

# GAO Highlights

Highlights of [GAO-23-105272](#), a report to congressional requesters

## Why GAO Did This Study

In 2022, 107,477 Americans died from drug overdoses, according to Center for Disease Control and Prevention's provisional data. In March 2021, GAO added national efforts to prevent, respond to, and recover from drug misuse to its high-risk list. Drug courts are specialized court programs that aim to serve offenders with substance use disorders. The 2022 National Drug Control Strategy states that alternatives to incarceration such as drug courts can enhance long-term public safety, reduce recidivism, and save tax-payer dollars.

As of December 2019, there are nearly 1,700 drug courts focused on adults with substance use disorders in the United States. Nearly \$60 million in federal grant funding supported these courts in fiscal year 2020.

GAO was asked to review adult drug court eligibility and cases in which individuals have declined to participate in adult drug courts. This report describes (1) eligibility for participation in local and tribal adult drug court programs supported by DOJ grants, and (2) factors that affect individuals' acceptance of offers to participate in adult drug court programs.

GAO assessed BJA data, interviewed BJA officials and subject matter experts, and conducted case studies with five local and tribal adult drug courts and focus groups with 44 adult drug courts. The findings are not generalizable, but provide insight into selected adult drug court operations.

View [GAO-23-105272](#). For more information, contact Triana McNeil at (202) 512-8777 or [mcnelt@gao.gov](mailto:mcnelt@gao.gov).

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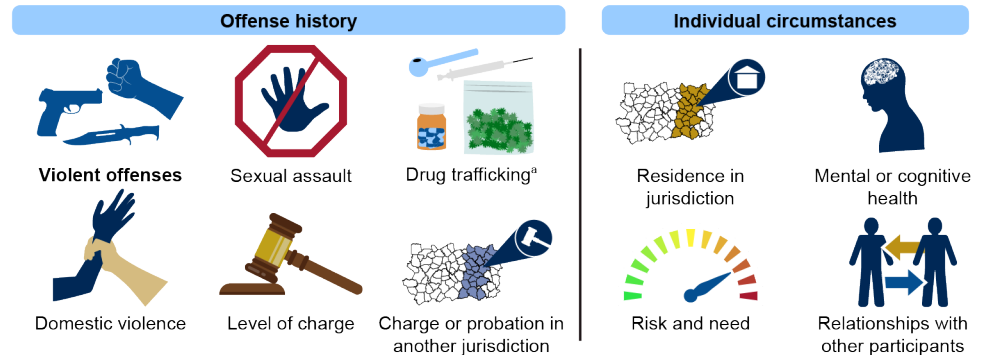
## ADULT DRUG COURT PROGRAMS

### Factors Related to Eligibility and Acceptance of Offers to Participate in DOJ Funded Adult Drug Courts

## What GAO Found

The Department of Justice's (DOJ) Bureau of Justice Assistance (BJA) provides grants to implement and enhance adult drug court programs. Drug courts work to divert individuals with substance use disorders from the criminal justice system by offering services for treatment and rehabilitation, and incentives to encourage participation, such as dismissal of charges or reduction in jail time for successful completion. In administering the BJA grants, local and tribal adult drug court programs consider a variety of factors when deciding whether to deem an individual eligible for participation in their program. Among other factors, many adult drug courts participating in GAO's focus groups reported using risk assessment tools to identify and target their services to individuals who are addicted to illicit drugs or alcohol and at a substantial risk for reoffending. Adult drug courts may also consider individuals' mental and cognitive health needs, and may not accept individuals if their needs exceed the ability of the court to address them. Finally, courts may limit eligibility to individuals residing within the court's jurisdiction. Stakeholders in GAO's focus groups and case studies also identified barriers to enrollment in adult drug courts based on the nature of individuals' offenses. For example, local adult drug courts may prohibit participation by individuals with specific types of offenses such as, sexual assault or domestic violence. Further, adult drug courts funded by DOJ grants are prohibited by law from using grant funding to include individuals with prior or current violent offenses in their programs.

#### Factors that May be Used by Local and Tribal Adult Drug Courts to Determine Eligibility



Source: GAO analysis. | GAO-23-105272

A variety of factors affect eligible individuals' decisions to participate in adult drug court programs. Reasons individuals may choose to enroll in adult drug court include avoiding jail time, receiving a reduction or expungement of charges, and having the motivation to overcome substance use disorders. Stakeholders from adult drug courts participating in GAO's focus groups stated that it is rare that eligible individuals decline adult drug court offers. However, some individuals may choose not to participate because more attractive alternatives are available to them, such as traditional probation or other less rigorous programs. In addition, barriers such as access to stable housing and transportation may result in individuals opting not to participate.