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rev. 1-2018

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# DRUG COURTS WORK!

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THE GREAT SEAL OF THE STATE OF NEW JERSEY

**Phil Murphy, Governor**
**Sheila Oliver, Lt. Governor**
**Joseph E. Krakora, NJ Public Defender**

## HISTORY OF DRUG COURTS IN NJ

Drug courts resulted from a shift in the unsuccessful National Policy of "War on Drugs" of the 1970s and 1980s. The New Jersey Legislature also enacted the Comprehensive Drug Reform Act of 1986 (CDRA) for drug offenses (Presumption of Mandatory Incarceration, Mandatory Minimum Sentencing). Repeated drug offenders received extensive jail sentences.

The mission of drug courts is to stop the abuse of alcohol and other drugs and related criminal activity. The program is based on a concept of Therapeutic Jurisprudence.

Drug courts are a highly specialized team process within the existing Superior Court structure that addresses non-violent drug-related cases. They are unique in the criminal justice environment because they build a close collaborative relationship between criminal justice and drug treatment professionals.

Drug court programs are rigorous, requiring intensive supervision based on frequent drug testing and court appearances, along with tightly structured regimens of treatment and recovery services.

The drug court judge heads a team of court staff, attorneys, probation officers, substance abuse evaluators and treatment professionals who work together to support and monitor a participant's recovery. They maintain a critical balance of authority, supervision, support and encouragement.

This level of supervision permits the program to support the recovery process, but also allows supervisors to impose appropriate therapeutic sanctions when participants cannot comply with the program.

There are four phases of progress for drug court participants:

- stabilization,
- positive change,
- relapse prevention, and
- commencement

Drug Court Programs became a permanent part of the State Judiciary in 2002 and operate in all 21 NJ counties. In 2010, Drug Court Program graduates achieved the following successes:

| | *Drug Court* | *Traditional Court* |
|---|---|---|
| Rearrest Rate | 16% | 54% |
| Reconviction | 8% | 43% |
| Cost | $11,379 | $38,900 (state prison individuals) |

## OPD AND DRUG COURTS

The New Jersey Office of the Public Defender (OPD) represents approximately 90 percent of defendants that apply and participate in the Drug Court Program New Jersey throughout the 21 counties in the state, pursuant to N.J.S.A. 2C: 35-14. The OPD attorneys provide legal advice to non-violent offenders who plead guilty to, or are convicted of a felony charge.

**The OPD Drug Court Unit coordinates the activities of approximately 40 attorneys situated in all 21 counties of the state and conducts periodic training programs to ensure that the attorneys keep abreast of the most recent developments concerning the Drug Court Program.**

1. Integration of alcohol and other drug treatment services with justice system case processing;

2. Using a non-adversarial approach;

3. Eligible participants are identified early and promptly placed in DC program;

4. Provide access to a continuum of alcohol, drug, and other related treatment;

5. Monitored abstinence by frequent alcohol and other drug testing;

6. A coordinated strategy;

7. Ongoing judicial interaction with each drug court participant;

8. Monitoring and evaluation measure the achievement;

9. Continuing interdisciplinary education to promote effective drug court planning, implementation, and operations;

10. Forging partnerships among drug courts, public agencies, and community-based organizations.