

# Compassionate Approaches in the Criminal Legal System: Promoting Safety, Health, & Justice

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# Disclosure Information

## Compassionate Approaches in the Criminal Legal System: Promoting Safety, Health, & Justice

ASAM 54<sup>th</sup> Annual Conference

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- ◆ No Disclosures





# NADCP

**National Association of  
Drug Court Professionals**



**NDCI**  
NATIONAL DRUG  
COURT INSTITUTE



**NCDC**  
NATIONAL CENTER  
FOR DWI COURTS



**JUSTICE  
FOR VETS**

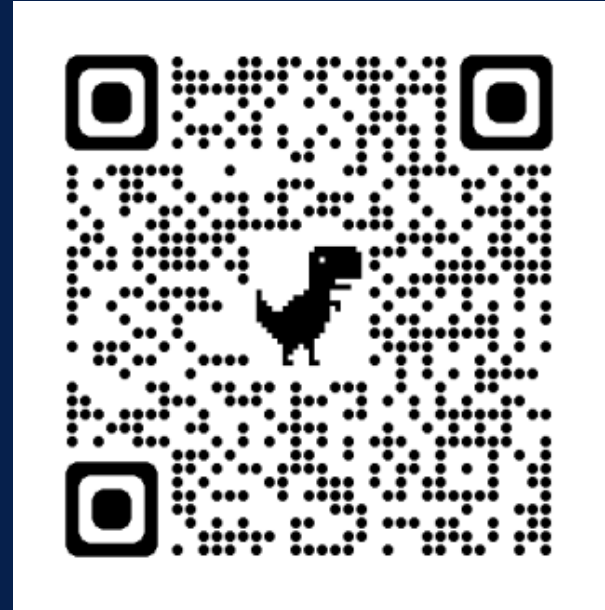


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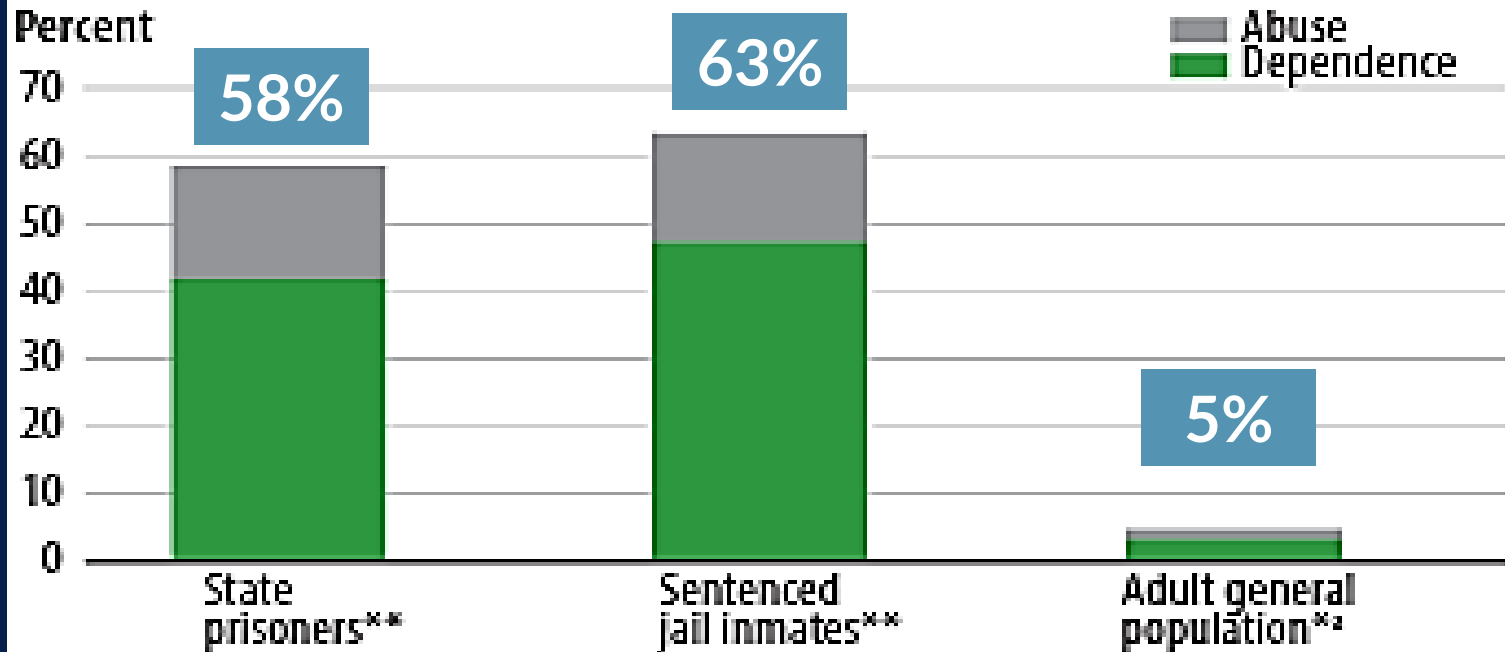
# The Case for Accountability



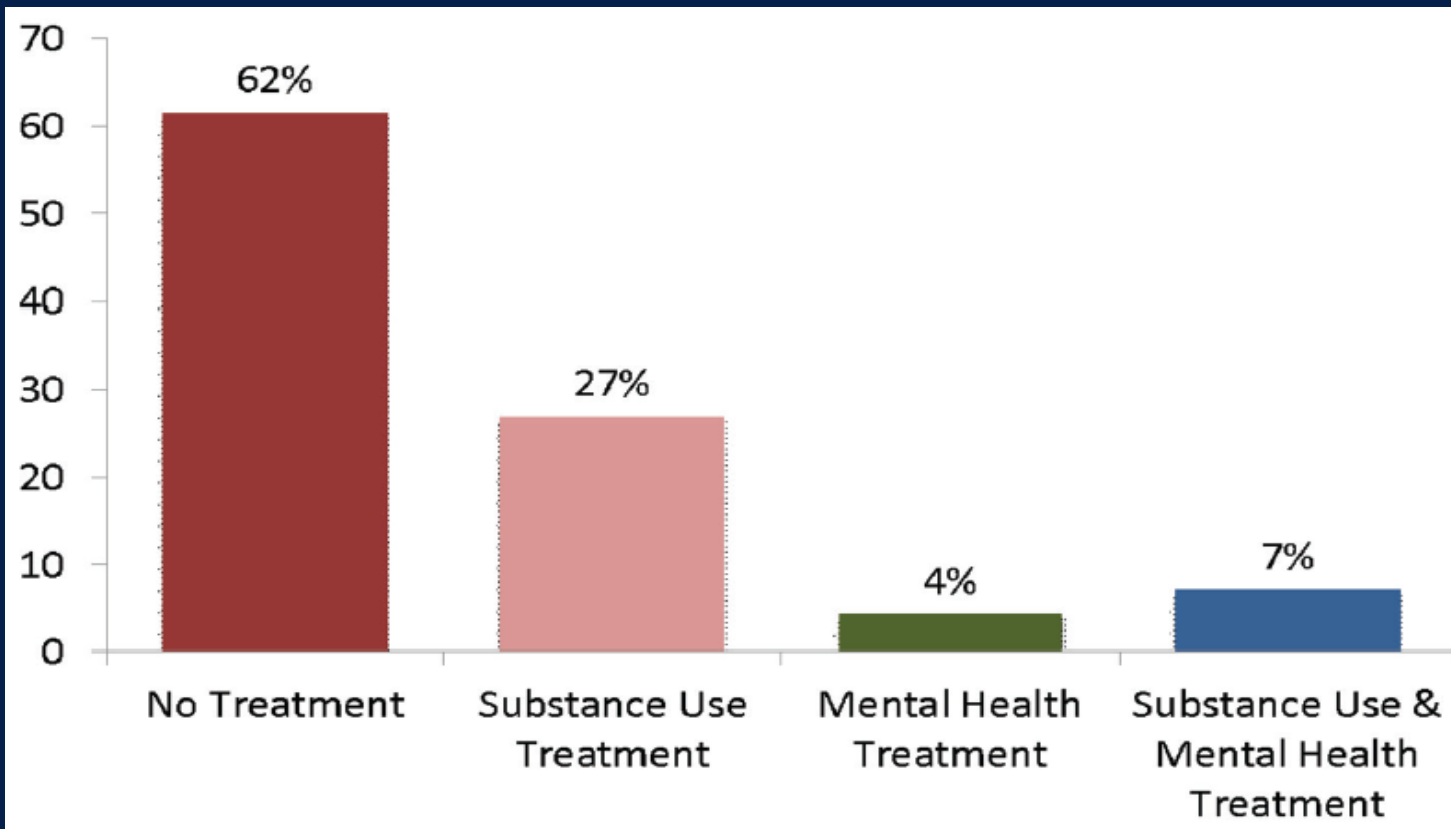
# Accountability Matters

- ◆ Addiction sometimes leads to serious crimes
- ◆ Effective addiction treatment and recovery management take time
- ◆ Accountability supports the individual and protects the community while giving the individual space and time to heal
- ◆ For the justice system-involved, untreated addiction leads to continuing crime

## Inmates and adult general population who met the criteria for drug dependence or abuse, 2007–2009



# Arrestees' Lifetime Treatment History





# The Case for Compassion

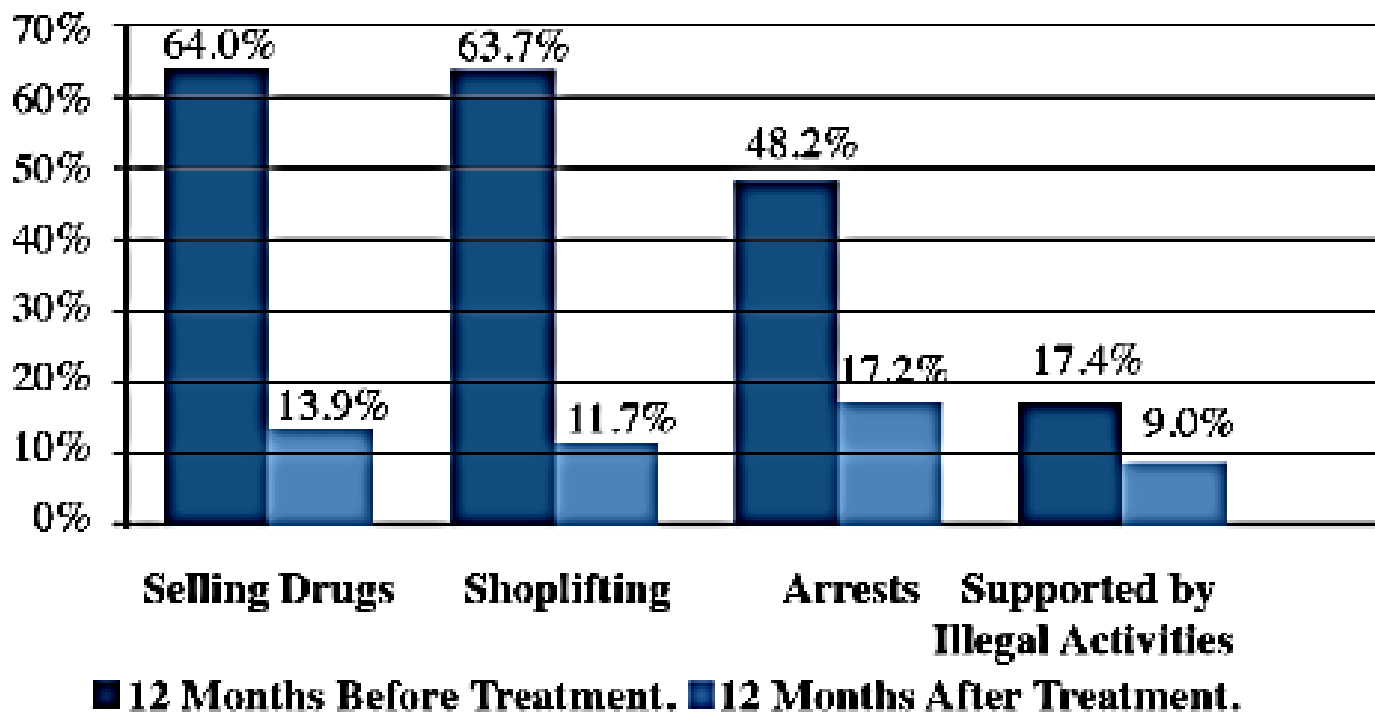


# Why do we need alternatives to incarcerations?

- ◆ Prisons are expensive
- ◆ Prisons are overcrowded
- ◆ Prisons cause harms of their own
- ◆ Prisons are ineffective at promoting recovery and desistance

**No community can imprison  
its way out of the addiction-  
fueled crime problem.**

## Treatment can reduce the chance that someone will be involved in criminal activity



# The Case for Blending Accountability and Compassion

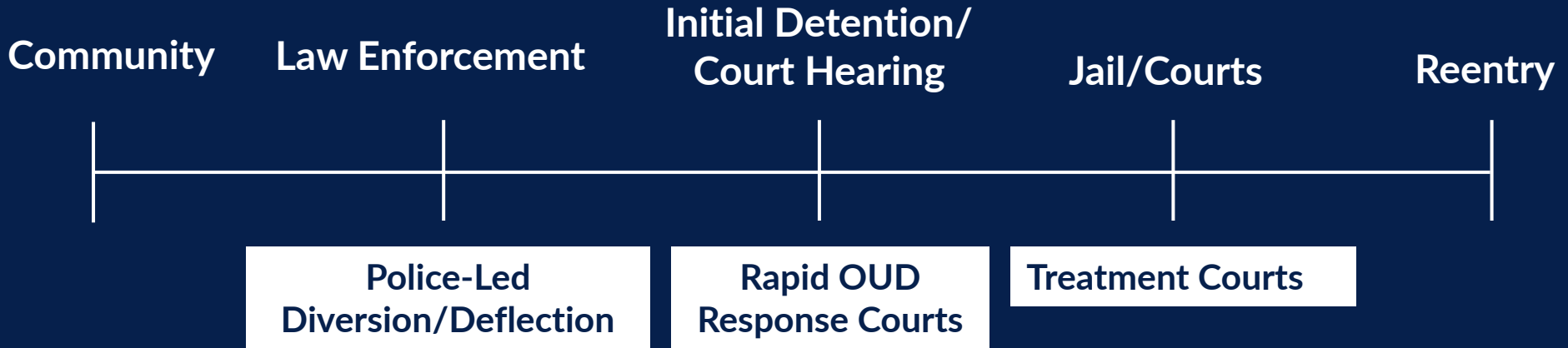
# Accountability and Compassion

- ◆ Without effective compassionate treatment, most justice-involved people living with addiction will reoffend
- ◆ Without accountability, some will not benefit from treatment, even if effective and compassionate
- ◆ The result will be continued harm to the community and/or incarcerations of the person living with addiction, with associated harms to the person, their loved ones, and the community

# When needed, the justice system can be part of the solution

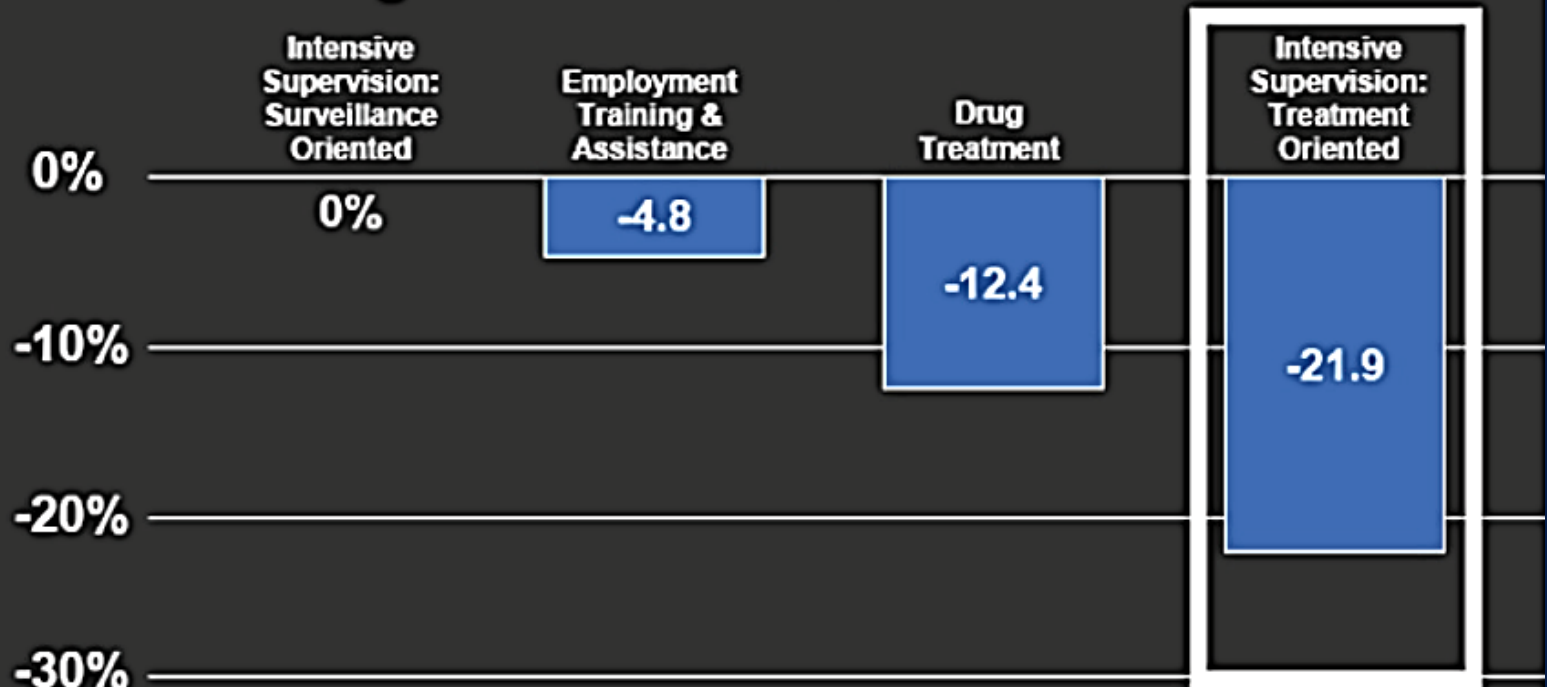
- ◆ Treatment works
- ◆ Courts can leverage a range of resources
- ◆ Therapeutic jurisprudence and compassionate practice match appropriate program to right individual at the earliest intercept point feasible
- ◆ Justice system involvement no more or less than necessary

# Matching programs to intercepts





## Change in Recidivism Rates for Adult Offenders



Steve Aos, Mama Miller, and Elizabeth Drake. (2006). *Evidence-Based Adult Corrections Programs: What Works and What Does Not*. Olympia: Washington State Institute for Public Policy.



# Treatment Court

- ◆ High-risk/high-need individuals facing incarceration
- ◆ Combine treatment, supervision, and social services to promote recovery and desistance
- ◆ Team approach: justice and treatment professionals work together
- ◆ Individualized clinical assessments
- ◆ Evidence-based, compassionate practices

# Treatment Court Works



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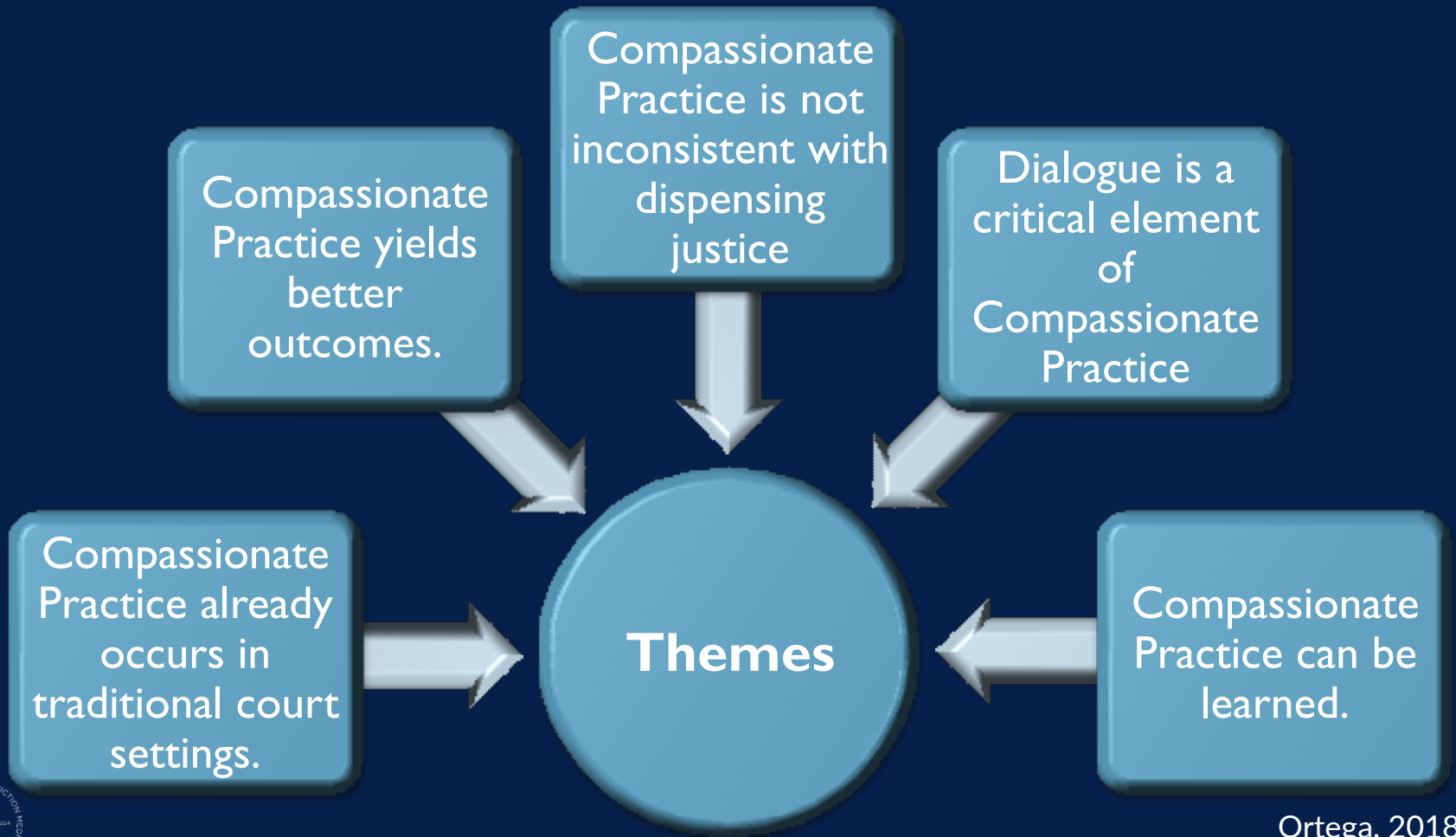
**1.5 million**  
total served by  
drug court<sup>1</sup>

**4,000+**  
drug courts in  
the U.S.<sup>2</sup>

up to  
**58%**  
reduction in  
recidivism<sup>4</sup>

**\$6,000**  
average savings  
per drug court  
participant<sup>3</sup>

**150,000**  
people served  
by drug courts  
each year<sup>1</sup>



# Compassionate Jurisprudence/Practice



A set of practices used by judges, court officers, justice professionals and their community partners that allows them to understand the feelings and perspectives of court involved people and themselves, and to use that understanding to guide their actions and decision-making for the betterment of everyone involved.

# References

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2. Aos, S., Miller, M., & Drake, E., (2008). Evidence-based adult correction programs: What works and what does not. Olympia: Washington, Institute for Public Policy.
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5. Ortega, B.E. (2018). Compassionate jurisprudence as praxis for justice: A qualitative dialogic inquiry action research study. Pub. No. 10841190. Doctoral dissertation, University of Phoenix. ProQuest.
6. U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Treatment (1997). The National Treatment Improvement Evaluation Study, NTIES Highlights.