

Cindy Ly

Tingen & Williams Scholarship

30 June 2019

### Treatment Programs for First-Time Drug Offenders

American sentencing laws and practices regarding the length of prison terms for first-time drug offenders impact millions of individuals, particularly low-income and African-American communities. Some people may agree that first-time drug offenders should be sentenced to jail, while others believe that they should be sentenced to treatment programs. I personally agree with the latter. I believe that non-violent drug offenders should be sentenced to treatment programs and community service instead of jail because addiction is a long-lasting health condition that can be cured (NIDA). First-time drug offenders are not committing crimes, they are suffering from addiction, so it is best to help them recover from it. This is why the U.S. criminal justice system were putting first-time drug offenders in jail instead of utilizing treatment programs would not solve the problem of addiction. Not only that it would not completely solve the addiction problems, but also lead to a high cost of incarcerating first-time drug offenders, and overall decrease the public trust and confidence in the justice system.

Some of the reasons that people do drugs are to fit in, to escape from a toxic environment, to rebel, or to imitate the behavior of celebrities and well-known athletes. Drug addiction is frustrating, and quitting usually takes effort and time. New Jersey is ranked as the 45<sup>th</sup> state on drug imprisonment (Brady), meaning that not many people are being incarcerated because of drugs. The state of New Jersey is very tough on drug offenses like possession, possession with intent to distribute, drug trafficking, and distribution, but they only have a 14% overdose rate (Brady). This is because New Jersey has a Pre-Trial Intervention (PTI) Program

designed for first-time drug offenders who need treatment instead of incarceration (Rosenblum). This program allows first-time drug offenders to receive counseling, psychotherapy, drug-abuse prevention education, employment training and placement, and supervised probation. By sentencing first-time drug offenders to treatment program similar to New Jersey's PTI program, it would give non-violent drug offenders opportunity to learn what it takes to stop using drugs and become integrated into society as a fully contributing member. It would help people more than harm by securing employment upon completion from the program (Rosenblum).

In addition to this treatment program, the court may also choose to assign first-time drug offenders a required community service project. In this way, we are not punishing first-time drug offenders, but giving them the opportunity to make a difference in the community. They also are proving to others that anyone can recover from addiction and substance abuse. There is a possibility of greater success if treatments are available for first-time drug offenders since there is a vision of the person they can be rather than punishing the person they've become.

It currently costs the state about \$53,000 to incarcerate an individual for one year, while treatment for drug abusers can cost less than \$2,500. Costs vary when treatment services are tailored to individual needs. One substance abuse treatment program does not work for everyone because the roots of addiction are different between individuals (*ACLU Massachusetts*). Providing first-time drug offenders treatment is worth more than incarcerating them. According to National Institute on Drug Abuse, drug abuse treatment was cost effective in reducing drug use in 2007. Treatment has been consistently shown to reduce the costs associated with crime and incarceration across states and populations. The largest economic benefit of treatment is seen in avoided costs of crime. As a taxpayer, I would rather see my tax money go to a community

development program than seeing it go to waste by punishing people instead of helping them recover from addiction.

Our justice system relies heavily on public support to perform its role in our government. Public trust in the judicial system is a precious commodity for the courts. Even though most people moderately believe in the judicial system, minorities tend to express less trust and confidence because of the assessment of fairness with court procedures (*National Center for State Courts*). Minorities are often sentenced at higher rates and receive longer sentences. Imprisonment will neither help these individuals recover from addiction nor make the community any safer because the same person would be arrested multiple times since their addictions haven't been helped time after time behind bars. The cycle would just keep repeating itself, and trust will continue to be lost.

Just a click of the handcuffs can take away first-time, non-violent drug offenders' citizenship rights for years to come. Drug addiction should not be considered a crime, but a disease instead. Quitting usually takes time and effort. First time drug offenders should be sentenced to treatment programs and community service instead because they will be receiving counseling, psychotherapy, Drug-Abuse Prevention Education, employment training, and supervised probation. They will be able to give back to the community and prove to others that they can recover from addiction. The largest economic benefit of treatment is seen in avoided costs of crime and housing for the incarcerated first-time drug offenders. The imprisonment will neither help this individual from addiction nor make the community any safer because the same person would be arrested multiple times since their addictions haven't been helped time after time behind bars. If our hope is really lasting change, we'll have greater success if we put our

energy into giving addicts a vision of the person they can be rather than punishing the person they have become. If the U.S. criminal justice system were to put first-time drug offenders into jail instead of treatment programs, it would not solve the problem of addiction, lead to a high cost of incarcerating first-time drug offenders, and overall decrease the public trust in the justice system.

## Work Cited

- “Addressing Opioid Addiction: Treatment, Not Jail.” *ACLU Massachusetts*, 31 July 2018, [www.aclum.org/en/addressing-opioid-addiction-treatment-not-jail](http://www.aclum.org/en/addressing-opioid-addiction-treatment-not-jail).
- Brady, Jessica. “More Imprisonment Does Not Reduce State Drug Problems.” *The Pew Charitable Trusts*, 8 Mar. 2018, [www.pewtrusts.org/en/research-and-analysis/issue-briefs/2018/03/more-imprisonment-does-not-reduce-state-drug-problems](http://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2018/03/more-imprisonment-does-not-reduce-state-drug-problems).
- NIDA. "Principles of Drug Abuse Treatment for Criminal Justice Populations - A Research-Based Guide." National Institute on Drug Abuse, 18 Apr. 2014, <https://www.drugabuse.gov/publications/principles-drug-abuse-treatment-criminal-justice-populations-research-based-guide>.
- “Public Trust and Confidence.” / *National Center for State Courts*, 18 Aug. 2010, [www.ncsc.org/Topics/Court-Community/Public-Trust-and-Confidence/Resource-Guide.aspx](http://www.ncsc.org/Topics/Court-Community/Public-Trust-and-Confidence/Resource-Guide.aspx).
- Rosenblum , Adam H. “Alternatives to Jail for First-Time Drug Offenders in New Jersey.” *Www.lawfirms.com*, Nolo, 25 July 2017, [www.lawfirms.com/legal-encyclopedia/alternatives-jail-first-time-drug-offenders-new-jersey.html](http://www.lawfirms.com/legal-encyclopedia/alternatives-jail-first-time-drug-offenders-new-jersey.html).