



Creating a System of Alternatives to Incarceration (Therapeutic Justice)

A Continuum of Justice System Interventions

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Drugs & Crime: A Costly Connection

Alcohol and other drugs involved in:

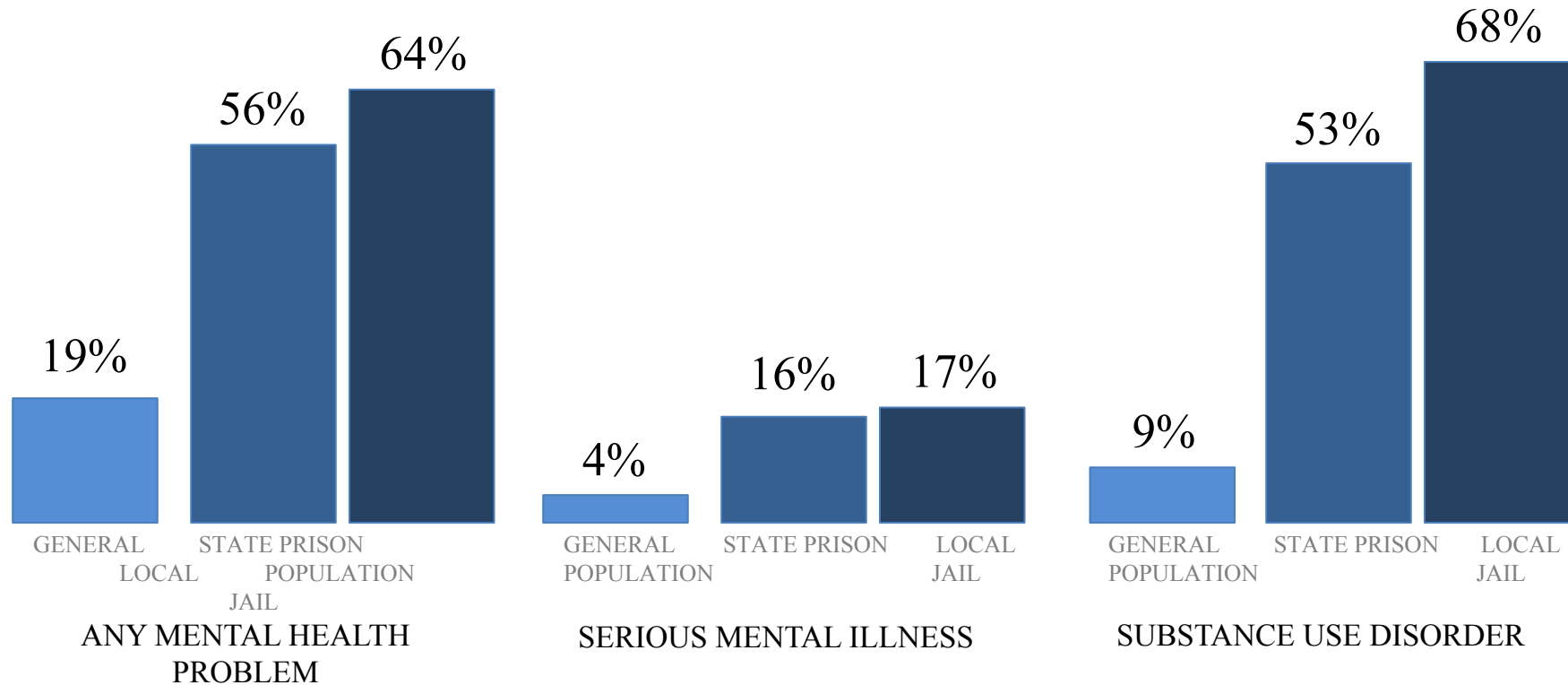
- 78% of violent crimes
- 83% of property crimes
- 77% of public order immigration, or weapon offenses; and probation/parole violations

Drugs & Crime: A Costly Connection

Illegal drug use costs U.S. taxpayers \$193 billion per year

- Costs associated with health = \$11.4 billion
- Costs associated with crime = \$113.3 billion
- Costs associated with lost productivity = \$68.4 billion

We know that substance use and mental illness are driving factors in justice-system involvement—but only 11% of those who need it receive treatment in prison or jail



Revolving door of justice involvement

- 9 million churn through jails every year
- 730,000 people admitted and released from prisons each year
- Two-thirds (68%) of prisoners rearrested within 3 years of release
- Half (52%) of prisoners returned to prison for new crime or violation

Therapeutic Justice is a Process and Method which:

- I. Integrates a Public Health Approach to Addiction into the Criminal Justice System
- II. Provides an Opportunity for Treatment Interventions along the Criminal Justice Continuum from Arrest to Community Release
- III. Connects Evidence Based Addiction Treatment and the Justice System
- IV. Facilitates Communication between and among Public Health/Treatment Services and Justice System

Integrating Public Health and Treatment

The earlier people are diverted out of the justice system and into treatment, the better their prospects will be.

- As few as 3 days in jail can significantly increase the likelihood of future justice involvement
- Outcomes for justice-involved individuals who receive treatment are significantly better than for those who do not. This is true for interventions across the justice continuum.

Match interventions to individuals' risks and needs.

- Empirical evidence demonstrates that recidivism can be reduced through applying well-designed programs that are matched to individuals' unique risk and need profiles

Proportionality

- **Balance seriousness of offense and severity of punishment**
- **Minimum level needed to protect society**
- **Suitable type of supervision and treatment; reviewed, adjusted and terminated when appropriate**
- **Responses to non-compliance or breaches not automatically custodial in nature**



UNODC-WHO Standards

- **3.1 Treatment for drug use disorders should be:**
 - in health and social care systems;
 - there should be effective coordination with the criminal justice system
- **3.2 Treatment of drug use disorders should be:**
 - available to offenders with such disorders;
 - where appropriate, be a partial or complete alternative to imprisonment or other sanctions.
- **3.3 Treatment of drug use disorders as an alternative to incarceration should be supported by appropriate legal frameworks.**

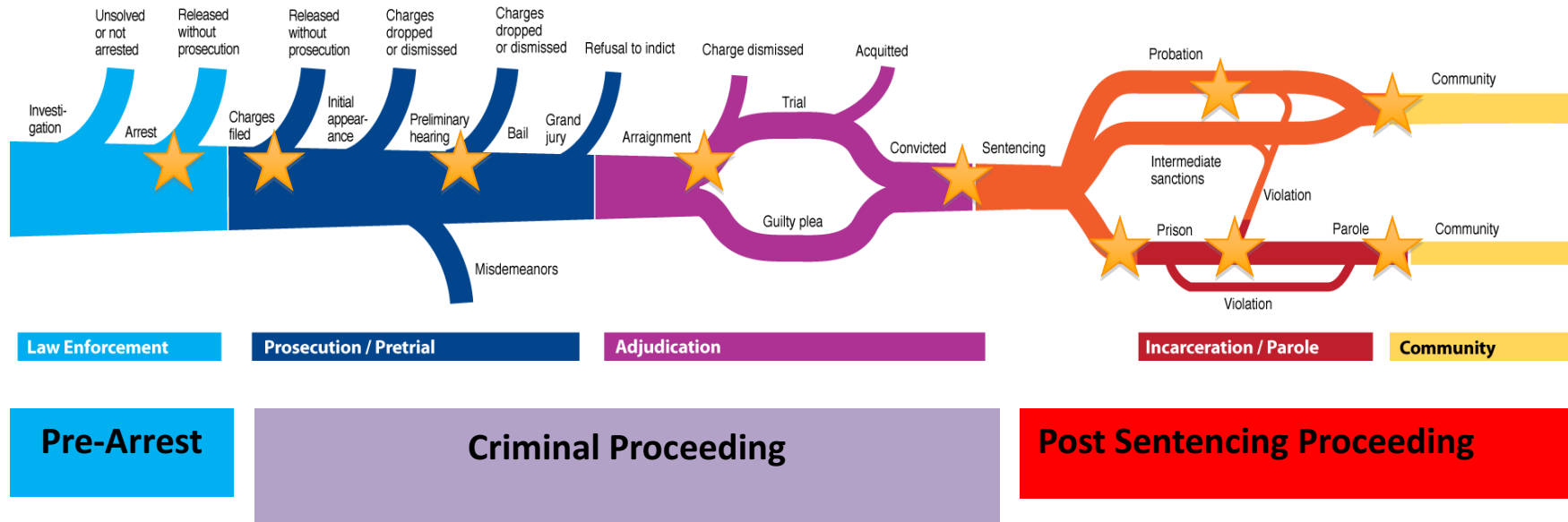
UNODC-WHO Standards

- **3.4 Criminal justice settings should provide treatment to justice involved individuals within the community.**
- **3.5 Treatment interventions for drug use disorders should not be imposed on justice involved individuals against their will.**
- **3.6 Prevention and treatment services should be accessible to justice involved individuals with drug use disorders including:**
 - prevention of transmission of blood-borne infections
 - pharmacological treatment
 - psychosocial treatment
 - treatment of comorbid health conditions
 - rehabilitation services
 - linkages with community-based services prior to release

UNODC-WHO Standards

- **3.7 Appropriate training programmes for criminal justice system staff, should be in place to ensure recognition of medical and psychosocial needs and to support treatment and rehabilitation efforts.**
- **3.8 Treatment of drug use disorders in the criminal justice system should follow:**
 - the same evidence-based guidelines,
 - community-based ethical and professional standards
- **3.9 Continuity of treatment for drug use disorders should be ensured in all cases by effective coordination between health, social services, and criminal justice.**

Opportunities To Intervene



Opportunities for Interventions along the Criminal Justice Continuum

A. Deflection

LAW ENFORCEMENT/POLICE

No Charge filed/referral to treatment

B. Diversion

LAW ENFORCEMENT/PROSECUTOR

Arrest Charge Pending Referral to Treatment and successful completion

C. Sentencing Alternatives

COURT JUDICIARY

Order Treatment instead of jail or prison
(TASC/ Drug Court Model)

Opportunities for Interventions along the criminal justice continuum

D. Community Supervision

PROBATION/PAROLE

Refer to Treatment to minimize recidivism/in lieu of violation

E. Jail/Prison

CORRECTIONS

Treatment provided while incarcerated by licensed/trained counselors

Treatment provided by licensed community treatment provider

Pre Release Treatment and Case Management Planning

F. Re-entry

PROBATION/PAROLE/LAW ENFORCEMENT

Referral to community treatment upon release

Continued Treatment Interventions while under supervision of CJ authority

Treatment Compliance reporting to cj authority

Connecting Public Health System with Justice System:

CASE MANAGEMENT
The needs of the justice population are complex, and often require years to address.

In the U.S., centralized case management can help justice-involved individuals navigate myriad public systems and intervention programs.



Connecting Public Health System with Justice System

- **Develop treatment and social rehabilitation plan**
- **Facilitate connection to necessary social and primary care supports as needed**
- **Provide patient support through treatment and recovery process**

Essential Elements of a Successful Therapeutic Justice System

Negotiated procedures and agreements between treatment agency and justice authority

Evidence-based treatment system with adequate capacity across modalities from outpatient, intensive outpatient, residential, medication assisted treatment

Clinical case management (including ability to report to justice stakeholders)

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