

Criminal offences drug addiction and crime criminology essay



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Drugs such as marijuana and cocaine and amphetamines and heroin together with drug-addiction are correlated to crime in a number of ways. Being a criminal offence to use, to be in possession, to produce, or to dispense these drugs, they are categorized as prohibited. The upshots of usage of drugs, including aggression, including robbery to obtain funds to acquire drugs, including aggression against competitor traffickers, affect the society every day and are criminal effects. A number of treatment alternatives are on hand to tackle inmates' requirements and conditions in the correctional system. Drug treatment programs in correctional centres most often than not are successful in averting patients' going back to unlawful behaviour, but are unsuccessful most often than not if they are not connected to community-centred programs that continue treatment when the patient leaves prison. The most successful drug treatments programs in prison have diminished the re-arrest rate by 25% to 50% (Belenko 33). The aim of correctional facilities such as prison is twofold; first, it punishes wrongdoers and secondly it rehabilitates criminals and individuals with deviant behaviour. The French philosopher Michel Foucault argued that punishment has changed over a period from instilling discipline in the body to instilling discipline in the soul. The rehabilitation of convicted criminals is an important facet of the contemporary criminal justice system. The criminal justice system nowadays is working to rehabilitate inmates and the prison rehabilitation programs vary in degrees, type, and form from prison to prison. In the past years, rehabilitation was focused straight at 'reforming the personality' of offenders, its aim now is on averting reoffending.

Prison program: Drug treatment

In a similar fashion, drug Treatment programs in Prison are designed to rehabilitate drug addicts in prison. For instance, the “ Delaware Model,” a continuing examination of wide-ranging treatment methods for prisoners who are addicted to drug abuse illustrates that prison-based treatment programs, work release therapeutic community, community-based aftercare and therapeutic community surroundings included; cuts the chances of re-arrest by 57 percent and cut the odds of relapsing into drugs by 37 percent. One quality essential for successful programs is progressing, wide-ranging aftercare in the society. This decreases the probability that an addict will be detained and found guilty another time (Thomas 16).

History of Drug Treatment:

- Using drug relates to violent crime (statistic)

Statistics show that drug addicts are more prone than nonusers to perpetrate crimes, which arrested criminals, are found often to be ‘ under the influence’ at the time they carried out the offence and that drugs breed violence. It is the weighing up the nature and degree of the effects of drugs on criminal activities that necessitate that dependable information about the crime, and the lawbreaker is accessible and meanings of terms be consistent. In the face of challenging data, it is not possible to establish quantitatively the influence of drug addiction on the happening of crime. Drugs are linked to most criminal activities through the outcomes they have on the addict’s actions and by breeding violence and other prohibited goings-on associated with drug trafficking. Drug-related crimes and the drug-using way of life play a key part in the U. S. crime issue. More than 50% of arrested criminals in

the US test positive for illicit drugs (Thomas 17). According to the same institute, use of and addiction on drug is strongly associated to robbery and assets crime more than it is to violent offences. A majority of addicts carries out crimes to obtain money to purchase drugs. According to the National Institute of Justice, at least 25% of men who carry out acts of domestic violence have drug problems and that drug-addicted women are more prone to suffering abuse (Thomas 18). The 2004 survey of Inmates in State and Federal penitentiaries found out that 32% of State convicts and 26% of Federal prisoners admitted to having committed the crimes they are serving time for under the influence of drugs. In State prisons, drug offenders and property offenders recorded the highest admission rates for being under the drugs influence when committing a crime at 44% and 39% respectively. In Federal penitentiaries, drug offenders (32%) and violent crimes convicts (24%) reported the highest occurrence of being under drugs influence when they committed their crimes.

Efforts to prevent drug abuse using retribution systems do not succeed since these attempts do no tackle the multifaceted basis of drug abuse, which start in the milieu of family issues and deviant conduct. Many go to prison. Few reform in prison.

- Cause Overcrowding in Prison

The vicious cycle of arrest, imprisonment, discharge, and re-arrest is very common. As indicated by various nationwide studies, more than half of the prison population test positive for illegal drugs (Taylor et al. 3-4). The U. S. state and federal prisons and jails hold approximately 1. 9 million convicts

(Beck and Harrison). This means that the major contribution of the high-prison population in the United States is drug abuse. Most of the inmates are finally released from the prisons to go back to the community. However, about six hundred thousand state and federal convicts are not returning to prison each year. A majority of those returning are drug addicts; therefore, keeping the cycle rolling.

Effectively cutting that cycle and related crime is largely dependent on successfully treating drug-abusing criminals. A number of treatment alternatives are on hand to tackle inmates' requirements and conditions in the correctional system. One such alternative program is the Drug Courts program. Drug Courts are judicially administered court dockets that deal with cases of nonviolent drug abusing lawbreakers under the juvenile, family, adult, and tribal justice structures. Drug Courts function under a specific mould in which the courts, prosecutors, defence bar, the police, mental health services, community services, and the treatment services work jointly to assist nonviolent lawbreakers find restoration in healing and turn into productive human beings. The essay analyses how the Drug Courts program can help reduce the number of ex prisoners who are being sent back to prison each year. It also analyses how the program helps reduce the population in the American prisons. The essay summarizes the general workings and usefulness of drug courts all over the country and underlines possible concerns and areas where additional study is required.

DRUG COURTS

In 1989, Florida officials set up the nation's pioneer drug court. This unique court was calculated to entrench drug treatment fully into the prison system and the criminal justice system in general. The courts were established for criminals with a past of drug abuse as a measure for their addiction treatment, while concurrently guaranteeing control, and approval when necessary, from the courts. The movement for a different court to rule on drug offenders come about from the swiftly sprouting truth that the nation's resolution to tackle drug abuse by employing law enforcement methods would keep on posing considerable problems for the criminal justice system. In 2004, 53% of prisoners incarcerated in state prison were identified as drug addicts or users, but merely 15% were getting professional help (Mumola and Karberg 7). Drug use and addiction linked criminal activities remain an expensive load to the American society, one that most prison drugs treatment programs have failed to halt. In 2001, the bureau of National Drug Control Policy approximated that in 1998 prohibited use of drug cost the exchequer \$31. 1 billion in criminal justice costs, \$30. 1 billion in lost output and \$2. 9 billion in costs connected to property damage and discrimination (Belenko 2).

Ever since 1989, drug courts have increased all over the country. Presently, there are more than 1, 500 Drug courts functioning in all states. This drug courts are a reflection of the aspiration to change the stress from trying to battle drug crimes by diminishing drugs supply to tackling the demand for drugs by treating drug craving. Drug courts employ the criminal justice system to tackle addiction by the use of an incorporated set of communal and legal services as an alternative to depending on sanctions through

imprisonment or probation. In spite of broad signs of drug court efficiency, more than twenty years after the first Drug court a number of questions linger. Since drug courts are planned and ran at the state level, there are deep-seated disparities that make cross-jurisdictional evaluation hard. While the underlying structure may be similar from one program to the next (a diversion program for particular types of low-level defendants who have shown a connection between their drug abuse or addiction and criminal acts), protocols for arbitration, detailed selection standards, ways of control and revocation measures do vary radically. The localism that is the system of drug court design makes efforts to make out best practices very hard. Nonetheless, we can make out explicit elements from diverse drug courts that are significant elements for the success of the program.

WORKING OF DRUG COURTS

Several elements determine the running of drug courts, albeit with disparity based on setting of the defendant population, legal questions etc. Below are a few elements universal to every drug court.

Legal Framework

There are commonly two approaches for drug courts i. e. deferred/delayed prosecution and post-adjudication programs. In a delayed prosecution, defendants who that meet some particular eligibility prerequisites are sidetracked to the drug court system before pleading to a charge.

Defendants are not obliged to plead guilty, and those who successfully see through the drug court program are not further prosecuted. However, if one does not complete the program, he or she is prosecuted. On the other hand, <https://assignbuster.com/criminal-offences-drug-addiction-and-crime-criminology-essay/>

in the post-adjudication approach, defendants are obliged to plead guilty to their charges but the ruling of their cases is deferred or left pending as they take part in the drug court program. Successful conclusion of the program earns the former user or addict in a waived sentence and occasionally an obliteration of the crime and the charges. However, if one does not successfully meet the standards of the drug court, for example, a routine return of drug abuse or addiction, they will be taken back to the criminal court to face the ruling on the guilty plea.

Eligibility Criteria

Eligibility standards differ from court to court. However, usually defendants have to be charged with being in possession of drugs or a nonviolent crime and must have positively tested for drugs or have proved drug abuse trouble during arrest (Fluellen and Trone 5). For drug courts that get federal financial support, there is a prerequisite to rule out persons with a present or previous violent crime record. However, this barring, whether by the state or federal rules, has been questioned as to whether it truly serves the interest of public safety as it is claimed to serve. Particularly, the classification of a violent crime at times may refer to merely being in possession of a weapon when one was arrested, even if it was not held, wielded, or put into use. In addition, individuals who are at present facing charges for a drug crime may be disqualified from admission into the drug court program owing to a past crime that is completely unrelated.

Programming and Sanctions

Programs characteristically run for a period between half and one year. However, some addicts stay longer in the program. Addicts and users must see through the whole program phase to graduate. Successful completion is dependent upon staying free of drugs and arrests for a specific period. Participants have to go to regular status hearings in front of a judge alongside judicial and medical staff who screen the development of every person. Sanctions including more court proceedings, drug tests and short stints in jails are enforced for participants who do not comply at the court's discretion.

ADVANTAGES OF DRUG COURTS

As noted earlier in this essay, the majority of adults and juveniles who are under arrest for criminal activities test positive for illicit drugs. As such, much of crime is drug or alcohol linked. However, imprisoned drug offenders do not obtain the handling they require, and will probably use drugs yet again and execute another crime once they are out of prison. That is where drug courts need arise.

Drug courts present a valuable option that blends justice and drug management. Drug addicts who are taking part in a drug court program undergo rigorous drug abuse management, individual case management, substance testing, administration, and supervision. The participants report to recurrently programmed status hearings in front of a judge who is skilled in the drug court programs. Drug courts offer psychological well being treatment, disturbance and family psychoanalysis, and work skills

instruction, which assist in ensuring a long-lasting healing from drug and alcohol dependence.

Drug courts programs surpass all other approaches that have been employed with drug-using offenders. Drug abuse and criminal activities are significantly diminished in cases where offenders are put through a drug court program. Since the drug court programs assess offenders for substance abuse frequently, data concerning substance abuse by offenders in a drug court program is accessible on a continual basis. The use of drugs by offenders is reduced considerably or eliminated altogether by drug programs nationally, and this in turns has lowered recidivism amongst graduates. Adult drug court programs considerably decrease crime rates by cutting down re-arrest and conviction rates amongst graduates of drug courts a long time after the program's conclusion. Individuals who have graduated from drug courts are, according to recent appraisals, less expected to be re-arrested than individuals routed through other prison mechanisms. Results from drug court assessments show that involvement in drug courts upshots, in fewer re-arrests and re-convictions, or more extended periods between arrests or relapses. A breakdown of study findings from 76 drug courts established that there is a 10% decline in re-arrest, with pre-adjudication courts occasioning a 13% drop in re-arrest (Aos, Miller and Drake 4)

Drug courts are very cost efficient. Several fresh studies have demonstrated that saved costs vary from \$3, 000 to \$12, 000 per offender (Belenko, 2005, 45). According to Fluellen and Trone (1), depending on the magnitude of a

drug court program, the cost saved in some states goes beyond \$7 million annually.

Many courts are using the drug court mould to repeal 'driving under the influence' and 'driving while intoxicated' cases. This is being done either by employing selected driving while intoxicated courts or by accommodating offenders into conventional grown-up drug courts. 'Driving under the influence' courts are holding offenders responsible for their actions at the same time as treating the fundamental drug abuse issues and stimulating behavioural transformation. Drug courts have also been very useful to juvenile offenders.

Lastly, the drugs courts, in addition to saving cost, frees up the justice system and enables their departments resourcefully apportion criminal justice funds. Personnel and services, hitherto used up by the minor and less severe but prolonged drug cases which are now taken care by the drug court programs, are presently concentrated to other serious cases and to criminals who pose bigger threats to the society security and well being. The caseloads taken up by the drug court programs allow more docket time for the justice system's judges and are therefore, on hand for other criminal and civil matters in various jurisdictions. Previously, these serious criminal and civil cases were relegated to inferior precedence owing to drug related caseload. The programs have also freed jail space, and it is now being used to accommodate serious and dangerous criminals or to guarantee they serve their times.

After more than two decades of drug courts operation, various studies show that many drug courts reduce recidivism and save the taxpayer's funds.

Figures from many studies carried out in more than ninety-five courts expose that former offenders who have graduated from drug courts program are re-arrested less than other prison program groups (Belenko, 44). The decline in re-arrest rates is the main contributor to cost-savings reported for most drug courts (Belenko, 44).

CONCLUSION & RECOMMENDATIONS

Studies up to date have been consistently reporting that that drug courts are accomplishing significant benefits. However, there practices, though mostly unfamiliar, which cause accomplishment or breakdown of a drug court. Of huge interest is the argument that drug courts might be escalating the quantity of individuals under arrest for drug crimes, rather than decrease, in the long term, the quantity of individuals who go through the criminal justice system. Studies have not yet zeroed in on the establishment of whether individuals who are taken through drug courts would have ended up in the criminal justice system and consequently into the conventional prison programs if not for the drug court. The use of drug courts should be used in a large scale to solve the twin problem of drugs and crime and that of overpopulation in our prison system.