



American Academy of Addiction Psychiatry (AAAP)

CRIMINAL JUSTICE SYSTEM AND SUBSTANCE USE DISORDER TREATMENT POLICY

Introduction

Intoxication and substance dependence are associated with a large portion of criminal acts. Substance use disorders, consequently, are widespread among those arrested as well as those in jail and prison populations. In addition, the prevalence of co-occurring severe psychiatric disorders is also very high for both male and female detainees with substance use disorders. Despite the high prevalence of these disorders, addiction treatment is completely unavailable, or severely limited, in many correctional facilities. Moreover, where addiction treatment is offered, it often does not include psychiatric assessment or treatment. Available evidence strongly suggests that treatment effectiveness is substantially enhanced by adequate support, continued treatment, and monitoring after release from a correctional facility.

Policy Statement

1. Substance use disorder treatment is a more appropriate intervention than incarceration for non-violent drug offenders. Non-violent drug offenders should be diverted to treatment programs while being monitored through intensive probation through drug courts, or other means, instead of expensive and less effective incarceration.
2. Provision of treatment for inmates of jails and prisons whose convictions mandate confinement, should also be provided during their incarceration when clinically appropriate for associated substance use disorders.
3. Provision of substance use disorder treatment following incarceration should be available and mandated for all people with substance use disorders who are on probation. Support, treatment, and monitoring after release should be available in order to help prevent relapse and re-offending. It is particularly important that efforts be made to assist inmates who are being released to obtain addiction treatment and continuing care services after release.
4. Many inmates also have other forms of psychiatric illness in addition to substance use disorders that require adequate access to diagnostic evaluation and comprehensive treatments directed toward all existing disorders. Screening and treatment for psychiatric disorders among those with substance use disorders should occur as a routine part of addiction treatment. The full range of addiction and psychiatric treatment services should be made available to inmates and to probationers, including appropriate pharmacotherapy.

Background

Many members of AAAP participate in the delivery of treatment to patients involved with the criminal justice system. This is the first formal policy statement from AAAP concerning the critical need for treatment of substance use disorders as an alternative to incarceration within the criminal justice system. AAAP recognizes the importance to U.S. society of current initiatives to provide appropriate medical treatment as a cost-effective and humane alternative to incarceration alone. This view is increasingly shared with recent state legislation in California and New Mexico to mandate treatment as an alternative to incarceration for non-violent drug offenders.

Approved by AAAP Board of Directors: December 2002

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