

Policy Statements & Resolutions

Resolution 3

Urging Federal Funding Entities to Allocate Drug Court Funds Through the Highest Judicial Authority of States and Territories

WHEREAS, drug courts have proven to be the most effective strategy for reducing drug use and criminal recidivism among criminal offenders with substance abuse and addiction and reuniting families broken by drug dependency; and

WHEREAS, the Bureau of Justice Assistance, the Office of Juvenile Justice Programs, the Center for Substance Abuse Treatment and the Substance Abuse and Mental Health Services Administration have in the past supported local drug court operations via direct competitive grants; and

WHEREAS, in 2000 the Conference of Chief Justices and the Conference of State Court Administrators adopted a joint resolution in support of the advancement of problem-solving courts; and

WHEREAS, through the efforts of the National Association of Drug Court Professionals (NADCP), the National Drug Court Institute, the National Center for State Courts and others, drug court research has resulted in many areas of consensus regarding the best practices for drug courts; and

WHEREAS, the associated State Drug Court Coordinators are responsible for overseeing the implementation of these best practices at the state level in each of the states and territories; and

WHEREAS, the State Drug Court Coordinators recently met and unanimously recommended that federal funds be increased and allocated in a new way to best achieve effective, cost-efficient and fair drug courts; and

WHEREAS, federal funding directed on a formula basis to a state-level drug court oversight entity designated by the highest judicial authority of the state or territory will allow states and territories to achieve the following goals:

- They will be able to implement and ensure adherence to operational standards for all drug courts;
- They will be able to monitor compliance with evidence based and best practices;
- They will be better able to plan the growth and expansion of drug courts;
- They will be better able to provide equal access in all parts of their state or territory;
- They will be better able to protect the due process and equal protection rights of drug court participants;
- They will be better able to gather data to inform future policy, funding and research initiatives;
- Drug courts will be more accountable for their operations and use of funds; and
- Federal funds will be more efficiently used.

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators:

1. Request an opportunity to meet with the administrators of the appropriate federal agencies for the purpose of advancing the merits of drug courts and other problem solving courts, encouraging the expansion of drug courts and other problem solving courts, and seeking the administrators' active support for increased federal funding; and
2. Support the \$250 million federal funding initiative of the NADCP; and
3. Encourage federal funding entities to identify and set aside a portion of appropriated funds for training, technical assistance, and research, and designate the majority of the funds for allocation to the states and territories for the maintenance, establishment, expansion and enhancement of local drug courts; and
4. Strongly encourage these federal entities to require the highest judicial authority of each state and territory to designate a state-level drug court oversight entity as a single point of contact for funding drug courts, and then to allocate the operational funds to the states and territories through these points of contact.

Adopted as proposed by the CCJ/COSCA Problem-Solving Courts Committee at the CCJ/COSCA Annual Meeting in August 2009.