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Federal Support for Drug Courts: In Brief

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Summary

Over the last several decades, the United States has shifted its formal drug policy from a punishment-focused model toward a more comprehensive approach that focuses on prevention, treatment, and enforcement. The proliferation of drug courts in the American criminal justice system is a response to this more comprehensive approach. These specialized court programs are designed to divert certain defendants and offenders away from traditional criminal justice sanctions such as incarceration while reducing overall costs and helping these individuals with substance use or misuse issues.

Drug courts present an alternative to the traditional court process for some criminal defendants and offenders—namely those who are considered nonviolent and are known to misuse drugs and/or alcohol. While there are additional specialized goals for certain types of drug courts, the overall goals of adult and juvenile drug courts are typically to reduce recidivism and substance misuse among nonviolent offenders. Drug court programs may exist at various points in the justice system, but they are most often employed postarrest as an alternative to traditional criminal justice processing.

The federal government demonstrates support for the drug court model primarily through financial support of drug court programs, federal drug courts, research, and various drug court initiatives. For example, each year, the U.S. Department of Justice (DOJ) and the U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Administration (SAMHSA) distribute grants to states and localities to support the creation and enhancement of drug courts. In FY2026, federal funding for drug court grants was approximately \$196 million.

Policymakers may debate whether drug courts are an effective tool for addressing substance misuse among the justice-involved population. Policy options include, but are not limited to, adjusting federal funding for drug courts and research on these programs. Further, Congress may consider whether to maintain the exclusion of violent offenders from most drug court programs, or, alternatively, broaden the pool of eligible offenders that may participate in DOJ-funded drug court programs to include some violent offenders. Congress made an exception to this exclusion for veteran treatment court programs.

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Introduction

Over the last several decades, the United States has shifted its formal drug policy from a punishment-focused model toward a more comprehensive approach that focuses on prevention, treatment, and enforcement. In issuing the first *National Drug Control Strategy* (hereinafter, “*Strategy*”), the George H.W. Bush Administration recognized prevention and treatment efforts, and also emphasized drug enforcement:

In short, legalizing drugs would be an unqualified national disaster. In fact, *any* significant relaxation of drug enforcement—for whatever reason, however well-intentioned—would promise more use, more crime, and more trouble for desperately needed treatment and education efforts.¹

The Bush Administration’s *Strategy* stated that effective street-level enforcement meant “dramatically increasing the number of drug offenders arrested.”² The year the *Strategy* was released (1989) was also the year the first drug court was created in Florida, and these alternative justice programs have since expanded across the country. The most recent *Strategy*, issued by the Trump Administration in 2026, describes a comprehensive, “whole-of-government” approach to the nation’s drug issues and devotes equal focus to public safety and public health objectives.³ This comprehensive model is similar to those issued by the past several Administrations as the country has confronted major drug issues, including an opioid epidemic.

The proliferation of drug courts in American criminal justice is a response to growing support for a comprehensive approach. Broadly, these specialized court programs are designed to divert some individuals away from traditional criminal justice sanctions such as incarceration. Many drug courts offer a treatment and social service alternative for those who otherwise may have faced traditional criminal sanctions for their offenses. In some drug courts, individuals that have been arrested are diverted from local courts into special judge-involved programs; these courts are often viewed as “second chance” courts. Other drug court programs offer reentry assistance after an offender has served his or her sentence. Published research suggests that these courts may help save on overall criminal justice costs, provide treatment for defendants/offenders with substance disorders, and help offenders avoid rearrest.⁴

This report explains (1) the concept of a “drug court,” (2) how the term and programs have expanded to include wider meanings and serve additional subgroups, (3) how the federal government supports drug courts, and (4) research on the impact of drug courts on offenders and court systems. In addition, it briefly discusses how Congress might refine the federal government’s approach to supporting drug courts and whether they provide an effective avenue for addressing existing and emerging drug issues.

¹ The White House, *National Drug Control Strategy*, September 5, 1989, p. 7, <https://www.ojp.gov/pdffiles1/ondcp/119466.pdf>.

² *Ibid.*, p. 24.

³ The White House, *National Drug Control Strategy*, 2026, pp. 5-6, <https://www.whitehouse.gov/wp-content/uploads/2026/05/National-Drug-Control-Strategy-2026-1.pdf>.

⁴ See discussion of research later in this CRS report, and various research cited by the National Institute of Justice (NIJ), *Overview of Drug Courts*, July 2020, <https://nij.ojp.gov/topics/articles/overview-drug-courts>.

What are Drug Courts?

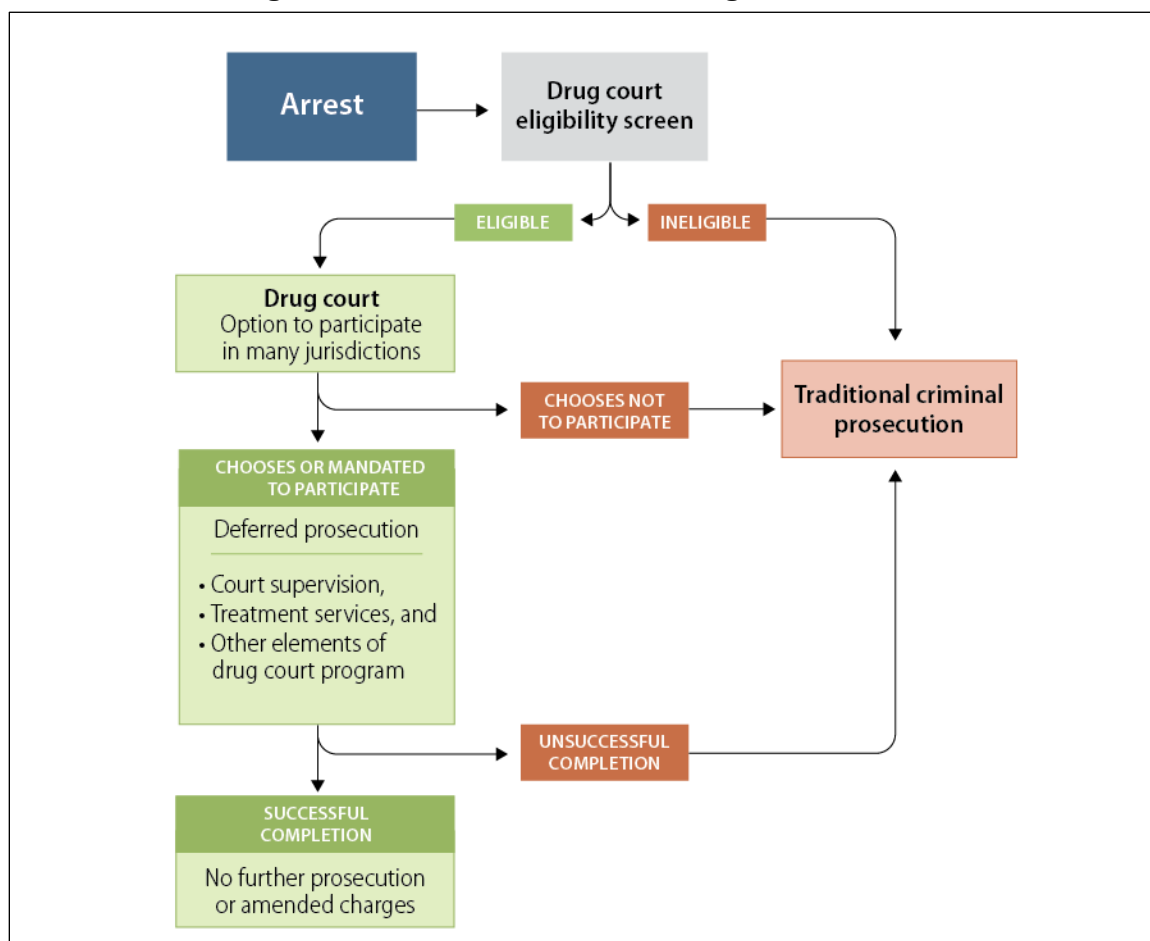
The term *drug courts* refers to specialized court programs that present an alternative to the traditional court process for certain criminal defendants⁵ and offenders.⁶ Traditionally, these individuals are first-time, nonviolent offenders who are known to misuse drugs and/or alcohol. While there are additional specialized goals for different types of drug courts (e.g., veterans drug courts, tribal drug courts, and family drug courts), the overall goals of adult and juvenile drug courts are to reduce recidivism and substance misuse.⁷

Drug court programs may exist at various points in the justice system, but they are often employed postarrest as an alternative to traditional criminal justice processing. **Figure 1** illustrates a deferred prosecution, pretrial drug court model where defendants are diverted into drug court *prior* to pleading to a criminal charge. In many drug court programs, participants have the option to participate in the program.

⁵ *Defendants* are individuals who have been charged with committing an offense for which they have not yet been convicted or found not guilty.

⁶ *Offenders* are individuals who have been convicted of an offense.

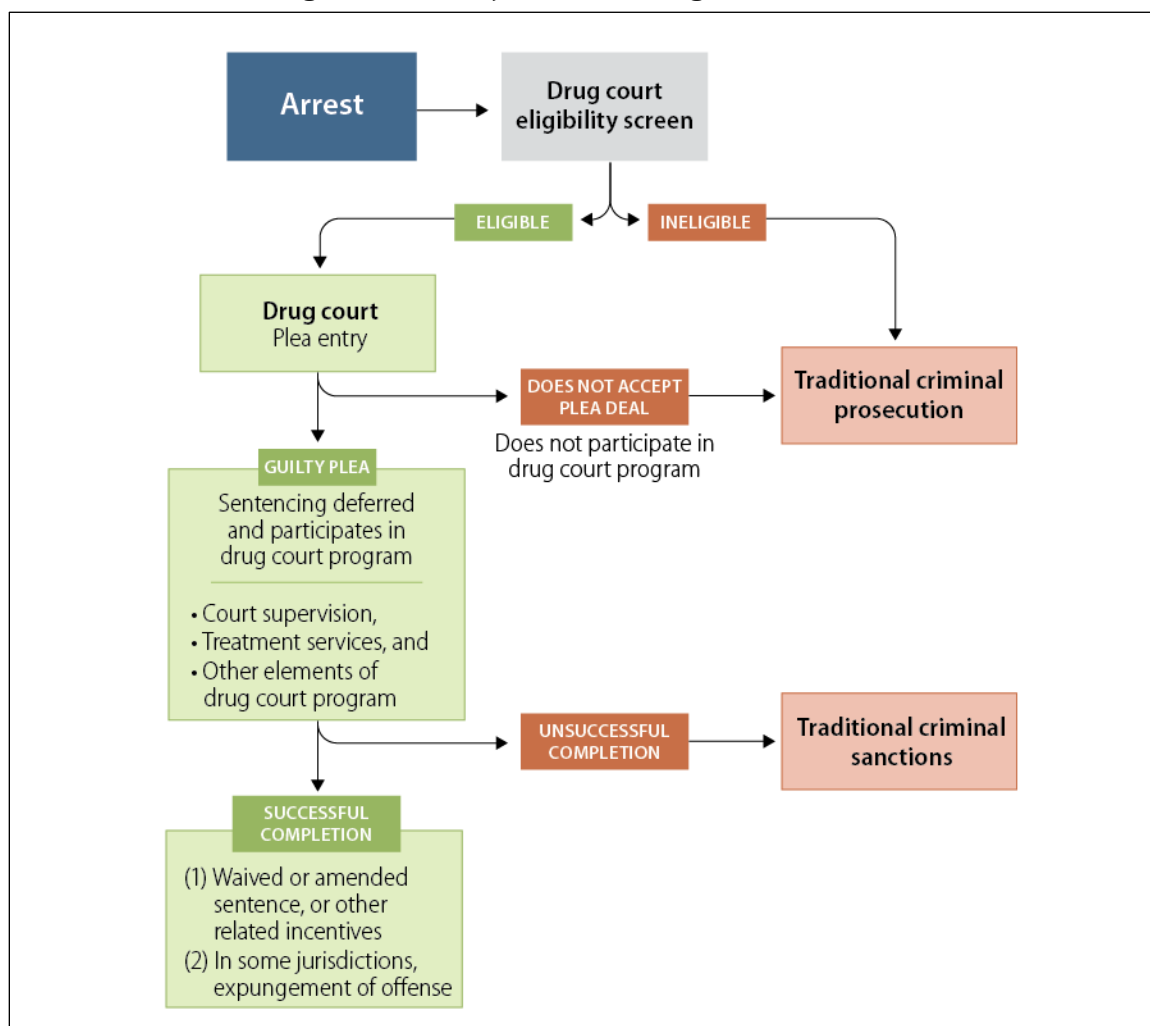
⁷ This report generally refers to “substance misuse” and “substance disorders” as issues that drug court programs aim to address. Some drug court programs may broadly address “substance misuse” while others specifically refer to “substance use disorders.” The American Public Health Association (APHA) generally describes “substance misuse” as the use of illegal drugs *and* the inappropriate use of legal substances; see APHA, *Substance Misuse*, <https://www.apha.org/topics-and-issues/substance-misuse>. According to the National Library of Medicine, National Center for Biotechnology Information, a “substance use disorder” occurs “when the recurrent, problematic use of alcohol or drugs causes clinically significant impairment, including health problems, disability, and failure to meet major responsibilities at work, school, or home”; see National Library of Medicine, National Center for Biotechnology Information, *2022 National Healthcare Quality and Disparities Report*, October 2022, <https://www.ncbi.nlm.nih.gov/books/NBK587176/>.

Figure 1. Deferred-Prosecution Drug Court Model

Source: CRS illustration of pretrial, deferred-prosecution drug court model.

Notes: The defendant does not have to enter a plea to charges under this drug court model. For an example of a pretrial model involving a deferred prosecution drug court program, see the 2025 Florida Statutes, Title 48, Section 948.08 and Title 29, Section 397.334. Of note, counties in Florida also offer post-adjudication options.

Figure 2 illustrates a postadjudication model where defendants must plead guilty to charges (as part of a plea deal) in order to participate in the drug court program. Upon completion of this type of program, their sentences may be amended or waived, and in some jurisdictions, their offenses may be expunged.

Figure 2. Postadjudication Drug Court Model

Source: CRS illustration of postadjudication drug court model.

Notes: For an example of a postadjudication model involving a guilty plea by the offender, see the Ada County (ID) Drug Court Program, <https://adacounty.id.gov/judicial-court/district-court/drug-courts/>.

These diagrams illustrate two common models of drug courts, but other models (or variations on the above) have been developed around the country. For example, some drug court referrals may come as a condition of probation. Many drug courts, including some federal drug court programs, are actually reentry programs that assist recently released prisoners with substance misuse disorders with reentering the community while receiving treatment.

While drug courts vary in their operations and target population, they generally have a comprehensive model involving

- offender screening and assessment of risks and needs,
- judicial interaction,
- monitoring (e.g., drug and alcohol testing) and community supervision,

- graduated sanctions and incentives, and
- treatment and rehabilitation services.⁸

Drug courts are usually managed by a multidisciplinary team of individuals including judges, prosecutors, defense attorneys, community corrections officers, social workers, and substance treatment professionals.⁹

Drug courts typically utilize a multiphase approach including stabilization phases, treatment, and transition phases. Stabilization phases may include a period of crisis intervention, initial treatment assessment and planning, and additional screening for other needs such as housing. Treatment typically involves counseling and other therapy, and may involve prosocial and life skills learning. The transition phases and recovery management may emphasize a variety of reintegration components including social integration (e.g., peer support groups), employment, education, and housing.¹⁰

Expansion and Evolution of Drug Courts

A group of criminal justice professionals established the first drug court in Florida in 1989; they are credited with sparking a national movement of problem-solving courts that address specific needs and concerns of certain types of offenders.¹¹ There are nearly 4,000 drug courts (of various types) operating in the United States.¹² Drug courts have evolved over time and some focus on specialized groups including veterans, juveniles, and college students. Many other drug courts are hybrid courts and address issues beyond drug misuse including mental health and alcohol-impaired driving. In some ways, the term *drug courts* appears to be used as a catch-all phrase for specialized programs for defendants and offenders with substance use disorders (as well as co-occurring mental health disorders) at various points in the criminal justice process.

Federal Drug Courts

While the Judicial Conference of the United States has long opposed the creation of specialized federal courts,¹³ there has been growing support within the federal court system and the U.S. Department of Justice (DOJ) for reentry programs that incorporate some features of drug courts.¹⁴

⁸ U.S. Department of Justice (DOJ), NIJ, *Overview of Drug Courts*, July 2020, <https://nij.ojp.gov/topics/articles/overview-drug-courts>.

⁹ DOJ, Office of Justice Programs (OJP), *Drug Treatment Courts*, May 2025, <https://www.ojp.gov/pdffiles1/nij/238527.pdf>.

¹⁰ AllRise, *Adult Treatment Court Best Practice Standards*, January 2026, https://allrise.org/wp-content/uploads/2026/01/All-Rise_Adult-Treatment-Court-Best-Practice-Standards_January-2026-4.pdf; and DOJ, OJP, Bureau of Justice Assistance (BIA), *Defining Drug Courts: The Key Components*, Drug Courts Resource Series, NCJ 205621, October 2004.

¹¹ Florida Courts, *Drug Courts*, 2026, <https://www.flcourts.gov/Services/Problem-Solving-Courts/problem-solving-court-types/drug-courts>.

¹² DOJ, OJP states there were 3,881 drug courts operating in the United States as of May 2025. See DOJ, OJP, *Drug Treatment Courts*, May 2025, <https://www.ojp.gov/pdffiles1/nij/238527.pdf>.

¹³ See, for example, Administrative Office of the U.S. Courts (A.O. Courts), *Report of the Proceedings of the Judicial Conference of the United States*, September 1986, p. 60, and September 1990, p. 82, <https://www.uscourts.gov/administration-policies/governance-judicial-conference/reports-proceedings-judicial-conference-us>. Also, information on federal court operations was provided to CRS from A.O. Courts through correspondence on April 1, 2016.

¹⁴ Steven E. Vance, "Federal Reentry Court Programs: A Summary of Recent Evaluations," *Federal Probation*, vol. 75, no. 2 (September 2011); and DOJ, *Deputy Attorney General James M. Cole Speaks on Alternatives to Incarceration Program: the Use of "Drug Courts" in the Federal and State Systems*, Justice News, May 21, 2012, (continued...)

While some federal district courts have created special programs for drug-involved offenders that are sometimes referred to as “drug courts,” they are largely reentry programs that manage an inmate’s reintegration to the community. A few federal drug court programs, however, provide offenders with “front end” diversion programs.¹⁵ There have been questions about the effectiveness of drug court programs at the federal level due to the nature of federal crimes and the individuals who are arrested for allegedly committing them.¹⁶

Federal district courts fund these specialized programs from decentralized allotments¹⁷ given to the districts for general treatment and supervision of offenders.¹⁸ As federal district courts have budget autonomy, they may elect to establish these specialized court programs.¹⁹

Of note, in 2017 the President’s Commission on Combating Drug Addiction and the Opioid Crisis recommended that DOJ establish a federal drug court in every federal judicial district.²⁰ As described above, it is up to judges and the courts to decide whether to create and operate a drug court program. Neither the Administrative Office of the United States Courts nor DOJ has published an official count of the number of federal drug court programs.

Federal Drug Courts and the 21st Century Cures Act

Enacted in 2016, Section 14003 of the 21st Century Cures Act (the Cures Act; P.L. 114-255) required DOJ to establish a pilot program to establish and assess the effectiveness of federal drug and mental health courts. Within one year of enactment, DOJ, with assistance from the Administrative Office of the United States Courts and the United States Probation Offices, was required to establish a pilot program in at least one U.S. judicial district²¹ that will divert certain offenders with mental illness or intellectual disabilities from federal prosecution, probation, or prison and place the offenders in these specialized courts.²²

Veterans Treatment Courts

Postdeployment, many veterans face unique challenges in readjusting to civilian life,²³ and these challenges may contribute to involvement with the criminal justice system. According to the

<https://www.justice.gov/opa/speech/deputy-attorney-general-james-m-cole-speaks-alternatives-incarceration-program-use-drug>.

¹⁵ Joseph Dule et al., “Assessing the Impact of Federal Support Court Using Propensity Score Analysis,” *Federal Probation*, vol. 85, no. 3 (December 2021).

¹⁶ DOJ, *Report to Congress on the feasibility of federal drug courts*, June 2006.

¹⁷ Governance, including the budget, of the federal judicial system is decentralized. After Congress and the Administration enact appropriations for the Judiciary, funding is then distributed to federal court units. For more information, see A.O. Courts, *Understanding the United States Judiciary’s National Budget Process*.

¹⁸ Currently, there are no specific funding data for these programs.

¹⁹ Conversation between CRS and A.O. Courts on April 1, 2016.

²⁰ The President’s Commission on Combating Drug Addiction and the Opioid Crisis, *Final Report*, November 1, 2017, p. 11, https://trumpwhitehouse.archives.gov/sites/whitehouse.gov/files/images/Final_Report_Draft_11-15-2017.pdf.

²¹ Before making a designation, the Attorney General must (1) obtain the approval of the U.S. Attorney and chief judge for the judicial district being designated, and (2) determine that the judicial district being designated has adequate behavioral health systems for treatment.

²² Based on CRS correspondence with A.O. Courts in January 2018, this pilot program was still in the planning stages in 2018. CRS could not locate publicly available information on these projects, and is unable to confirm whether either pilot program was ever created.

²³ For information regarding substance use and mental health issues affecting veterans, see National Institutes of Health, National Institute on Drug Abuse, *Drug Facts: Substance Use and Military Life*, <https://nida.nih.gov/publications/drugfacts/substance-use-military-life>.

Bureau of Justice Statistics' (BJS') 2016 Survey of Prison Inmates, approximately 7.9% (107,400) of the total imprisoned population in the United States²⁴ are veterans.²⁵ For approximately 10.6% (11,131) of incarcerated male veterans, the controlling offense²⁶ that led to their imprisonment was a drug offense, and for approximately 2.4% (2,550), their most serious offense was driving while intoxicated or impaired.²⁷ Older BJS survey data indicate that 43% of veteran state prisoners and 46% of veteran federal prisoners had met the criteria for drug dependence or abuse in 2004, as opposed to 55% of nonveteran state prisoners and 45% of nonveteran federal prisoners.²⁸ While veterans in state prisons reported lower levels of past drug use than nonveterans, a larger percentage of veterans (30%) than nonveterans (24%) reported a "recent history of mental health services."²⁹

In 2008, the first veterans court was created in Buffalo, NY, in response to the combined mental health and substance misuse treatment needs of justice system-involved veterans.³⁰ These court programs are a hybrid model of drug treatment and mental health treatment courts, and since FY2013 have had a federal grant program focused on their establishment and development.³¹ As of May 2025, there were approximately 582 veterans treatment courts. Most of these programs are locally operated court programs, but there are several federal veterans court programs as well.³²

Federal Support for Drug Courts

DOJ, SAMHSA, and the Office on National Drug Control Policy (ONDCP) support the drug court model primarily through financial support of drug court programs, research on drug courts, and various drug court initiatives. As discussed, some federal district courts also elect to run federal drug court programs.

²⁴ Excluding military-operated facilities.

²⁵ Laura M. Maruschak et al., *Veterans in Prison*, DOJ, Bureau of Justice Statistics (BJS), NCJ 252646, March 2021, <https://bjs.ojp.gov/content/pub/pdf/vpspi16st.pdf>. These are the most recent data available from BJS.

²⁶ According to BJS, for sentenced and unsentenced prisoners with one offense, the controlling offense is that offense. For sentenced prisoners with multiple offenses and sentences, the controlling offense is the offense with the longest sentence. For sentenced prisoners with multiple offenses and one sentence, and for unsentenced prisoners with multiple offenses, the controlling offense is the most serious offense. Violent offenses are the most serious, followed by property, drug, public-order, and all other offenses.

²⁷ Based on CRS analysis of 2016 BJS data.

²⁸ Margaret E. Noonan and Christopher J. Mumola, *Veterans in State and Federal Prison, 2004*, BJS, NCJ 217199, May 2007, pp. 5-6, <https://bjs.ojp.gov/document/vsfp04.pdf>.

²⁹ Mental health services include an overnight stay in a hospital, use of a prescribed medication, or treatment by a mental health professional.

³⁰ Office of National Drug Control Policy (ONDCP), *Veterans Treatment Courts*, Fact Sheet, December 2010, <https://obamawhitehouse.archives.gov/ondcp/ondcp-fact-sheets/veterans-treatment-courts>.

³¹ For more information about mental health courts, see Council of State Governments Justice Center, *Mental Health Courts*, <https://csgjusticecenter.org/projects/mental-health-courts/>.

³² DOJ, OJP, *Drug Treatment Courts*, May 2025, <https://www.ojp.gov/pdffiles1/nij/238527.pdf>. For an example of a federal veterans court, see the program created in the Eighth Judicial District of Montana: U.S. Probation and Pretrial Services, District of Montana, *Veterans*, <https://www.mtp.uscourts.gov/veterans>; and DOJ, *Veterans Court Now Available for Vets Charged with Federal Crimes in Montana*, March 26, 2015, <https://www.justice.gov/usao-mt/pr/veterans-court-now-available-vets-charged-federal-crimes-montana>. See also information on the Veterans Diversion Court in the Southern District of California: United States Pretrial Services, Southern District of California, *Veterans Diversion Court*, <https://www.caspt.uscourts.gov/veterans-diversion-court>.

Adult Treatment Court Grant Program

The primary federal grant program that supports drug courts is the Adult Treatment Court Grant Program (formerly called the Drug Court Discretionary Grant Program),³³ a competitive grant program administered by DOJ's Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA). State, local, and tribal governments, as well as state and local courts themselves, are eligible for these grants to establish and enhance drug courts for nonviolent offenders with substance misuse issues.³⁴ See **Table 1** for a five-year history of DOJ appropriations for DOJ drug court grants³⁵ and Veterans Treatment Court Grant Programs.

Table 1. Enacted Funding for DOJ Drug Court Grant Programs and Veterans Treatment Court Grants, FY2022-FY2026

(dollars in millions)

	FY2022	FY2023	FY2024	FY2025	FY2026
DOJ Drug Court Grants	\$88.0	\$95.0	\$89.0	\$89.0	\$86.0
Veterans Treatment Court Grants	\$29.0	\$35.0	\$32.0	\$32.0	\$32.0

Source: Amounts taken from the following appropriations laws enacted for FY2022–FY2024 and FY2026: P.L. 117-103, P.L. 117-328, P.L. 118-42, and P.L. 119-74. The FY2025 amount reflects full-year continuing resolution amounts for these programs (see P.L. 119-4).

Notes: Amounts for drug court grant programs and veterans treatment court programs are itemized under “comprehensive opioid abuse reduction activities” in appropriations laws. DOJ drug court grant programs funding includes funding for the Adult Treatment Court, Juvenile Drug Treatment Court, and Family Treatment Court grant programs.

Most drug courts funded through the Drug Court Program may not use federal funding and matched funding to serve violent offenders. Offenders may be characterized as “violent” according to current or past convictions as well as current charges.³⁶ Of note, an exception to the

³³ 34 U.S.C. §§10611-10619. The Adult Treatment Court Grant program was first authorized under Title V of the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322). It has been reauthorized twice: first, under the 21st Century Department of Justice Appropriations Authorization Act (P.L. 107-273), and second, under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (P.L. 109-162). It was amended by the Comprehensive Addiction and Recovery Act of 2016 (CARA; P.L. 114-198).

³⁴ For more information on this program and how grant funds are used, see the program description and grant solicitations available at <https://bja.ojp.gov/program/adult-treatment-court-program/overview>.

³⁵ DOJ drug court grant programs funding includes funding for the Adult Treatment Court, Juvenile Drug Treatment Court, and Family Treatment Court grant programs. See the “Other DOJ Grants” section. Funding figures do not capture *all* federal support for drug courts. For example, grantees of the Edward Byrne Memorial Justice Assistance Grants (JAG) Program *may* use grant funding for drug court purposes, but those amounts are not included in this report.

³⁶ Under 34 U.S.C. §10613, the term “violent offender” means a person who “(1) is charged with or convicted of an offense that is punishable by a term of imprisonment exceeding one year, during the course of which offense or conduct—(A) the person carried, possessed, or used a firearm or dangerous weapon; (B) there occurred the death of or serious bodily injury to any person; or (C) there occurred the use of force against the person of another, without regard to whether any of the circumstances described in subparagraph (A) or (B) is an element of the offense or conduct of which or for which the person is charged or convicted; or (2) has 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.”

For the purposes of juvenile drug courts, the term “violent offender” means a juvenile who has been convicted of, or adjudicated delinquent for, a felony-level offense that “(1) has as an element, the use, attempted use, or threatened use of physical force against the person or property of another, or the possession or use of a firearm; or (2) by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.”

violent offender restriction is made for veterans treatment courts that are funded through the Adult Treatment Court Grant Program.

Grants for Veterans Treatment Courts

BJA administers the Veterans Treatment Court Program³⁷ using funds specifically appropriated for this purpose (see amounts in **Table 1**). As mentioned, these amounts are *not* subject to the violent offender exclusion.³⁸ The purpose of the Veterans Treatment Court Program is “to reduce the use of opioids, stimulants, and other substances, including alcohol, by high-risk/high-need veterans involved in the criminal justice system.”³⁹ Grants are awarded to state, local, and tribal governments to fund the establishment and development of veterans treatment courts. While the Veterans Treatment Court Program had already been part of OJP’s Adult Treatment Court Grant Program for several years, the Comprehensive Addiction and Recovery Act of 2016 (CARA; P.L. 114-198) specifically authorized DOJ to award grants to state, local, and tribal governments to establish or expand programs for qualified veterans,⁴⁰ including veterans treatment courts, peer-to-peer services, and treatment, rehabilitation, legal, or transitional services for incarcerated veterans. FY2026 funding for veterans treatment courts also included \$4 million for a “national center for veterans justice.”⁴¹

Based on a review of program activity at the Department of Veterans Affairs (VA), VA does not offer funding for veterans treatment courts; however, VA operates a Veterans Justice Outreach (VJO) program,⁴² which provides outreach and linkage to VA services for justice system-involved veterans, including those involved with veterans courts or drug courts.

Other DOJ Grants

Other DOJ grants are specifically designed, or may be used, for drug court purposes as well. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) administers both the Family Treatment Court Program and Juvenile Treatment Court Program. According to BJA, family treatment courts “serve parents who require treatment for a substance use disorder and who are involved with the child welfare system because of child abuse, neglect, or other parenting issues.”⁴³ Juvenile drug treatment courts are specifically meant for youth involved in the juvenile

³⁷ BJA states that these programs connect veterans who come in contact with the justice system to treatment for substance use disorders, mental health disorders, co-occurring mental health and substance use disorders, post-traumatic stress disorder, and traumatic brain injury.

³⁸ Congress did not make this exclusion for veterans treatment programs (34 U.S.C. Subtitle I, Chapter 101, Subchapter XXXIII) as they did in the authorization for drug court programs (34 U.S.C. Subtitle I, Chapter 101, Subchapter XXX). See also the most recent competitive grant announcement for the Veterans Treatment Court Program: DOJ, OJP, BJA, *BJA FY25 Veterans Treatment Court Program*, <https://www.ojp.gov/funding/docs/bja-2025-172484.pdf> and *Frequently Asked Questions (FAQ): Violent Offender Prohibition*, March 2023, <https://www.ojp.gov/library/publications/frequently-asked-questions-faq-violent-offender-prohibition>.

³⁹ Ibid.

⁴⁰ CARA defines a qualified veteran as a preliminarily qualified offender who served on active duty in any branch of the Armed Forces, including the National Guard or Reserves, and was discharged or released from such service under conditions other than dishonorable, unless the reason for the dishonorable discharge was attributable to a substance abuse disorder.

⁴¹ See P.L. 119-74, 140 Stat. 33.

⁴² For more information about the VJO program, see <https://department.va.gov/homeless/veterans-justice-programs/veterans-justice-outreach/> and https://www.ptsd.va.gov/understand/related/justice_system_vets.asp.

⁴³ See DOJ, OJP, Office of Juvenile Justice and Delinquency Prevention (OJJDP), *OJJDP FY25 Juvenile Drug Treatment Court Program*, p. 10, <https://www.ojp.gov/funding/docs/OJJDP-2025-172515.pdf>. As of the cover date of this report, this is the most recent grant solicitation for this program.

justice system who have substance use disorders or have co-occurring substance use and mental health disorders.⁴⁴ Like the Adult Treatment Court Grant Program, grantees of these programs may not use funds to serve violent offenders.

The Edward Byrne Memorial Justice Assistance Grants (JAG)⁴⁵ and Juvenile Accountability Block Grants (JABG),⁴⁶ may be used to fund drug courts. One of the broader purpose areas of the JAG program is to improve prosecution and courts programs as well as drug treatment programs. The JABG program includes a designated purpose area to establish juvenile drug courts. Of note, the last time JABG received an appropriation was in FY2013.

Grants in Other Federal Agencies

The federal government supports drug court programs via other departments and agencies as well. For example, SAMHSA administers grants that support drug courts.⁴⁷ As of 2026, the purpose of these grants is to expand substance use disorder treatment and recovery support services in existing drug courts.⁴⁸ ONDCP, under its Other Federal Drug Control Programs account, offers drug court training and technical assistance grants, as well as support for other initiatives.⁴⁹

Table 2. Non-DOJ Funding for Drug Courts, FY2022-FY2026

(dollars in millions)

	FY2022	FY2023	FY2024	FY2025	FY2026
SAMHSA Drug Court Grants	\$74.00	\$74.00	\$74.00	\$64.91	\$75.00
ONDCP Drug Court Grants	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00

Source: Final enacted funding data taken from the annual operating plans for SAMHSA, see SAMHSA, *SAMHSA Budget Archive*, <https://www.samhsa.gov/about/budget/archive>. For ONDCP funding for drug courts, see P.L. 117-103, P.L. 117-328, P.L. 118-47, P.L. 119-4, and P.L. 119-75.

Notes: In appropriations documents, SAMHSA funding for drug courts falls under the more general appropriations line item, “criminal justice activities.”

Impact of Drug Courts

Jurisdictions utilize drug courts to treat individuals’ substance use disorders, lower recidivism rates for drug-involved offenders, and lower costs associated with processing these defendants and offenders. Since the inception of drug courts, a great deal of research has been done to

⁴⁴ For more information on the Juvenile Treatment Court Program, see OJJDP, *Juvenile Drug Treatment Courts*, <https://ojjdp.ojp.gov/programs/juvenile-drug-treatment-courts>.

⁴⁵ For more information on the JAG program, see CRS In Focus IF10691, *The Edward Byrne Memorial Justice Assistance Grant (JAG) Program*.

⁴⁶ For more information on the JABG program, see CRS Report R44879, *Juvenile Justice Funding Trends*.

⁴⁷ SAMHSA supports drug courts under the broader category of criminal justice activities.

⁴⁸ See U.S. Department of Health and Human Services (HHS), SAMHSA, *Grants to Expand Substance Abuse Treatment Capacity in Adult and Family Treatment Drug Courts*, <https://www.samhsa.gov/grants/grant-announcements/ti-22-010>.

⁴⁹ For more information, see Executive Office of the President, ONDCP, *Information & Resources*, <https://www.whitehouse.gov/ondcp/information-resources/>.

evaluate their effectiveness and their impact on offenders, the criminal justice system, and the community. Much of the research yields positive outcomes.⁵⁰

The National Institute of Justice, through its CrimeSolutions.gov evaluation program, has reviewed published research on 13 drug court programs and found that 9 of them were “promising” while 4 were “effective.”⁵¹ Positive outcomes included lower recidivism and lower costs, but programs had different measures of success according to the specialized nature of the program and the intended outcome.⁵² For example, one family drug court program evaluation reported that parent participants were more likely to have their children returned, more likely to experience a permanency-planning outcome, and less likely to have their parental rights terminated, among other positive outcomes.⁵³ One group of researchers examined the impact of a drug court over 10 years and concluded that treatment and other costs associated with the drug court (investment costs)⁵⁴ were \$1,392 less per defendant or offender than investment costs of traditional criminal justice processing. In addition, savings due to reduced recidivism (outcome costs) for drug court participants were more than \$79 million over the 10-year period.⁵⁵ A collaboration of researchers conducted a five-year longitudinal study of 23 drug courts from around the United States and found that drug court participants were significantly less likely than nonparticipants to relapse into drug use and participants committed fewer criminal acts than nonparticipants after completing the drug court program.⁵⁶ States have also evaluated their drug court programs. For example, in a 2022 report, Maryland stated that adult treatment court programs saved more than \$21.4 million for the state over two years and reduced the number of rearrests for program participants.⁵⁷

Still, some are skeptical of the impact of drug courts. Among other critiques of the drug court model,⁵⁸ the Drug Policy Alliance (DPA)⁵⁹ has argued that drug courts help only offenders who

⁵⁰ DOJ, NIJ, Do Drug Courts Work? Findings from Drug Court Research, <https://nij.ojp.gov/topics/articles/do-drug-courts-work-findings-drug-court-research>; and Douglas B. Marlowe, Painting the Current Picture: A National Report on Drug Courts and Other Problem-Solving Court Programs in the United States, June 2011.

⁵¹ CRS identified these evaluations by searching for “drug court” on CrimeSolutions.gov (using the courts tab) on September 8, 2026. The search provided 13 program evaluations of drug court programs that were posted by the National Institute of Justice from 2011 to 2022.

⁵² NIJ has not posted recent evaluations of these programs and is reportedly changing its evaluation methods. See NIJ, *Update on Changes Coming to CrimeSolutions*, <https://crimesolutions.ojp.gov/update-changes-coming-crimesolutions>. Also, see results from the Multisite Adult Drug Court Evaluation funded by NIJ and conducted by the Urban Policy Institute, Justice Policy Center, RTI International, and the Center for Court Innovation; see <https://nij.ojp.gov/topics/articles/nij-multisite-adult-drug-court-evaluation>

⁵³ For the full program profile and evaluation outcomes, see NIJ, *Program Profile: Family Drug Treatment Court (Snohomish County, WA)*, May 8, 2018, <https://crimesolutions.ojp.gov/ratedprograms/family-drug-treatment-court-snohomish-county-wa>.

⁵⁴ These include costs associated with arrest, booking, court, jail, and probation.

⁵⁵ Michael W. Finigan et al., *The Impact of a Mature Drug Court over 10 Years of Operation: Recidivism and Costs*, NPC Research, Final Report, April 2007.

⁵⁶ For a summary of and various publications discussing the Multisite Adult Drug Court Evaluation (2012) funded by NIJ and conducted by the Urban Institute, Justice Policy Center, RTI International, and the Center for Court Innovation, see <http://www.nij.gov/topics/courts/drug-courts/Pages/madce.aspx>.

⁵⁷ NPC Research, *Maryland Statewide Evaluation of Adult Treatment Courts: Outcome & Cost Key Findings Report, Final Report*, <https://www.courts.state.md.us/sites/default/files/import/opsc/dtc/pdfs/evaluationsreports/mdstatewideatckeyfindings2022.pdf>.

⁵⁸ For other critiques of drug court programs, see Douglas B. Marlowe, “Drug Courts: The Good, the Bad, and Misunderstood,” in *Handbook of Issues in Criminal Justice Reform in the United States* (2021), pp.637-658; and Bryana CHavis, “Are Drug Courts Truly Beneficial?,” *Social Work Review*, December 26, 2025.

⁵⁹ The Drug Policy Alliance is a national advocacy group that advocates for drug law reform.

are expected to do well and do not truly reduce costs. The DPA also has criticized drug courts for punishing those with more intractable substance misuse problems because drug courts dismiss those who are not able to abstain from substance use.⁶⁰

Selected Issues for Congress

Support for Drug Courts and Drug Court Research

Even though most of the early research on drug courts suggests they are a promising approach for defendants and offenders with drug problems, criticisms of the model persist and policymakers may debate whether drug courts are an effective tool in the package of federal efforts to address drug misuse and addiction among the justice-involved population. Policy options include, but are not limited to, adjusting federal funding for drug courts and research on these programs, expanding or contracting federal drug court programs, and amending DOJ drug court programs to possibly include a broader group of offenders, among other potential changes.

Drug Court Inclusion of Violent Offenders

As discussed, recipients of DOJ drug court grants, with the exception of veterans treatment court grants, must exclude violent offenders;⁶¹ however, some argue that drug courts should be an available alternative for violent offenders. In a recent study, a group of researchers reviewed a series of studies on drug courts and examined the differences in recidivism between justice-involved individuals enrolled in drug treatment courts with and without violent offending histories. Their findings indicate that violent offenders may benefit from drug court participation. At the same time, researchers acknowledge that more robust studies that examine longitudinal differences in recidivism outcomes among programs with differing eligibility criteria and include factors beyond recidivism rates (such as impact on local crime rates), especially those programs that have expanded their eligibility criteria, are needed. Researchers in this study acknowledge that “resources, funding, and safety concerns are factors commonly used to rationalize the exclusion of violent offenders from drug court programs.”⁶²

Substance misuse and crime have long been linked,⁶³ and diversion and treatment may assist some individuals in avoiding criminal behavior. Congress may maintain the exclusion of violent offenders from DOJ drug court grants, or it may consider broadening the pool of eligible offenders that may participate in these programs to include certain violent offenders.

⁶⁰ Drug Policy Alliance, *Drug Courts are Not the Answer: Toward a Health-Centered Approach to Drug Use*, March 2011.

⁶¹ Under 34 U.S.C. §10613, a “violent offender” means a person who “(1) is charged with or convicted of an offense that is punishable by a term of imprisonment exceeding one year, during the course of which offense or conduct—(A) the person carried, possessed, or used a firearm or dangerous weapon; (B) there occurred the death of or serious bodily injury to any person; or (C) there occurred the use of force against the person of another, without regard to whether any of the circumstances described in subparagraph (A) or (B) is an element of the offense or conduct of which or for which the person is charged or convicted; or (2) has 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.”

⁶² Brooke Haney et al., “Drug Court for Violent Offenders: A Review of Recidivism Outcomes,” *Crime & Delinquency*, vol. 0, no. 0 (2025).

⁶³ See BJS, *Drug and Crime Facts*, <https://bjs.ojp.gov/drugs-and-crime-facts>.

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