drug Courts**

In 1989, several public safety and public health leaders sought ways to convert a failing system into a successful model for intervention, rehabilitation and transformation. These judges,

prosecutors, defense attorneys, police officers, treatment providers, and others created the drug court model. Drug courts represent the coordinated efforts of justice and treatment professionals to actively intervene and break the cycle of substance abuse, addiction, and crime. As an alternative to less-effective interventions like prison, drug courts quickly identify substance-abusing offenders and place them under ongoing judicial monitoring, coupled with effective, long-term treatment services.

## **Drug Court Discretionary Grant Program**

In 1994 the Congress joined with communities across the country in seeing the promise of drug courts by enacting the Drug Court Discretionary Grant Program. The Office of Justice Programs (OJP), U.S. Department of Justice, has administered the grant program since 1995. Appropriations to the Drug Court Discretionary Grant Program reached a peak of \$52 million in 2001, as Congress saw the positive impact drug court had in communities nationwide. Since that time, with the emphasis on terrorism and the war, the funding has been steadily reduced, reaching an historical low of \$10 million in 2006, the effects of which are only beginning to be felt.

The primary purpose of the grant program has been providing the critical seed money, training and technical assistance to implement an effective drug court. Since 1995, we estimate that over 1000 communities have implemented a drug court because of OJP support.

The Drug Court Discretionary Grant Program is a proven and effective tool in the fight against substance abuse and crime. In a February 2005 report, the Government Accountability Office (GAO) concluded that adult drug court programs substantially reduce crime by lowering re-arrest and conviction rates among drug court graduates well after program completion, providing overall greater cost/benefits for drug court participants and graduates than comparison group members (GAO-05-219). Additionally, according to a study released by the National Institute of Justice (NIJ) in 2003 from a sample of 17,000 drug court graduates nationwide, within one year of program graduation, only 16.4 percent had been rearrested and charged with a felony offense.<sup>1</sup>

## **Drug Court Research**

The success of implementing the drug court model in communities nationwide has been well-documented. After a decade of drug court research, scientists from the Treatment Research Institute at the University of Pennsylvania reported in 2003, “To put it bluntly, we know that drug courts outperform virtually all other strategies that have been used with drug-involved offenders.” Additionally, Columbia University’s historic meta-analysis of drug court research concluded that drug courts “provide closer, more comprehensive supervision and much more frequent drug testing and monitoring during the program than other forms of community supervision. More importantly, drug use and criminal behavior are substantially reduced while offenders are participating in drug court.”

Most remarkably, drug court programs operate with an incredible cost-savings compared to traditional incarceration:

- Missouri – St. Louis<sup>ii</sup>
  - Graduates of the drug court saved \$2,615 in the two years after program completion, compared to the cost of probation for post-release offenders
- Oregon – Multnomah County (Portland)<sup>iii</sup>
  - **Drug court programs save approximately \$1,442 per participant** when compared to the cost of traditional court proceedings for drug offenses, which include jail time and probation services
  - It is estimated that for **every \$1 spent on drug court, \$7-10 is saved versus traditional court/ incarceration**
- Texas – Dallas County<sup>iv</sup>
  - For every \$1 spent on drug court operation, \$9.43 was realized over a forty-month period

Additionally, drug courts are one of the most effective tools we have to address the methamphetamine epidemic that is damaging our communities. Law enforcement and manufacturing restrictions have had a positive impact on our ability to deal with this epidemic, but a critical part of our strategy must involve the treatment of the thousands of addicted individuals who enter our court systems. In June 2005, the Justice Department released a report confirming this claim and emphasizing how drug courts are a critical part of our strategy with methamphetamine.

## **Federal-State Partnership**

Taking notice of federal leadership in funding the successful drug court model, states began to prioritize the implementation of the programs by passing authorizing legislation and supplementary appropriations. However, the Drug Court Discretionary Grant Program provides the federal seed money, training and technical assistance support on which states rely to establish and implement sustainable drug courts on the state level. Without continued federal support through this program, states will be unable to maintain present drug court operation.

We estimate that for every \$1 of federal support, \$4 is leveraged on the state level. Thus, a \$40 million appropriation can mean an additional \$160 million of state funding. States are questioning the efficacy of the model when making difficult budget decisions; if the federal government is no longer invested in drug court, states are unlikely to devote the funding necessary to sustain the programs in their local budgets. Without the federal investment, courts will not be able to leverage the state funding necessary to continue providing life-saving treatment to the substance-abusing offenders flooding their courts.

The drug court program is a successful example of Congressional efforts to forge lasting federal-state partnerships. Today, we see states like California and New York who have completely institutionalized the drug court movement. Statewide evaluations have shown:

- California<sup>v</sup>
  - Drug treatment programs, regardless of participant completion, led to a benefit-cost ratio of nearly \$2.50 per \$1 spent, totaling \$2,861 in cost savings per offender, representing **\$173.3 million in net savings to the government**
  - **Graduates of the drug treatment programs reflected a total benefit-cost ratio of \$4 savings per \$1 spent**
- New York<sup>vi</sup>
  - On average, reconviction rates among drug court participants are 29% lower over three (3) years than the rate for parallel offenders not enrolled in drug court
  - **Over \$250 million in incarceration costs were saved by diverting 18,000 non-violent drug offenders into treatment**

However, in states like West Virginia, Wisconsin, Connecticut, and Alabama, drug courts are only beginning to be developed and implemented. Without the federal support of the Drug Court Discretionary Grant Program, those states are unable to successfully implement drug courts to solve the problem of growing populations of substance-abusing offenders.

## Meeting the Need

As I mentioned, drug courts transform over 120,000 addicts each year in the adult, juvenile, and family court systems into drug-free, productive citizens. However, inadequacies in current funding levels impede the capacity of drug courts to meet the increasing need of growing populations of substance-abusing offenders. NADCP is in the beginning stages of launching a campaign to correct this...to take drug courts to scale. As we look towards the future, the federal support for this critical grant program must become a priority for Congress.

Two-thirds of adult arrestees and half of juveniles test positive for illicit drugs at arrest, yet, without funding for effective alternatives that offer intervention and treatment, such as drug court, we continue to incarcerate nonviolent, substance-abusing and addicted offenders at a great price to our nation and its citizens. Unless we, as a nation, support programs that address substance abuse as the impetus for a majority of criminal offenses, **1 in every 178 Americans** will be living behind jail or prison bars by 2011. A cost to taxpayers of **\$27.5 billion** over the next five years beyond what we currently spend.<sup>vii</sup>

If we are truly going to save the lives of the addicted, break the familial cycle of addiction for future generations, have a substantial impact on associated crime, child abuse and neglect, reduce poverty, alleviate the over reliance on incarceration for the addicted, and reduce many of the public health consequences in the United States, drug courts must be taken to scale. There is no greater opportunity for a systemic social change in the justice system.

Over 3000 drug court professionals from every state will convene here in Washington, D.C. June 13-16<sup>th</sup> to urge Members of Congress to support increasing appropriations to the historical \$40 million mark. We look forward to working with you and your dedicated staff in ensuring the continued success of the drug court movement through sustained federal support for the Drug Court Discretionary Grant Program.

Thank you, Chairman Mollohan, Ranking Member Frelinghuysen, and distinguished members of the committee for your leadership in this area.

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<sup>i</sup> Bhati, S., Roman, J., Townsend, W. *Recidivism Rates for Drug Court Graduates: Nationally-Based Estimates, Final Report*. National Institute of Justice. July 2003.

<sup>ii</sup> Institute for Applied Research. *A Cost-Benefit Analysis of the Saint Louis City Adult Felony Drug Court*. Saint Louis, MO. 2004.

<sup>iii</sup> U.S. Department of Justice, Office of Justice Programs. *Drug Courts: The Second Decade*. National Institute of Justice Special Report: <http://www.ojp.usdoj.gov/nij>, June 2006.

<sup>iv</sup> Fomby, T.B. & Rangaprasad, V. *DIVERT Court of Dallas County: Cost-Benefit Analysis*. Dallas, TX: Report to the Dallas County DIVERT Court. August 2002.

<sup>v</sup> Integrated Substance Abuse Programs, University of California – Los Angeles (UCLA). *Evaluation of the Substance Abuse and Crime Prevention Act: SACPA Cost-Analysis Report (First and Second Years)*. California Department of Alcohol and Drug Programs, Health and Human Services Agency: [http://www.uclaisap.org/prop36/documents/SACPA\\_COSTANALYSIS.pdf](http://www.uclaisap.org/prop36/documents/SACPA_COSTANALYSIS.pdf), March 2006.

<sup>vi</sup> Rempel, M., Fox-Kralstein, D., Cissner, A., Cohen, R., Labriola, M., Farole, D., Bader, A., & Magnani, M. *The New York State Adult Drug Court Evaluation: Policies, Participants, and Impacts*. New York, NY: Center for Court Innovation. 2003.

<sup>vii</sup> Public Safety Performance Project. *Public Safety, Public Spending: Forecasting America's Prison Population 2007-2011*. The Pew Charitable Trusts. 2007.