

# Substance Use among Justice-Involved Populations

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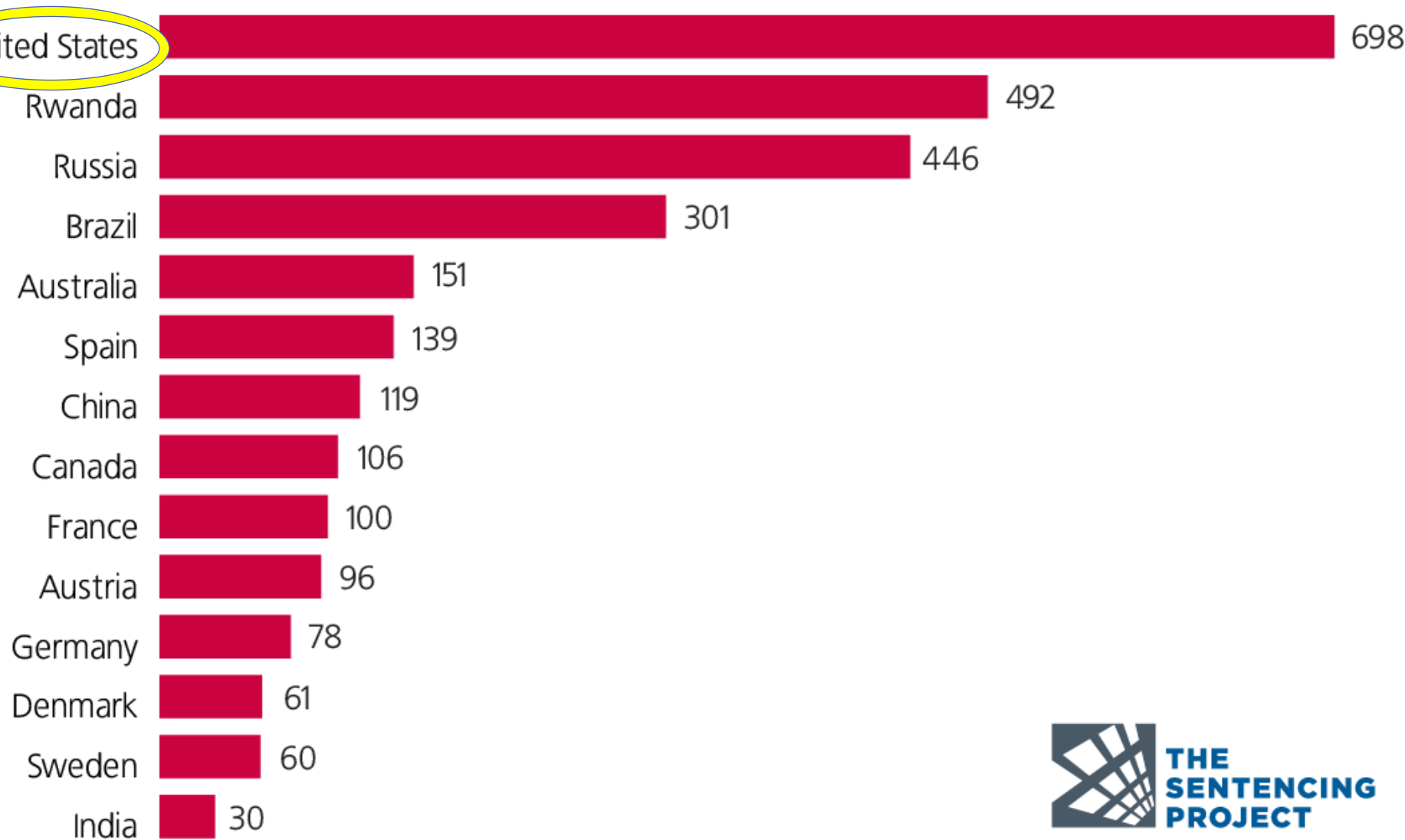
# Disclosures

- ❖ Neither I nor any members of my immediate family have a financial interest/arrangement or affiliation that could be perceived as a real or apparent conflict of interest related to the content or supporters of this activity.

# Learning Objectives

- ❖ Understand the interaction between substance use and criminal legal system involvement
- ❖ Learn evidence-based approaches to treat substance use with justice-involved clients and barriers to using these approaches

# International Rates of Incarceration per 100,000



Source: Walmsley, R. (2015). *World Prison Brief*. London: Institute for Criminal Policy Research. Available online: <http://www.prison-studies.org/world-prison-brief>

# The U.S. Correctional Population

- ❖ Almost 12 million people enter correctional facilities each year
  - ❖ 1 in 47 adults under correctional supervision in 2020
- ❖ 95% of all people in jail eventually released back into the community
- ❖ 62% rearrested within 3 years of release, 71% within 5 years



# Substance Use among Justice-involved Populations

- ❖ Jails have become one of the largest providers of behavioral health care in the nation
- ❖ 63% of people incarcerated in jails meet criteria for a substance use disorder, compared to 5% of the general adult population

# Mechanisms: From substance use to crime

- ❖ Substance use increases initial justice system involvement
  - ❖ Intoxication
    - ❖ Pharmacological effects of a substance prompt illegal behavior
    - ❖ 40% of people report using drugs at the time of their offense
- ❖ Supporting addiction
  - ❖ 21% of crimes are committed to obtain drugs
- ❖ Antisocial environments
  - ❖ People who use substances are exposed to situations that involve crime (e.g., violence during drug trafficking)

# Substance use after release from incarceration

- ❖ More severe substance use problems increase risk for relapse post-release, which increases risk for arrest
- ❖ For opioids, abstinence during incarceration reduces tolerance and contributes to fatal and non-fatal overdose post-release



# Substance Use Treatment for Justice-involved Populations

- ❖ Effective intervention approaches for SUD among justice-involved people:
  - ❖ Motivational Interviewing
  - ❖ CBT for substance use
  - ❖ Contingency Management
  - ❖ Medication assisted treatment
    - ❖ Methadone most effective

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  - ❖ Medication assisted treatment
    - ❖ Methadone most effective
  - ❖ Drug Courts
  - ❖ Therapeutic communities (that begin during incarceration and extend post-release)

# Treatment is Needed but not Received



❖ **BUT**, up to **62%** of arrested people do not receive behavioral health services

❖ Why?

# Stigma

**substance use**



**mental illness**

**criminal record**

**poverty**

# Common stereotypes about substance use and criminal involvement

- ❖ Untrustworthy/unreliable
- ❖ Dangerous/unpredictable/violent
- ❖ Weak-willed, lacking in self-control
- ❖ Having contagious diseases/unhygienic
- ❖ Immoral/have poor character
- ❖ Unlikely to recover/unmotivated/lazy
- ❖ Incompetent
- ❖ Secretive/liars
- ❖ Different from me
- ❖ To blame for their problems (addiction is a choice)

**Stereotypes are worse for pregnant women, parents who use drugs, people who inject drugs, and people who are justice-involved, people who commit sex offenses**

# Impacts of stigma

**Structural barriers**



**Anxiety,  
depression,  
shame,  
stress**

**Social  
rejection**

**Avoidance,  
withdrawal, isolation**

# Barriers to Treatment in the Legal System

- ❖ Criminal justice systems sometimes lack evidence-based substance use treatment
  - ❖ A recent review of 34 reentry interventions showed that 21 provided substance use treatment whereas 13 facilitated connections to treatment
  - ❖ Of the 21 interventions providing treatment, only 12 identified an evidence-based approach

# Barriers to Treatment in the Legal System

- ❖ Criminal justice systems sometimes lack evidence-based substance use treatment
  - ❖ A recent review of 34 reentry interventions showed that 21 provided substance use treatment whereas 13 facilitated connections to treatment
  - ❖ Of the 21 interventions providing treatment, only 12 identified an evidence-based approach
- ❖ Cost of treatment and staff level of training are cited as common barriers
- ❖ Contingency management
  - ❖ Criminal justice staff, especially probation officers, may be reluctant to provide material rewards to people on probation



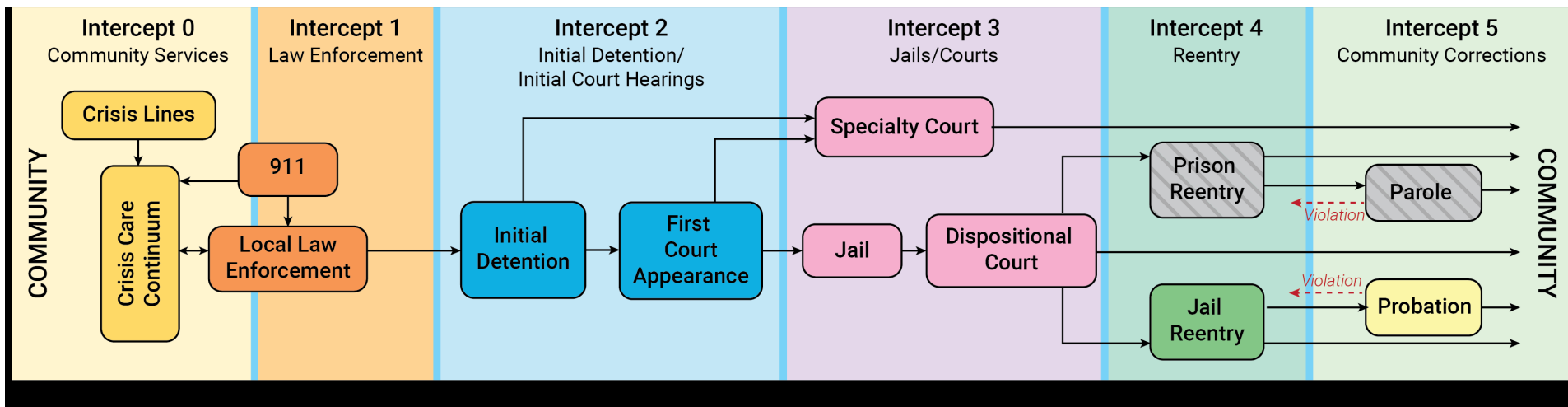
# Barriers to MOUD in the Legal System

- ❖ Administrative opposition to medications
  - ❖ Stigma toward MOUD and substance use disorder among correctional staff and administrators
    - ❖ Methadone viewed as a drug used to get high, that it doesn't constitute recovery
- ❖ Logistical issues, including security concerns
- ❖ Regulations (e.g., becoming a licensed opioid treatment provider or partnering with one)
- ❖ Concerns about diversion

# Motivation for Treatment

- ❖ Legal coercion (i.e., treatment, or else threat of incarceration) is used frequently in the legal system
- ❖ Predictors of engaging in court-mandated treatment:
  - ❖ Longer potential incarceration time if treatment is not completed
  - ❖ Family court case pending result of treatment engagement
- ❖ Most at risk of not completing mandated treatment
  - ❖ age (being younger), identifying heroin as primary drug of choice, more extensive criminal history

# Effective SUD Treatments for Justice-Involved Populations



# Conclusions

- ❖ People with substance use disorders are likely to have legal system involvement
- ❖ There are many effective treatments for SUD, but a variety of barriers prevent their implementation in the legal system, including stigma, cost of treatment, and motivation to engage in treatment

Questions?

