

Sentencing Reform and Drug Courts

Legislative reforms that decrease sentences for drug offenses may have the unintended consequence of reducing drug court enrollment—defendants who no longer face lengthy prison terms may be less likely to elect to enter a drug court. The Center for Court Innovation can help states assess the impact of sentencing reforms on drug court enrollment and develop state-specific strategies for adapting to changing legal landscapes.

Assessment Methods

The Center for Court Innovation uses several methods to help states assess the impact of sentencing reforms on their drug courts:

Survey

An assessment typically begins with a statewide survey of drug courts. The survey gathers information related to legal and clinical drug court eligibility, screening and assessment procedures, program length and requirements, caseloads, and other relevant measures.

Caseload Analysis

When appropriate data is available, the Center assists in documenting changes in drug court caseloads that occur after implementation of sentencing reforms. Data fields include:

Referral Data

- Total number of defendants referred
- Total number of defendants referred who entered the drug court
- Reasons for non-participation (e.g. found ineligible, refused to participate, excluded for severe mental illness)
- Top arrest charge and severity for referred defendants

Enrollment Data

- Total number of participants enrolled
- Breakdown of participants' program status

- Reasons for program termination
- Top arrest charge and severity for participants

At a minimum, the Center for Court Innovation will compare caseloads from one year prior to sentencing reform to the six-month period following reform.

Interviews

Center for Court Innovation staff conducts interviews with court administrators, drug court staff, supervision officers, treatment providers, and other stakeholders to gain insights into the challenges and opportunities presented by sentencing reform.

Recommendations and Responses

The Center works closely with state officials to analyze the data gathered from this process and facilitates the development of strategic responses to sentencing reform that reflect the unique conditions, resources, and needs of each state. Strategies include modifications to eligibility, changes to treatment and supervision interventions, training for court staff and community partners, and other appropriate steps.

For More Information

Contact Aaron Arnold, Director of Treatment Court Programs at arnolda@courttinnovation.org or 646-386-3242.