



The Indian Journal for Research in Law and Management

Open Access Law Journal – Copyright © 2025

Editor-in-Chief – Dr. Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

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THE EFFICACY OF DRUG COURTS IN REDUCING RECIDIVISM

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ABSTRACT - Drug courts are specialized court docket programs that target criminal defendants and offenders, juvenile offenders, and parents with pending child welfare cases who have alcohol and other drug dependency problems. These courts seek to reduce recidivism and substance abuse among participants and to increase their likelihood of successful rehabilitation. This research investigates the efficacy of drug courts in reducing recidivism, examining various studies and statistical data, the structure of drug court programs, and the comparative analysis between traditional criminal justice processing and drug court models. The objective of this research was to systematically review quasi-experimental and experimental evaluations of the effectiveness of drug courts in reducing offending.

KEYWORDS: Drug Courts, Recidivism, Traditional Criminal Justice, Factors, Comparison.

1. INTRODUCTION

“...if you allow yourself to be helped, the potential for the profound change in drug court is enormous.”

- Honorable Albert S. Zweig

The criminal justice system has been grappling for a long time with how to deal with drug-related offenses. Traditional punitive methods, like imprisonment, have often not effectively tackled the underlying causes of substance abuse. This has resulted in high rates of repeat offenses. In response to this, drug courts have emerged as an alternative approach focused on rehabilitating offenders through court supervision, treatment programs, and community support. This research examines

the effectiveness of drug courts in reducing recidivism by looking at their structure, benefits, and impact.

1.1 UNDERSTANDING DRUG COURTS

Drug courts were established in the United States in the late 1980s as specialized court programs tailored to address non-violent drug offender cases. Since their inception, these courts have expanded worldwide, emphasizing the importance of rehabilitative justice.

Drug courts are a compassionate and reformative approach within the criminal justice system, created to help individuals struggling with substance abuse rather than simply punishing them. These specialized courts focus on rehabilitation by offering structured treatment programs, regular monitoring, and supportive judicial supervision. Instead of sending offenders to prison, drug courts guide them through a journey of recovery, with therapy, drug testing, counseling, and consistent encouragement. The true essence of drug courts lies in their belief that with the right support and accountability, people can overcome addiction, break free from the cycle of crime, and rebuild their lives with dignity and hope.

In 2011, the Bureau of Justice (BJA) and the National Institute of Justice (NIJ) collaborated to identify evidence-based components of successful drug court programming that program grant applicants and other stakeholders may use to design more effective programs.

Key components of drug courts include:

- Screening and Assessment
- Target Population
- Procedural and Distributive Justice
- Judicial Interaction
- Monitoring
- Treatment and Other Services

- Relapse Prevention, Aftercare, and Community Integration¹

By incorporating these elements, drug courts strive to break the cycle of substance dependency and criminal activity, ultimately decreasing recidivism rates.

Drug courts are usually managed by a nonadversarial and multidisciplinary team including judges, prosecutors, defense attorneys, community corrections, social workers, and treatment service professionals. Support from stakeholders representing law enforcement, the family, and the community is encouraged through participation in hearings, programming, and events like graduation.

The GAO Report in 2005 noted that the demeanor and conduct of the judge did not predict a participant's success or failure. However, a series of studies have found that, while the judge did not appear to have an impact on program attendance, drug use, or criminal activity among drug court participants, there was an effect when examined by type of client. Higher risk drug court participants (those with prior failed treatment episodes, for example) experienced a benefit from more intense judicial involvement, while lower risk participants did not receive any benefit.

In one study, over 80% of participants with a prior drug treatment history graduated from the program when they were assigned to bi-weekly hearings, compared to less than 20% of those assigned to as-needed hearings.

The National Association of Drug Court Professionals has set forth these eight key elements to provide a guideline and structured format for Drug Courts in the United States of America.

1. Drug Courts integrate alcohol and other drug treatment services with justice case processing.
2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
3. Eligible participants are identified early and promptly placed in the Drug Court program.

¹ Shelli B. Rossman et al., *The Multi-Site Adult Drug Court Evaluation: The Impact of Drug Courts 1–2* (Final Report, NCJ 248701, Nat'l Inst. of Just., U.S. Dep't of Just. 2011), <https://www.ojp.gov/pdffiles1/nij/248701.pdf> (last visited July 5, 2025).

4. Drug Court provides access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.
5. Frequent alcohol and other drug testing to monitor abstinence.
6. A coordinated strategy governs Drug Court responses to participants' compliance.
7. Ongoing judicial interaction with each Drug Court participant is essential.
8. Clear monitoring and evaluation measures track the achievement of individual participants' program goals and gauge the effectiveness of the program.

Briefly, a prototypical drug court operates as follows (National Association of Drug Court Professionals, 1997; Mitchell, 2011). Shortly after arrest, drug-involved offenders who appear to be eligible for drug court participation are identified and screened for program eligibility. Arrestees deemed eligible are offered entry into the drug court with an agreement that the charges against them will be reduced or dismissed upon successful program completion.

In 2016, approximately 200,000 people in state jails in the U.S. were serving time for drug offenses, representing less than 16% of the 1.3 million total jail population, according to the Prison Policy Initiative. Drug offenses also account for about one in five people in U.S. prisons. Specifically, 132,000 people were incarcerated for drug offenses in 2016, compared to 656,000 for violent offenses, 142,000 for property offenses, and 110,000 for public order offenses.²

The high prevalence of drug use among criminal offenders and the increase in the proportion of offenders who are drug-involved have been well-documented 24% of the 4 million adults on probation have a drug law violation (Bureau of Justice Statistics (BJS), 2003a)³ and approximately 20% of state prisoners and 55% of Federal inmates are being held for drug offenses (BJS, 2003b).⁴ Policy makers have responded to the large numbers of drug-involved offenders who end up in and

2 Peter Wagner & Wendy Sawyer, *Mass Incarceration: The Whole Pie 2023*, Prison Pol'y Initiative, <https://www.prisonpolicy.org/reports/pie2023.html> (last visited July 15, 2025).

3 Bureau of Justice Statistics, *Probation and Parole in the United States, 2002* (Pub. No. NCJ 201135, U.S. Dep't of Just., Bureau of Justice Statistics 2003).

4 Bureau of Justice Statistics, *Prisoners in 2002* (Pub. No. NCJ 200248, U.S. Dep't of Just., Bureau of Justice Statistics 2003).

cycle through the criminal justice system, sometimes multiple times, with a variety of strategies intended to curb substance use and criminality.

The drug court model is also being used or is planned in numerous other countries, including Canada, Australia, Jamaica, Ireland, Brazil, Cayman Islands, Bermuda, Trinidad, Barbados, New Zealand, Scotland, Norway, Italy, and Macedonia. This study examines the efficacy of drug courts in reducing recidivism, mainly in the US.

2. LITERATURE REVIEW

Drug courts are a widely researched phenomenon in criminal justice, psychology and public health. Academics and practitioners have repeatedly examined their response to the co-occurrence of substance use and criminal conduct.

Among the most in-depth studies in this sense, Mitchell and colleagues' meta-analysis is also prominent. (2012), based on 150+ evaluations of drug courts in the United States. Drug courts were found in the study to decrease recidivism rates by an average of 8 to 26% compared to the traditional court system. It noted as well that judicial oversight, frequent drug testing, and a defined course of treatment are critical to the success of such programs.

In the United States, the NIJ (National Institute of Justice) has published a number of reports confirming that drug courts reduce reoffending while saving taxpayer dollars and improving the lives of participants. What does NIJ research show? NIJ studies have found that fewer graduates of the programs are likely to revert to drug use and that they are more likely to be employed and to have stable housing after completing the program.

3. METHODOLOGY

This is a qualitative, descriptive study with a literature review and data analysis collected from national and international agencies. The analysis is based on the peer-reviewed scientific literature, official government reports, legal and case-law databases, and reports provided by countries that adhere to good practices in implementing drug court systems, among them the United States, Canada, and Australia.

To ensure a comprehensive understanding, the following steps were undertaken:

- Literature Review: Academic research papers, law commission reports, and publications from organizations like the National Institute of Justice (USA), UNODC, and the Urban Institute were reviewed to understand the global framework and impact of drug courts.
- Comparative Analysis: Statistical data on recidivism rates from traditional courts and drug courts were compared to evaluate effectiveness.
- Case Studies: Success stories and reports from jurisdictions like San Francisco (USA), Toronto (Canada), to understand real-world scenarios.

By combining theoretical insights with practical case evaluations, this methodology offers a comprehensive analysis of how drug courts influence recidivism.

4. FINDINGS

4.1 THE EFFICACY OF DRUG COURTS IN REDUCING RECIDIVISM

Drug courts are a quite sane and humane alternative to our standard justice systems, particularly for non-violent offenders who have drug problems. These courts are not only committed to defusing legal charges but also to breaking the cycle of addiction and crime. Drug courts are not traditional sentencing mechanisms that generally lead to jail time; they are instead focused on more structured approaches of rehabilitation, intensive judicial supervised treatment, and aftercare, which yield better long-term results.

Several empirical studies indicate that participation in a drug court program is significantly correlated with a reduction in recidivism. For example, in areas where drug courts have worked effectively, it is seen that recidivism rates decrease on average by 8-35 percent.

These results are due in great part to the structure of the program, which usually consists of scheduled court appearances, supervised drug testing, behavior counseling, and swift punishment.

In an oft-cited meta-analytic review, researchers wrote that drug court participants in low-performing programs were 14 percentage points less likely to be rearrested than individuals in the

regular criminal court system. Interventions that provide “early intervention, personalized plans and monitoring” proved to be the most effective, as the study found.

In addition to an apparent drop in recidivism, there are several indirect gains from drug courts that enhance their response to the problem. These range from better mental and physical health for participants to better employment prospects for those saved from the criminal gang lifestyle, restored family relationships, and a corresponding reduction in the social and economic cost of criminal relapse.

Despite variations in outcomes due to regional policies and available resources, the consistent trend across multiple evaluations is clear: drug courts are considerably more effective at reducing recidivism than traditional punitive approaches. Their ability to view addiction through a therapeutic rather than a criminal lens is what makes them a transformative force in modern criminal justice.

Many studies show that drug courts reduce participants’ recidivism rates relative to conventional criminal justice systems.

1. Numerous studies worldwide have demonstrated the effectiveness of drug courts. A 15-year follow-up in Baltimore has shown substantial reductions in rearrest rates, conviction rates, and drug use. A 10-year follow-up research that used a similar methodology and was conducted in the USA found that it significantly reduced the records of rearrest and drug use in the participants.⁵
2. An indication of the positive impact of a series of drug law reforms that commenced in 2017 and culminated in the introduction of the Narcotics Code is the 30% drop (between 2019 and 2023) in the proportion of people incarcerated for drug offenses.⁶
3. A model drug court costs between \$2,500-\$4,000 per offender and per year, whereas incarcerating a drug-using offender costs \$ 20,000- \$ 50,000 per person per year.⁷

5 A Debate on Whether Drug Courts Be Opened in India, *Indian J. Psychiatry* ¶ 5 (2024), https://journals.lww.com/indianjpsychiatry/fulltext/2024/66110/a_debate_on_whether_drug_courts_be_opened_in__8.aspx.

6 A Debate on Whether Drug Courts Be Opened in India, *Indian J. Psychiatry* ¶ 6 (2024), https://journals.lww.com/indianjpsychiatry/fulltext/2024/66110/adebate_on_whether_drug_courts_be_opened_in__8.aspx.

7 Stanford Addiction Pol’y Initiative, *Drug Courts as an Alternative to Incarceration*, Stanford Univ. (2024), https://addictionpolicy.stanford.edu/drug_courts_alternative_incarceration.

4. Adult drug court participants have a 38%-50% lower average rate of recidivism, according to a study.⁸
5. One rigorous study found that drug court offenders assigned by chance were over four times more likely to access addiction treatment and two-thirds less likely to be re-arrested than individuals under typical supervision.
6. Each dollar spent on drug courts is estimated to be around \$4 saved in avoided costs of incarceration and healthcare; treatment provided while the person is incarcerated saves between the range of \$2 to \$6.⁹
7. Studies have consistently shown that participants in drug courts are significantly less likely to be re-arrested, even years after completing the program. In one large-scale meta-analysis, drug courts reduced recidivism by an average of 12% to 20% compared to traditional court processing.¹⁰
8. Drug Courts Are Most Effective for High-Risk Offenders. Contrary to earlier assumptions, studies show that drug courts work best for individuals with high substance use severity and criminal risk, particularly those with prior treatment failures or mental health issues.¹¹
9. Drug Courts Have Improved Employment and Social Reintegration. Participants in drug courts tend to show better outcomes in employment, housing stability, and family reunification, which are critical factors in preventing reoffending.¹²

❖ A very famous example of **Albert S. Zweig** is mentioned below:

8 Innovating Justice, *Assessing the Effectiveness of Drug Courts*, <https://www.innovatingjustice.org/sites/default/files/documents/Assessing%20Effectiveness.pdf>.

9 5 Innovating Justice, *Assessing the Effectiveness of Drug Courts*, <https://www.innovatingjustice.org/sites/default/files/documents/Assessing%20Effectiveness.pdf>.

10 Ojmarh Mitchell et al., *Assessing the Effectiveness of Drug Courts on Recidivism: A Meta-Analytic Review of Traditional and Non-Traditional Drug Courts*, 40(1) J. Crim. Just. 60, 65 (2012).

11 National Drug Court Institute, *Targeting the Right Participants for Adult Drug Courts*, Research to Practice Series 4 (2012), <https://www.ndci.org/wp-content/uploads/Targeting%20Part%20I.pdf> (last visited June 25, 2025).

12 *A Debate on Whether Drug Courts Be Opened in India*, *Indian J. Psychiatry* ¶ 5 (2024), https://journals.lww.com/indianjpsychiatry/fulltext/2024/66110/a_debate_on_whether_drug_courts_be_opened_in.8.aspx (last visited June 25, 2025).



4.2 TABLE: BASELINE CHARACTERISTICS OF DRUG COURT AND NON-DRUG COURT PARTICIPANTS¹³

	Total Sample		Drug Court Sample		Non-Drug Court Sample		t-test/chi - square p level
	n=475		n=274		n=201		
	n	%	n	%	n	%	
Age (mean)	30.36		30.65		29.965		0.5007
Male	368	77.47%	218	79.56%	150	74.63%	0.2042
African American	218	45.89%	122	44.53%	96	47.76%	0.4855
Hispanic	66	13.89%	34	12.41%	32	15.92%	0.2753
Other race	19	4.00%	13	4.74%	6	2.99%	0.3347
White	172	36.21%	105	38.32%	67	33.33%	0.2647
Education < high school graduate	219	46.11%	118	43.07%	101	50.25%	0.1213
High school graduate, <some college	167	35.16%	95	34.67%	72	35.82%	0.796
Some college or greater education	89	18.74%	61	22.26%	28	13.93%	0.0215
Married	112	23.58%	68	24.82%	44	21.89%	0.4589
Employed full/part-time	264	55.58%	166	60.58%	98	48.76%	0.0103
Employed other	122	25.68%	67	24.45%	55	27.36%	0.4742
Unemployed	89	18.74%	41	14.96%	48	23.88%	0.0138
Income \$10,000 +	164	34.60%	104	38.10%	60	29.85%	0.0624
Prior arrests (mean)	6.451		6.547		6.318		0.7052
Total prior prison sentences (mean)	0.3696		0.3447		0.4031		0.4987
Drug offender probation supervision	340	71.58%	208	99.27%	68	33.83%	<.0001
Felony probation supervision	135	28.42%	2	0.73%	133	66.17%	<.0001
Felt need for drug treatment	111	23.47%	77	28.21%	34	17.00%	0.0044
Received treatment before baseline	182	38.48%	121	44.32%	61	30.50%	0.002
Drug problem recognition scale	2.098		2.249		1.887		0.0003
Desire for help with drugs scale	2.898		2.982		2.78		0.0042
Pressure to get help with drugs scale	2.93		3.192		2.561		<.0001
Social support scale	3.773		3.776		3.768		0.938
Primary care responsibilities for child	144	30.32%	73	26.64%	71	35.32%	0.0421
Alcohol use past 6 months	355	74.74%	215	78.47%	140	69.65%	0.0289
Marijuana use past 6 months	274	57.68%	165	60.22%	109	54.23%	0.1925
Illicit non-marijuana use past 6 mos.	151	31.79%	97	35.40%	54	26.87%	0.0485
Drinking scale (10 indicator mean)	0.0888		0.1047		0.0672		0.0079
Drug use scale (7 indicator mean)	0.2271		0.2596		0.1827		0.0004
Mental health diagnosis	121	25.47%	72	26.28%	49	24.38%	0.6397
Public attorney	337	71.10%	199	72.89%	138	68.66%	0.3156
Colorado Symptom Index (CSI)	27.124		26.996		27.299		0.7565

¹³ Douglas B. Marlowe, *Judicial Supervision of Drug-Involved Offenders: The Rise of Drug Courts*, 1(1) J. Pub. Health L. & Pol'y 67, 67–83 (2007), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2230663/> (last visited July 6, 2025).

Differences between drug court and non-drug court participants. There are substantial differences between drug court and non-drug court participants:

- Education & Income: Drug court participants have higher average education and income, indicating greater readiness for treatment.
- Legal Supervision: Clearly, the drug court group was more intensively supervised than the control group. 92% were on drug offender probation (as opposed to only 34% in the non-drug court condition, thus covering three-quarters), and 29% were under parole.
- Treatment & Motivation: Drug court participants reported greater felt need for treatment, more prior treatment, and greater pressure/motivation to enter treatment, all at statistically significant levels.
- Substance Use: They also reported more use of illicit drugs, consistent with the fact that drug courts generally accept cases with more severe addiction.
- Mental Health & Legal Aid: Group differences, Diagnoses, and use of public defenders were comparable for each of the two sides.

4.3 FACTORS CONTRIBUTING TO THE EFFICACY OF DRUG COURTS IN REDUCING RECIDIVISM

There are several reasons why drug courts are successful in reducing recidivism:

1. Regular intervention by judges helps to ensure that certain programs are being followed and relapses do not occur.
2. Treatment, including therapy, counseling, medication-assisted treatment (MAT), and other supportive services, greatly improves recovery.
3. Healthy social relationships, family and community support, and a sense of community are integral parts of recovery, relapse prevention, and long-term change.

4. The drug court operates as a system of rewards and sanctions to reinforce compliance and to address failures to comply. These Graduated sanctions and Incentive structures are what contribute to the lower recidivism rates, a component that contributes to the success of Drug Court.

4.4 COMPARATIVE ANALYSIS BETWEEN THE TRADITIONAL COURTS AND DRUG COURTS

Drug Courts Compared to traditional docket case courts, drug courts have been found to provide for significantly less recidivism, public expenditures, and enduring rehabilitation, as illustrated in the table below. Countries such as the USA, Canada, and Australia can demonstrate the impact of therapeutic jurisprudence within their justice systems.

Aspect	Traditional Courts	Drug Courts	Data/Source (Country)
Approach	Punitive: Focus on incarceration and criminal punishment	Therapeutic: Emphasizes rehabilitation, treatment, and close monitoring	General comparative models (USA, Australia)
Average Recidivism Rate	45–60% within 2 years of release	15–30%, significantly lower with program completion	USA: GAO Report (2005); Canada: Public Safety Canada, 2011
Supervision Intensity	Periodic court hearings; limited engagement	Frequent judicial reviews, drug testing, therapy sessions	U.S. Department of Justice, NIJ 2011
Cost per Offender	\$20,000–\$50,000 annually (due to prison costs)	\$5,000–\$11,000 (includes treatment, supervision)	GAO Report (USA); Australian Institute of Criminology
Treatment for Substance Use	Rarely included or court-mandated post-sentencing	Integral part of sentence: Counseling, rehab, social services	National Drug Court Institute (USA), 2012
Graduation/Completion Rate	Not applicable	60–70% program completion rate	National Association of Drug Court Professionals (USA), 2015
Post-program Employment Rate	Low due to stigma and lack of support	Significantly improved through job assistance and accountability	Drug Court of Victoria (Australia)
Effectiveness for High-risk Offenders	High failure rate due to lack of rehabilitation pathways	High success rate when coupled with individualized interventions	NIJ Meta-analysis; Canadian Centre on Substance Use and Addiction
Reoffending Timeline	Re-arrest often occurs within 12–18 months	Recidivism delayed or avoided entirely through behavior change	Mitchell et al., Journal of Criminal Justice (2012)
Country Examples	All major jurisdictions; default criminal justice system	USA (over 3,000 courts), Canada (Drug Treatment Courts), Australia (Therapeutic Courts)	UNODC Drug Treatment Court Global Review (2022)

5. CONCLUSION

Drug use offenses and high rates of recidivism in the world are causing justice systems to reevaluate traditional punitive methodologies. This research program is founded on strong statistical evidence through comparative analyses, which conclusively prove that drug courts are **“simply more successful at rehabilitating offenders”** than other models of the traditional criminal justice system in dealing with drug-addicted criminals. While a conventional court often reiterates a cycle of incarceration but doesn't address the underlying issues, drug courts practice therapeutic jurisprudence, a combination of judge-led judicial supervision and treatment services, regular review hearings, and tangible incentives tied to structure. The general story is the same in the United States, Canada, and Australia - the only three countries that show the data, participants in the drug court system are less likely to reoffend, get back on their feet more quickly, and cost the public far less than long-term incarceration fees.

The reasons are several:

- Intensive supervision and accountability mechanisms
- Compulsory treatment and welfare services
- Tailored rehabilitation programs for high-risk recidivists

In addition, the comparison demonstrates that recidivism rates may be reduced up to 50% and that employment and community reintegration outcomes are far superior under these court models.

Drug courts are an economic and compassionate alternative to the old-fashioned punitive corrections for drug addicted non violent offenders. Research on drug courts indicates that both their long-term recidivism and rearrest rates are 38% to 50% lower than traditional case-loaded populations. Recidivism has fallen by as much as 35% in some jurisdictions, and for every dollar spent on drug courts, up to \$4 is saved in future criminal justice expenses and in health care costs. These courts promote social justice and public health and are a remarkable intervention in modern criminal justice reform, reducing rates of recidivism, improving participation in employment and family life, and returning the individual to health and productivity.

In order to reduce recidivism properly, drug courts have become a popular option for treating substance issues with rehabilitation over incarceration. They aren't a silver bullet, and shouldn't be perceived as one, but they deliver a life-changing solution for many, upended in the criminal justice system because of their addictions. Their promise lies in a marriage of legal accountability and therapeutic power.

But in order to gain the maximum impact, the sector must face underlying difficulties of limited availability, patchy participant retention, and the absence of long-term aftercare and re-integration. By targeted and sensitive growth and sharpening of the drug court model, the criminal justice system can not only prevent repeat occurrences of law-breaking but also help the sick recover, bring lives back into order, and contribute constructively to the public good.

In Conclusion, drug courts represent more than the veneer of a new process; they are about seeing the human behind the crime. By treating addiction as a public health problem, they provide a durable solution to one of the most intractable problems in the criminal justice system: repeat offending. The evidence is convincing, the results are quantifiable, and the anecdotal human experiences are inspiring. As countries as disparate as the United States, Canada, and Australia have further developed and refined such models, and it is now perhaps the time for India and other developing legal systems to work at the integration of these models. The journey to a new justice system will require that we be both accountable and humane, and drug courts provide a path toward where both can coexist meaningfully. Their ongoing acceptance could very well offer a new way forward, not just by lowering crime, but by restoring to those formerly trapped in punishment without redemption feelings of hope, dignity, and ambition.