

Policy Intervention for Criminalized Substance Use

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Abstract

This essay provides a discussion of the prevalence of substance abuse among the population of offenders in the criminal justice system. The lack of support and treatment options for this population is presented before two policy options are brainstormed that can address the issue at a county level. These include the establishment of a drug court as well as the establishment of a workforce program in which offenders with substance use disorder are released from incarceration and receive assistance in gaining employment. It is determined that the most effective and feasible option would be to develop a drug court within Prince Edward County. The policy proposal is drafted, which addresses the structure, mission, and potential funding of the program. There is a description of the methods which shall be used in order to gain support from stakeholders within the locality, followed by the presentation strategies which will be used to present the proposal to these stakeholders.

Keywords: Substance use disorder, drug court, workforce program, incarceration, Prince Edward County, policy proposal

Policy Intervention for Criminalized Substance Use

A large number of citizens experience the burden of addiction, which involves the inner battles that are taken on daily as well as the stigma and ridicule that they are faced with, as many do not understand the nature of the disorder. This population is ever increasing in not only size but demand for assistance and support. Numerous stakeholders are involved in the condition of this population, including families and children, the criminal justice system, and those who are at the mercy of the law as they are faced with drug-related charges. The response to these individuals who misuse and/or depend on illicit substances determines the fate of their recovery. Too many people struggle with addiction and the harm that is done to the essential aspects of their lives which provide purpose and motivation. People who are set apart from society and experience shame and stigma are likely to embrace that which sets them apart, whereas the individuals who have purpose and stability are less likely to fall back on negative coping mechanisms (Hari, 2015).

Various counties in Virginia have taken steps towards creating a more supportive system for this population. However, there is an abundance of localities which fall short in this movement. Existing solutions such as drug courts and employment services are proven to be extremely useful resources, however they do not exist everywhere and therefore are not available to all who are in need. Prince Edward County would greatly benefit from such services, as the population of individuals who face substance-related charges in the area are without these amenities that would help in their recovery.

Policy Options

Drug Court

One option that could be adopted by Prince Edward County is the establishment of a drug court, which would allow those being charged who have substance use disorder to receive a supervised and specific treatment plan. Drug courts take the offenders through a step-by-step process in which they are appointed to community services by judicial officials and case managers, and they have frequent hearings in which the progress of each offender is evaluated (Rempel et al., 2012). Officials of this court system receive training that is specific to substance use disorders, and this allows for the creation of a multidisciplinary team that can effectively address this social issue. A successful example of a newly established drug court is that which is located in Fairfax County, as it has been put in place on the basis that such programs have reduced recidivism by about 50 to 60 percent and generally save localities between \$5,600 to \$6,200 per offender (Fairfax County, 2018).

Enhance Occupational Opportunities

Another option for Prince Edward County would be to create a program that assists individuals who are recovering from substance use disorder in the process of becoming employed. With the ecological perspective, it is apparent that the ability for the people within this population to recover is affected by the corresponding aspects of each individual's unique environment (Jansson, 2018). Those who have criminal behavior and mental health diagnoses on their records can experience stigma and therefore have a harder time moving forward in a number of areas of their lives, one of those being the ability to establish an occupation. This stigma contributes to the marginalization of these individuals from the job market, and it is presented as a civil rights issue as a large portion of this population belongs to minorities (Johnson, 2017). A program could be set in place that would assist these individuals on a case by

case basis in the process of seeking out and applying for jobs, training, and maintaining employment by monitoring the adults in case of a relapse in behavior.

A program known as the National H.I.R.E. Network advocates for this population at a federal and state level by encouraging the reintegration of these individuals who have criminal records (LAC, 2020). It is estimated that the nation's gross product is reduced by about \$78-\$87 billion due to the exclusion of these citizens in the workforce (LAC, 2020). By implementing smaller programs at the county level that fight for the same cause, residents and localities would benefit socially and economically. Within these county-level programs, the use of criminal records in the hiring process should be challenged as it threatens the rights that are protected under the American's with Disabilities Act, as substance use disorder is often overlooked as a disability and these individuals are rejected unfairly (Johnson, 2017). Incentives for businesses to hire these citizens should be put in place, and the promotion of policies regarding anti-discrimination should be major parts of the mission of a local workforce program in Prince Edward County.

Comparison

Each of these policy options have their merits and downfalls, which help in determining which should be prioritized. Drug courts have proven to be highly cost effective, saving localities thousands of dollars per offender as they provide services that work as secondary or tertiary preventative measures, depending on the person's condition (Jansson, 2018). Studies have shown that drug courts effectively rehabilitate and create a significant decrease in the rate of recidivism among the participants (Gallagher, 2014). Reducing the likelihood of an individual to continue to use substances and commit crimes saves monetary resources because he or she has the

opportunity to support oneself and live an independent life rather than being supported by a jail or prison. On the other hand, the cost effectiveness of a workforce program is seen through the efforts put forth to keep this population in the workforce and generate a larger product among localities. It would be effective in lowering the rate of unemployment as well as providing purpose and structure in the lives of these recovering adults (Hari, 2015).

The values associated with each of these proposals are important factors to weigh because of the ethical principles that guide impactful social and political decisions. The establishment of a drug court in Prince Edward County displays an action to support social justice and fairness in these legal processes for those with substance use disorder, providing them the opportunity to recover from the disabling disorder rather than facing an unproductive punishment. The establishment of a workforce program also supports social justice, as it addresses the inequality of unemployed minorities who are at greater risk of substance use disorder (Johnson, 2017). This program also promotes self-determination as it pushes these individuals to take initiative in their lives and gain the ability to provide for themselves.

Each of these policy options would present challenges in the feasibility of creating new programs. Funding would have to go towards specialized training for all team members of the drug court, and other aspects of the process such as medical and psychological treatments, frequent drug testing, and necessary assessments contribute to the costliness of the development of a drug court. However it may be even less politically feasible to establish a workforce program, as there would be a need to obtain support from employers across the county in order to successfully achieve the desired outcome. This program is contingent upon the rights within the Americans with Disabilities Act and the steps that must be taken to correct the tendency for employers to disregard substance use disorder as a qualifying disability (Johnson, 2017). The

implementation of a drug court would likely be easier than that of a workforce program for recovering adults because there are rehabilitation facilities within the county than can be of use when assigning offenders to various treatments. While it would be ideal to have each of these policy options initiated, it would be the most feasible and sensible approach to begin with a program that works towards transitioning from a punishment-oriented response to a treatment oriented response to substance use disorder at the earlier stages. This works to prevent and lessen the need for a response to those who are further separated from society through having already received charges and served time.

Proposal Draft

With the creation of a drug court program as an addition to the Prince Edward County General District Court, a team shall be formed that receives training that is specific to dealing with those with substance use disorder. The ideal timeframe for an offender's involvement in the drug court system is between 18 and 24 months, in which he or she will receive necessary medical treatment, enrollment in a rehabilitation facility, behavioral and psychological therapy, drug testing, and further assessments. This program should focus on providing mental health and rehabilitative treatment to these adult offenders who have substance use disorder in order to diverge them from recidivism.

There are a variety of organizations in Virginia that provide grants to support individual and structural action towards recovery from addiction. The Bureau of Justice Assistance is a major example which provides funding for various levels of government to establish drug courts which meet specific standards (BJA, 2021). In order to access these funds, the application is to

be submitted to the Justice Grants System where there are frequent updates on available funding opportunities (BJA, 2021).

Seeking Support and Establishing Presentations

There are numerous stakeholders involved in the establishment of a drug court in Prince Edward County, one of these being the Prince Edward County Sheriff, who acknowledges drug awareness in his mission statement and would be a valuable constituent (Prince Edward County, n.d.). Much emphasis would be placed upon the financial benefits that would be reaped from this development, as crime rates would be reduced and proper treatment would lead to a much more productive society, preventing further necessity to support this population in the future. The objectives will likely be modest in the beginning in order to slowly educate and reshape the views of the audience on the importance of the issue and the need for change before its initiation (Jansson, 2018).

Support will need to be channeled from other stakeholders, such as rehabilitation facilities, the Prince Edward County judicial system, and families and other community members. The presentations made before these stakeholders will include visual and oral mediums which will provide key information regarding the population as well as draw on the emotions of the audience in order to reach those who can relate to or have experience with the issue (Jansson, 2018). Testimonies from those who have graduated from programs in other localities would be valuable speakers to advocate for the expansion of drug courts everywhere, and this can be provided in the form of a video, an in-person speech at a rally, or other viable methods. This program would be life-changing for the members of an enormous population, not

just within the county, but across the nation. In order to make a difference and assist this population, changes must begin at the lower levels.

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