



BEGINNING WITH SECOND CHANCES:

Background on Drug Courts in the United States



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By Jason Pye

Executive Summary

The harsh sentencing policies of the 1980s and 1990s that states adopted in an effort to fight crime led to tremendous growth in prison populations. Naturally, the cost of corrections soared as prison populations began to grow, with little return on public safety. States have, however, increasingly, and rightly, shifted to view drug addiction as an issue that can be addressed through diversion programs and drug treatment rather than incarceration. Drug courts, which guide qualifying individuals toward programs and treatment instead of incarceration, have been integral in this shift.

Drug courts have existed for more than 30 years, but in the past decade or so have become a prominent way to address low-level, nonviolent drug offenses. With federal support, states have created drug courts that come with stringent requirements on the participant, including participation in drug testing, drug treatment, and education programs, as well as repayment of any restitution. A failure to meet the established requirements can result in incarceration.

These and other specialized courts are a less costly way to address drug offenses. Graduates are less likely to use drugs and commit subsequent crimes. Additionally, drug courts have a demonstrated cost savings when compared to incarceration.

This issue brief offers educational background on drug courts and the benefits to public safety that these courts have demonstrated. It also offers examples from two traditionally Republican states, Texas and Georgia, which have implemented drug courts and diversion programs as alternatives to incarceration.

This issue brief is being written at a unique moment in time. The backdrop is the COVID-19 pandemic and the avoidable and senseless death of George Floyd, who was killed by a police officer in Minneapolis while three officers watched and did nothing. COVID-19 has had a particularly negative impact on prisons,¹ which have been referred to as “petri dishes” for the virus to spread.² The tragic death of Mr. Floyd has sparked nationwide protests hoping to elevate a discussion about policing and, unfortunately, riots that distract from this needed discussion.

1 The Marshall Project, “A State-by-State Look at Coronavirus in Prisons,” Accessed June 2, 2020 <https://www.themarshallproject.org/2020/05/01/a-state-by-state-look-at-coronavirus-in-prisons>

2 NPR, “Crowded Prisons Are Festering ‘Petri Dishes’ For Coronavirus, Observers Warn,” May 1, 2020 <https://www.npr.org/sections/health-shots/2020/05/01/848702784/crowded-prisons-are-festering-petri-dishes-for-coronavirus-observers-warn>

Although the issues discussed here are separate policy matters related to conditions of incarceration, compassionate release, and policing, the events of 2020, at least to this point in the year, are a stark reminder that the criminal justice system—from the initial interactions with law enforcement to front-end sentencing to back-end corrections—is still in dire need of additional reforms. The public needs to view the criminal justice system in terms of the outcomes, not the number of people who are serving time. Outcomes should be measured by reductions in recidivism, which mean fewer interactions with law enforcement and enhanced public safety.

Introduction

For more than a decade, states have offered solutions to address the problems of addiction that prioritize rehabilitation over incarceration. In the 1980s and 1990s, states matched the federal government by enacting harsher sentences for drug-related crimes. In fact, the Violent Crime Control and Law Enforcement Act of 1994 incentivized states to enact “truth-in-sentencing” laws, which require an inmate to serve at minimum 85 percent of his or her sentence.³ The incentives for states led to an increase in corrections outlays.

State prison populations had already increased dramatically since the early 1980s. In 1982, there were 371,522 inmates in state prisons.⁴ By 1994, the year the Violent Crime Control and Law Enforcement Act passed Congress and was signed into law by President Bill Clinton, 894,050 inmates in state prisons. Even as violent crime rates declined in the 1990s and into the 2000s, state prison populations were growing, reaching 1.3 million in 2007.

Of course, the cost of corrections began to rise as more people were put in prison. Between 1982 and 2001, corrections expenditures in state budgets began to grow. In 1982, states spent \$9.7 billion on corrections. The amount spent increased every year through 2001 when states spent \$38.3 billion. Healthcare and education are the largest programs in state budgets,⁵ but the growing cost of corrections led to some states to look for ways to reduce the budgetary strain.

The concept of drug courts did not begin with the first wave of state-based criminal justice reforms in the mid-2000s. The first drug court began in Miami-Dade County, Florida in 1989.⁶ It was unusual for the time. The reaction of policymakers of the time was stiffer penalties for even nonviolent drug crimes. These policies essentially criminalized addiction. Drug courts took a different approach by seeking to address

3 Lauren-Brooke Eisen, “The 1994 Crime Bill and Beyond: How Federal Funding Shapes the Criminal Justice System,” Brennan Center for Justice, September 9, 2019 <https://www.brennancenter.org/our-work/analysis-opinion/1994-crime-bill-and-beyond-how-federal-funding-shapes-criminal-justice>

4 Tracey Kyckelhahn, “State Corrections Expenditures, FY 1982-2010,” Bureau of Justice Statistics, December 2012 <https://www.bjs.gov/content/pub/pdf/scefy8210.pdf>

5 Allison Lawrence, “Managing Corrections Costs,” National Conference of State Legislatures, February 2014 <https://www.ncsl.org/documents/cj/managingcorrectionscosts.pdf>

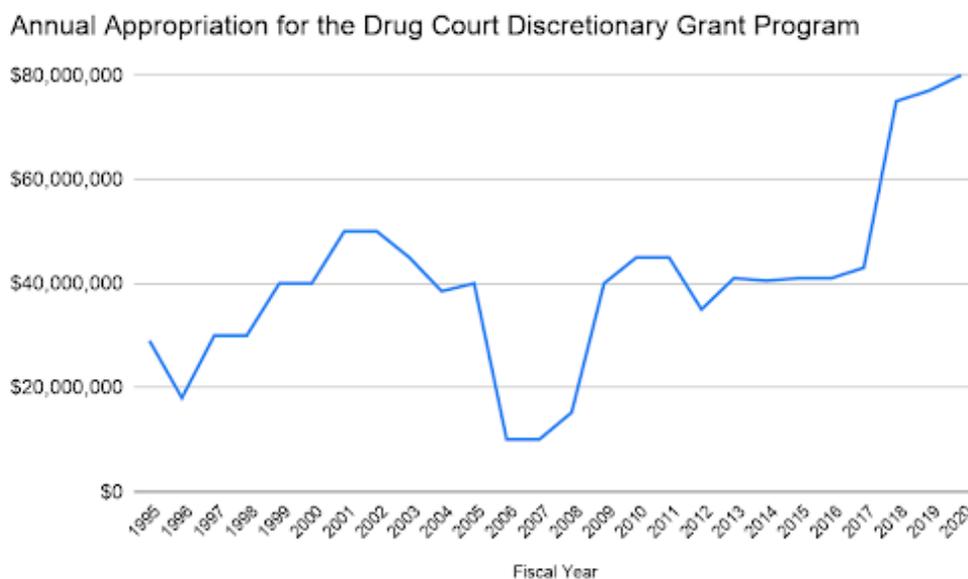
6 Lauren Kirchner, “Remembering the Drug Court Revolution,” Pacific Standard, May 3, 2017 <https://psmag.com/news/remembering-drug-court-revolution-80034>

the underlying issue—addiction—concentrating their efforts on low-level, nonviolent offenders with little to no criminal history.

As the National Institute of Justice (NIJ) noted, the Miami-Dade County drug court inspired similar efforts. While noting that drug courts were “controversial,” which, at the time, was accurate, NIJ explained that “the approach adopted in Miami has influenced officials to implement drug courts in more than 20 other jurisdictions nationwide between 1991 and 1993.”⁷ Today, NIJ notes that “[t]here are more than 3,000 drug courts across the United States, half of which are adult treatment drug courts.”⁸

Drug courts may be a new concept to some. Essentially, drug courts are specialized courts that serve as an alternative to traditional prosecution in the post-arrest stage or as a mandatory sentence to avoid incarceration. Those who go through drug courts do so voluntarily, but they are expected to comply with mandates handed down by the drug court. Those requirements may include community supervision, diversion programs, substance abuse treatment, and mandatory drug testing. A failure to meet the requirements can result in incarceration of the participant.

Ironically, Title V of the Violent Crime Control and Law Enforcement Act actually created the Drug Court Discretionary Grant Program,⁹ which provides grants to state and local governments to develop and implement drug court programs. Administered by the Bureau of Justice Assistance, the Drug Court Discretionary Grant Program has received more than \$1 billion in total funding from Congress since 1995.



7 National Institute of Justice, “The Drug Court Movement,” July 1995 <https://www.ncjrs.gov/pdffiles/drgctmov.pdf>
8 Bureau of Justice Statistics, National Institute of Justice, and Office of Juvenile Justice and Delinquency Prevention, “Drug Courts,” January 2020 <https://www.ncjrs.gov/pdffiles1/nij/238527.pdf>
9 34 U.S. Code 10611-10619

The Drug Court Discretionary Grant Program makes grants available “to States, State courts, local courts, units of local government, and Indian tribal governments, acting directly or through agreements with other public or private entities, for adult drug courts, juvenile drug courts, family drug courts, and tribal drug courts.” The intent is to create drug courts that have judicial supervision of the offender, coordination with prosecutors, and sanctions on the offender. Required sanctions are substance abuse treatment, diversion or probation with the possibility of incarceration should the offender fail to comply with orders or show progress, and recidivism reducing programming such as education, job training, and housing placement. Restitution may also be required, but Congress placed a limitation on economic sanctions to prevent interference with rehabilitation. Drug testing of the offender is mandatory.

Congress did prohibit the participation of violent offenders in drug courts funded through the Drug Court Discretionary Grant Program. If a violent offender or offenders participate in drug court funding through a federal grant, funding will be suspended until the drug court receiving the grant is back in compliance. Additionally, the federal share of a grant may not exceed 75 percent of the total cost of the drug court.

Years after the Drug Court Discretionary Grant Program was created, Congress has continued to support the program. In May 2017, which was also National Drug Court Month, Sen. John Boozman (R-Ark.) spoke about the positive impact that drug courts have had in Arkansas, telling the story of individuals who had graduated from a drug court.¹⁰

“Drug courts are a critical component of today’s criminal justice system. They have proven to be an effective alternative to jail for individuals convicted of nonviolent drug charges. Holding offenders with substance use and mental health disorders accountable through strict supervision and treatment, drug courts and veterans treatment courts have saved taxpayer dollars and the lives of more than 1.5 million people, including a remarkable man I recently met who shared his story.

“Blayne was facing 20 years in prison because of crimes he had committed to support a 10-year addiction to prescription opioids. This epidemic currently takes 94 American lives every single day, but Blayne is one of the lucky ones. His community had a drug court. The drug court program gave him the tools he needed to stop using drugs and helped him reconnect with his family, find employment, and get his life back on track.

“Instead of sitting in a jail cell on the taxpayers’ dime, he is working as a teacher. Instead of breaking into homes, he owns one. Today, Blayne is a dedicated family man. He told me: “Drug court was a chance to become the father and husband that I wanted to be.”

“His story is similar to hundreds of Arkansans who have drug courts to thank for turning their lives around. An Arkansas drug court gave a woman named Sammy a second chance. She became addicted to painkillers at the age of 22 when she suffered a back injury. Her addiction led her down a very dangerous path, where she also started using meth every day. It also led her into the criminal justice system, and she was facing 20 years in prison. Drug court helped Sammy change her lifestyle. Now she is a positive role model for her children, holding down a full-time job and giving back to her community.”

Boozman also used the opportunity to urge his colleagues to continue to support the Drug Court Discretionary Grant Program. “While there are 150,000 Americans being served by drug courts and veterans treatment courts today, there are more than 1 million individuals in our justice system who do not yet have access to these lifesaving programs,” Arkansas’s senior senator said. “I ask you to join me in supporting resources for these programs to improve public safety, save taxpayer dollars, and, most importantly, save lives.”

Funding for the Drug Court Discretionary Grant Program has generally been consistent since its inception. The program received a significant boost in annual appropriations beginning in FY 2018. This does not include appropriations for other grant programs for drug courts, including the Edward Byrne Memorial Justice Assistance Grants and Juvenile Accountability Block Grants. In total, Congress appropriated more than \$100 million for drug courts in FY 2017.¹¹

Fiscal conservatives may balk at the cost, but the cost-benefit of drug courts is impossible to ignore. In terms of cost, according to the NIJ, drug courts save \$5,680 per participant.¹² The savings are not solely limited to reduced reliance on incarceration or other forms of community supervision, such as probation. This is also measured through societal costs, including social productivity and crime and victimization. Those who participate in drug court programs are less likely to use drugs and commit crimes.¹³

Indeed, a study by the Government Accountability Office noted, “Our analysis of evaluations reporting recidivism data for 23 programs showed that lower

11 Lisa M. Sacco, “Federal Support for Drug Courts: In Brief,” Congressional Research Service, March 20, 2018 <https://fas.org/sgp/crs/misc/R44467.pdf>

12 P. Mitchell Downey and John K. Roman, “Cost-Benefit Analysis: A Guide for Drug Courts and Other Criminal Justice Programs,” National Institute of Justice, June 2014 <https://www.ncjrs.gov/pdffiles1/nij/246769.pdf>

13 Shelli B. Rossmann, John K. Roman, Janine M. Zweig, Michael Rempel, and Christine H. Lindquist, “The Multi-Site Adult Drug Court Evaluation: Executive Summary,” Urban Institute, November 2011 <https://www.ncjrs.gov/pdffiles1/nij/grants/237108.pdf>

percentages of drug court program participants than comparison group members were rearrested or reconvicted. Program participants also had fewer incidents of rearrests or reconvictions and a longer time until rearrest or reconviction than comparison group members. These recidivism reductions were observed for any felony offense and for drug offenses, whether they were felonies or misdemeanors.”¹⁴

The impact on crime and victimization is an important one to consider. The very reason states have taken such a heavy interest in drug courts is to reduce recidivism and enhance public safety. As NIJ noted, “Although it’s true that drug courts seemed to improve employment outcomes and save the justice system money by reducing arrests and incarcerations, these benefits pale in comparison with the benefits of averted victimizations.”¹⁵ Reduced crime and victimizations contribute \$11,566 to the per participant savings.

A Tale of Two Traditionally Red States

Texas is often credited with breaking ground on criminal justice reform at the state level. The state did, indeed, put the issue on the map. In 2007, the state was facing \$523 million in immediate prison construction costs and \$2 billion in additional costs by 2012. Then-state House Corrections Committee Chairman Jerry Madden (R-Plano) and then-Senate Criminal Justice Committee Chairman John Whitmire (D-Houston), sought to take a new approach to corrections. Madden consulted with the then-state House Speaker, John Craddock, whose mandate to Madden was clear: “Don’t build new prisons, they cost too much.”¹⁶

Rather than spend \$523 million on prisons, legislative leaders, in a bipartisan fashion, invested roughly \$240 million over two years¹⁷ on programs designed to reduce recidivism as part of HB 1.¹⁸ The funding included \$32.3 million for probation residential treatment and sanctions beds, including \$10 million for outpatient substance abuse treatment, and \$63.1 million for felony substance abuse treatment.

Prior to the passage of HB 1, Texas had already taken steps to implement drug courts.¹⁹ In June 2001, the Texas Legislature passed a law to require counties with populations exceeding 550,000 to establish drug courts. Through this law, counties mandated to establish drug courts were Bexar, Dallas, El Paso, Harris, Hidalgo,

14 Government Accountability Office, “Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes,” February 2005 <https://www.gao.gov/assets/250/245452.pdf>

15 National Institute of Justice, June 2014

16 Justin Wingarter, “How tough-on-crime Texas lowered its prison population and what Oklahoma can learn from it,” *The Oklahoman*, August 12, 2018 <https://oklahoman.com/article/5604318/how-tough-on-crime-texas-lowered-its-prison-population-and-what-oklahoma-can-learn-from-it>

17 The Texas Legislature budgets on a biannual basis.

18 HB 1, Texas Legislature, 80th Legislative Session (2007) <https://www.capitol.state.tx.us/BillLookup/Text.aspx?LegSess=80R&Bill=HB1>

19 HB 1287, Texas Legislature, 77th Legislative Session (2001) <https://capitol.texas.gov/billlookup/Text.aspx?LegSess=77R&Bill=HB1287>

Tarrant, and Travis.²⁰ (The legislature passed legislation in 2005 to require counties with populations exceeding 200,000 to establish drug courts,²¹ but the bill was vetoed by Gov. Rick Perry.²²)

The number of drug courts in Texas grew from three in 2002 to 44 by the end of September 2005.²³ As of Texas's reliance on drug courts as a way to address low-level, nonviolent crime was based on empirical evidence. The 2001 law that mandated drug courts heavily-populated counties required the Criminal Justice Policy Council to produce a study on the effectiveness of drug courts. The study, released in January 2003, showed that drug courts had been successful in the goal, as Marc Levin of the Texas Public Policy Foundation noted.

Texas offenders completing drug court programs have a 28.5 percent re-arrest rate compared to 58.5 percent in the control group. Even including those offenders who failed to successfully complete the drug court program, the re-arrest rate is 40.5 percent. Similarly, the incarceration rate of offenders who complete drug court programs is only 3.4 percent after three years compared with 12.0 percent for all drug court participants and 26.6 percent for the control group.

Participants pay \$1,000 to participate in the programming, which could take as long as 18 months to complete. Although a more recent cost estimate of the per participant cost of drug courts in Texas could not be found, Levin has noted that the cost of diversion is far less expensive than incarceration:

A comprehensive drug court program typically costs between \$2,500 and \$4,000 annually for each offender.¹⁴ By comparison, the annual cost per Texas prison inmate is more than \$16,000, not including initial construction costs.

Overall, Texas has averted \$3 billion in corrections costs as a result of the initial reforms, as well as subsequent reforms that have been enacted.²⁴ Cost aversion is not the only measure of success. Although crime rates have declined across the United States, the drug courts and other criminal justice measures have corresponded with the decline.

20 Texas Department of Criminal Justice, "Texas Drug Courts," Accessed June 2, 2020 https://www.tdcj.texas.gov/documents/cjad/CJAD_Texas_Drug_Courts_Fact_Sheet.pdf

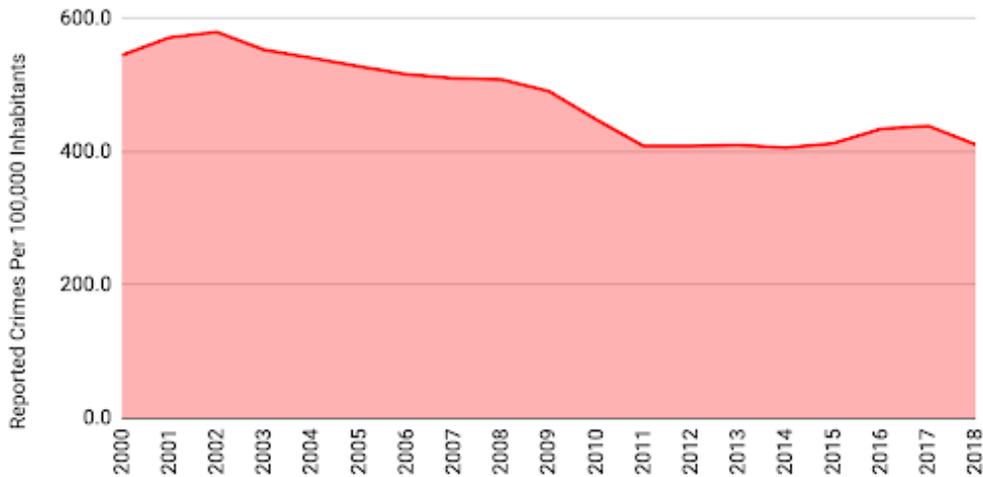
21 H.B. 2193, Texas Legislature, 79th Legislative Session (2005) <https://www.legis.state.tx.us/BillLookup/History.aspx?LegSess=79R&Bill=HB2193>

22 J. Lyn Carl, "TX Rep. Madden Rebutts Perry Veto of Probation, Community Supervision Bill," KERA News, Accessed June 2, 2020 <https://www.keranews.org/post/tx-rep-madden-rebutts-perry-veto-probation-community-supervision-bill>

23 Marc Levin, "Drug Courts: The Right Prescription for Texas," Texas Public Policy Foundation, February 2006 <https://files.texaspolicy.com/uploads/2018/08/16091914/2006-02-PP-drugcourts-ml.pdf>

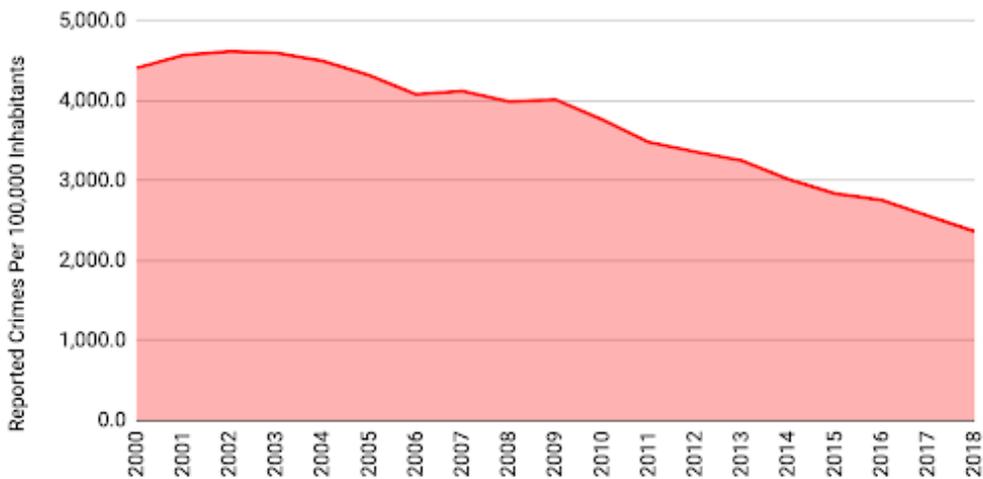
24 Adam Gelb, "Congress Should Study the States as It Considers Reviving Criminal Justice Reform," The Pew Charitable Trusts, October 30, 2017 <https://www.pewtrusts.org/en/research-and-analysis/articles/2017/10/30/congress-should-study-the-states-as-it-considers-reviving-criminal-justice-reform>

Violent Crime in Texas



Source: Federal Bureau of Investigation

Property Crime in Texas



Source: Federal Bureau of Investigation

The success of drug courts in Texas, as well as other specialty courts that have been established in the state, is dependent on the level of commitment from the legislature, judges, and program participants. Adjudication to a drug court does not necessarily mean the individual will complete the required program. “Not everyone is a good candidate for a drug court program,” wrote Cass County Judge Donald Dowd. “Participation in the program requires a sincere desire to free oneself from addiction and a corresponding effort on that person’s part.”²⁵

25 Judge Donald Dowd, “Suspicious of Drug Courts? Don’t Be.,” Texas Bar Journal, April 2014 https://www.texasbar.com/AM/Template.cfm?Section=Texas_Bar_Journal2&Template=/CM/ContentDisplay.cfm&ContentID=25588

Accountability is a key to success for the participant, which is the theme advanced in Georgia.

Like Texas, Georgia is a success story. Under the leadership of Gov. Nathan Deal, the Georgia General Assembly began passing a series of criminal justice reforms in 2012 recommended by the Council on Criminal Justice Reform. These evidence-based reforms were aimed at reducing recidivism, or the rate at which former offenders are rearrested. Of course, there were other reforms as well. The Georgia General Assembly created a safety valve exception to mandatory minimums for low-level, nonviolent offenses and reformed the juvenile justice system.

But one of the key reforms was the implementation of drug courts, which are sometimes referred to as “accountability courts” in Georgia. In 2012, at Deal’s urging, the Georgia General Assembly passed legislation that created the state’s accountability court program.²⁶ Today, Georgia has approximately 150 accountability courts, which include traditional drug courts and other specialty courts. The diversion programs take anywhere between 18 to 24 months to complete.

According to a report from Carl Vinson Institute of Government at the University of Georgia, 1,729 participants graduated from accountability courts during FY 2017, generating \$38.2 million in benefits to the graduates and the state.²⁷

For example, these graduates paid \$1.2 million in state income tax and completed \$2.1 million in community service work. Moreover, the state avoided \$8.1 million in healthcare costs and another \$8.1 million in savings by avoiding incarceration. Separately, the Carl Vinson Institute of Government has estimated that “each graduate of these programs produces benefits that exceed \$22,000 in state and local government savings, revenues, and other contributions to the state’s economic well-being.”²⁸

Another benefit is the reduction in recidivism. As the Carl Vinson Institute of Government notes, “A review of more than 150 studies of drug court programs suggests that these programs reduce recidivism for participants compared to nonparticipants by about 12 percentage points, from 50 percent to 38 percent. The recidivism rate for program graduates is even lower at about 15 percent nationally.”

The recidivism rate, defined by rearrest, for participants in accountability courts is 10 percentage points to 17 percentage points lower than the recidivism rate for nonparticipants.

26 HB 1176, Georgia General Assembly, 2011-2012 Regular Session (2012) <http://www.legis.ga.gov/legislation/en-US/Display/20112012/HB/1176>

27 Carl Vinson Institute of Government, “Council of Accountability Court Judges: Processes and Outcomes, Accessed June 2, 2020 https://www.gaaccountabilitycourts.org/CACJ%20Processes%20and%20Outcomes_Executive%20Summary_Final.pdf

28 Carl Vinson Institute of Government, “The Estimated Economic Impacts and Benefits of Accountability Court Programs in Georgia: Evidence from a Survey of Participants,” Accessed June 2, 2020 <https://cjcc.georgia.gov/document/full-report/download>

Unfortunately, accountability courts in Georgia face a threat today.

In his State of the State address, Gov. Brian Kemp suggested that Georgia is a breeding ground for gang violence, claiming that the state is experiencing a “gang crisis,” which, he claims, the media has ignored.²⁹

“[W]e have a statewide threat that undermines our safety and our future. Criminal street gangs continue to grow in size and scope, impacting every county in every part of our state. These organized crime units are flooding our streets with weapons, drugs, violence, and fear,” Kemp told state legislators. “They are ripping apart the fabric of our communities. They are eroding the foundations of our families.”

The data speak to the contrary. In 2018, Georgia’s violent crime rate was 326.6 reported incidents per 100,000 inhabitants, down from 380 in 2012 and far below the peak rate of 756.3 in 1990. Robberies were at 78.7 in 2018, down from 126.1 in 2012. Property crime has declined from 3,423.6 reported incidents per 100,000 inhabitants to 2,573.7 in 2018. The rates for robbery, aggravated assault, burglary, larceny, and vehicle theft have each declined since 2012 and remain far below their peak rates.

If there’s a “gang crisis” in Georgia, the crime data provided by the Federal Bureau of Investigation do not show it.

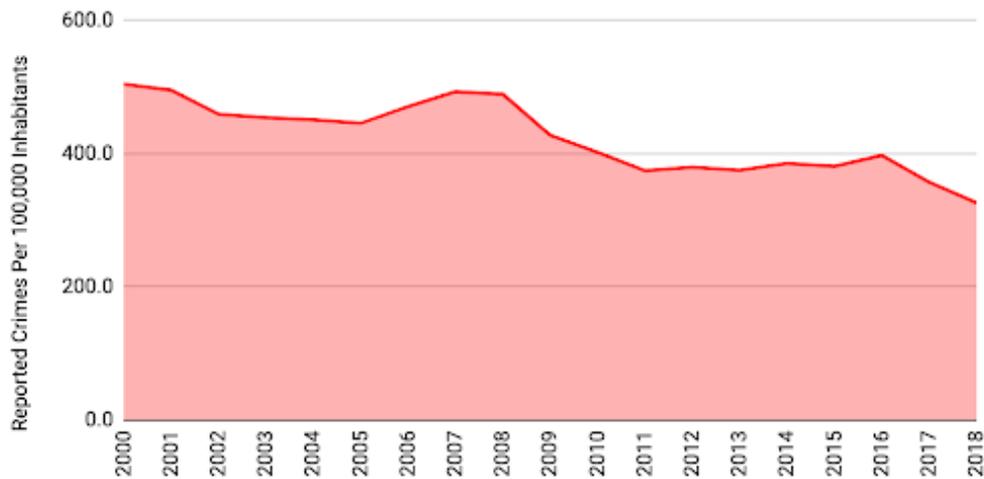
Sadly, Gov. Kemp has proposed a more than \$2.1 million funding reduction to the Criminal Justice Coordinating Council,³⁰ which oversees Georgia’s accountability courts, in his FY 2021 budget proposal. He has also proposed a \$2 million increase for the Georgia Bureau of Investigation’s Anti-Gang Task Force. The Georgia General Assembly did not, however, enact the proposed cuts to accountability courts as part of Kemp’s FY 2020 supplemental budget.³¹ However, COVID-19-related economic disruptions could pose a threat to accountability courts as the legislature grapples with how to revenue losses.

29 Office of the Governor, “Governor Brian P. Kemp’s 2020 State of the State Address,” January 16, 2020 <https://gov.georgia.gov/press-releases/2020-01-16/governor-brian-p-kemps-2020-state-state-address>

30 Greg Bluestein/Maya T. Prabhu, “Kemp pursues a new criminal justice policy, unnerving critics,” Atlanta Journal-Constitution, January 22, 2020 <https://www.ajc.com/news/state--regional-govt--politics/kemp-pursues-new-criminal-justice-policy-unnerving-critics/kjbvlgLsPWnDE2RrWROM5L/>

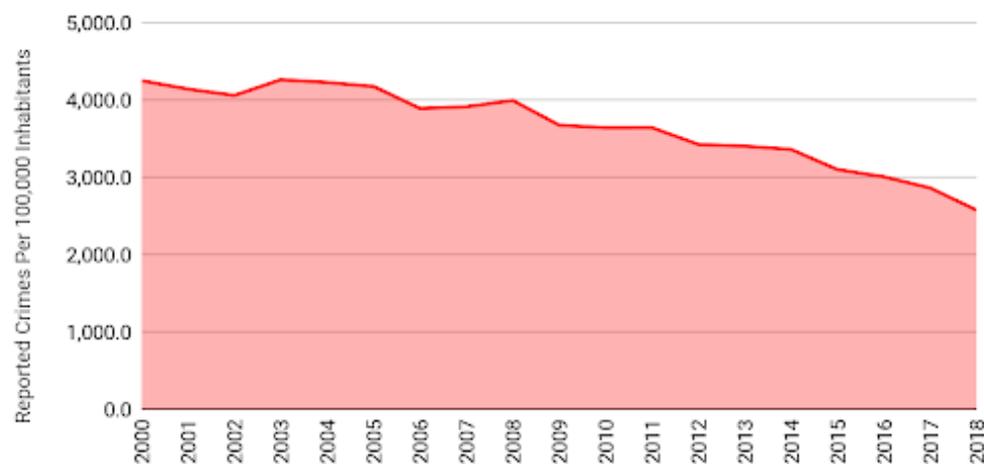
31 James Salzer, “Georgia leaders OK budget deal with \$100 million in coronavirus funds,” Atlanta Journal-Constitution, March 11, 2020 <https://www.ajc.com/news/state--regional-govt--politics/georgia-leaders-budget-deal-with-100-million-coronavirus-funds/WpsOfAmnahBjnKna3DHMEM/>

Violent Crime in Georgia



Source: Federal Bureau of Investigation

Property Crime in Georgia



Source: Federal Bureau of Investigation

Concluding Thoughts

Drug courts are an important part of the larger state-based criminal justice reform effort. They also represent the necessary shift of the system away from over-incarcerating unnecessarily for punitive purposes alone and toward justice aimed at rehabilitation and public safety. These specialized courts are a vital part of that solution. This paper focuses on Texas and Georgia because these states have broken the most ground on drug courts, but there are other notable successes.

For example, although Louisiana's recent criminal justice reforms were heavily criticized and politicized, the drug courts implemented in the state are having a

tremendously positive effect. According to a new report,³² 645 participants who graduated from a drug court earned their GED or have a full-time job. The recidivism rate of participants who graduated in 2016 is 6.7 percent, which speaks to the overwhelming success of drug courts in Louisiana.

There are challenges for states when it comes to drug courts, particularly as the economy recovers from economic disruptions caused by COVID-19. State governments have already experienced substantial revenue losses and are facing spending cuts. Although FreedomWorks Foundation opposes new federal spending, we do believe that Congress can and should assist states with temporary drug court grants to aid states facing cuts to drug court programs.

This can be done through rescissions of funds for which authorization has expired and repurposing those funds, or by prioritizing money within existing 302(b) allocation for the Commerce, Justice, and Science appropriations bill. Regardless of the method, it is critical that governments work together to realize the necessary changes to our justice system in order to enhance public safety and stop punishing what needs treatment, not prison time.

32 Supreme Court of Louisiana, "2019 Annual Report of the Judicial Council of the Supreme Court," Accessed June 5, 2020 https://www.lasc.org/press_room/annual_reports/reports/2019_AR.pdf