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FACT SHEET

IMPLEMENT DRUG TREATMENT DIVERSION PROGRAMS

DIVERSION PROGRAMS ARE COST-EFFECTIVE, REDUCE OVERCROWDING, AND GIVE JUDGES TOOLS TO PROTECT THE PUBLIC

INDIVIDUALS CONVICTED OF MINOR DRUG POSSESSION DO NOT CONSTITUTE A THREAT TO PUBLIC SAFETY BUT OCCUPY A SIGNIFICANT NUMBER OF PRISON BEDS.

Drug offenders often receive little or no treatment to address substance abuse problems while incarcerated. As a result, many frequently return to drug use upon release, contributing to the state's high recidivism rate and, in turn, prison overcrowding. Furthermore, felony convictions often bar individuals from certain state and federal benefits, including assisted housing and student loans; this loss of services removes the safety net that is preventing these individuals from sinking further into addiction and criminal activity.

TREATMENT WILL REDUCE CRIMINAL BEHAVIOR; IT SHOULD BE USED EARLY AND OFTEN.

Recovery is a long and difficult process for most drug abusers. Successful rehabilitation policies must protect the ability of individuals to learn from their mistakes rather than cause them to lose everything and be sent to prison for relatively minor infractions. Diverting these individuals from the punitive criminal justice process onto a treatment path allows the state to more directly address substance abuse problems without imposing overly harsh punishments. According to the National Institute of Corrections, treatment programs can produce up to a 15% decrease in criminal behavior.

TREATMENT IS SIGNIFICANTLY MORE COST-EFFECTIVE THAN INCARCERATION.

Each dollar spent on treatment saves the state \$7 in other criminal justice and public welfare expenses, according to the National Association of Substance Abuse/Drug Abuse Directors. Other states that have implemented treatment diversion programs have enjoyed enormous savings. For instance, California's Proposition 36 saved the state over \$173 million, or \$2,861 per offender treated, during its first 30 months of operation. This translated into a savings of \$2.50 per dollar spent, according to an official cost-analysis report by the state's Health and Human Services Agency in 2006. In Maryland, the cost of incarceration was 5 times greater than for treatment (at \$20,000 and \$4,000 annually per offender, respectively), according to the state's Commission on Criminal Sentencing Policy. Arizona, the first state to pass a comprehensive drug diversion program, diverted 2,622 offenders and saved over \$2.5 million in the first year of its program, according to a report by the Arizona Supreme Court.

TEXAS SHOULD IMPLEMENT A TREATMENT DIVERSION PROGRAM FOR DRUG OFFENDERS WHO DO NOT COMMIT HEINOUS CRIMES.

Individuals convicted up to 3 times for drug-possession offenses should be diverted by judges to substance abuse treatment programs rather than incarcerated. However, judicial discretion should be exercised to direct such offenders directly to incarceration if they commit a heinous crime (like murder or a sex-related crime), or if a preponderance of evidence indicates that they represent a threat to public safety or are not amenable to successful rehabilitation.