



COLUMBIA UNIVERSITY | JUSTICE LAB

Young Adults with Substance Use Disorder in the Justice System

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American Academy of Child & Adolescent Psychiatry
2020 Annual Meeting
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**Emerging
Adult
Justice
Project**

Disclosure Information

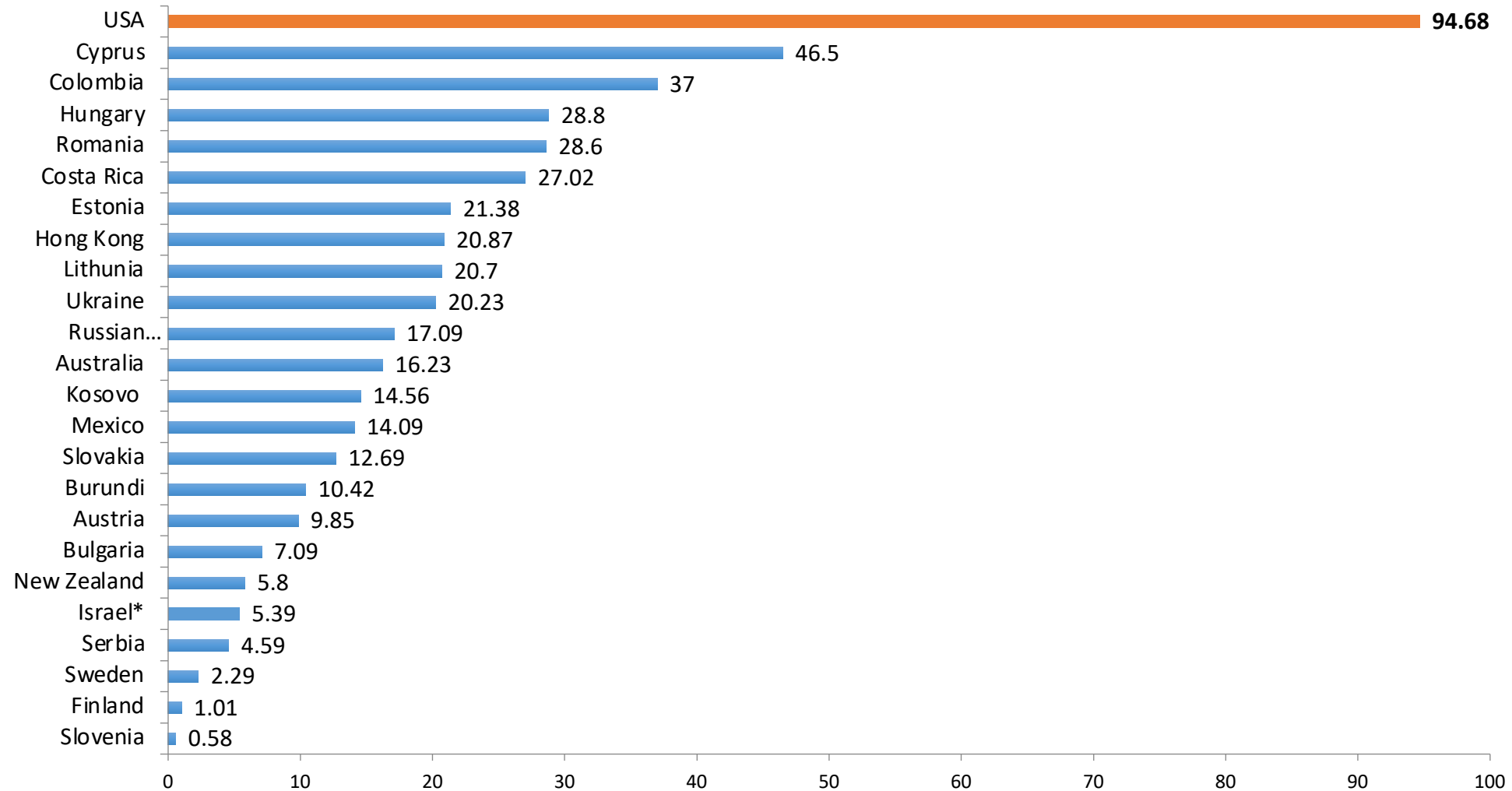
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- No conflicts of interest with commercial interests.

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U.S.A. incarcerates at a substantially higher rate than any other country.

International Youth Incarceration Rates (Per 100,000)



Source: United Nations Office on Drugs and Crime (2011)

Presentation Overview

- Who are young/emerging adults in the justice system?
- What does research tell on distinct developmental stage of young adulthood and delinquency, and its overlap with substance use disorders?
- Principles for guiding justice system responses to young adults with SUD

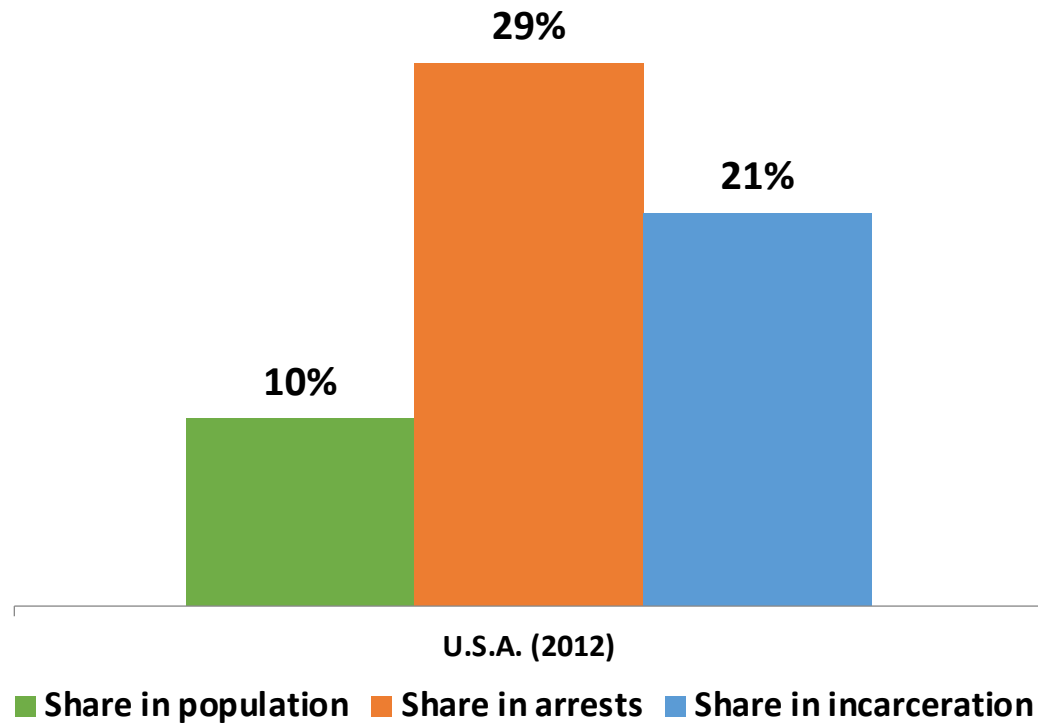
In the US justice system, young adulthood is adulthood.

By **18th birthday** (at the very latest), all youth are automatically tried and sentenced as an adult with little or no attention to their developmental needs. But:

- Pediatric care guidelines expanded to age 21 or beyond
- Legalization of marijuana set at age 21+, alcohol at 21
- Youth can stay on parental health insurance until age 26
- Trend to expand child welfare services over 18
- Many states continue to serve youth in their juvenile systems over age 18 *as long as* they have allegedly committed a crime before their 18th birthday.

In the US, emerging adults are overrepresented in adult criminal legal system with poor outcomes.

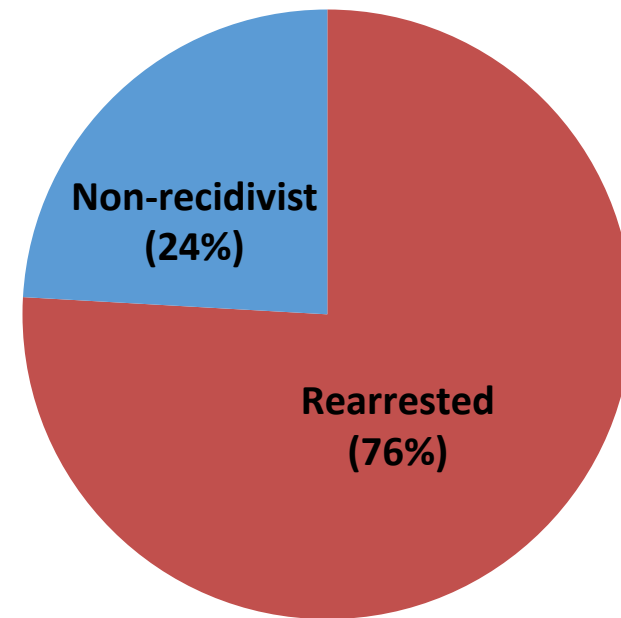
Share of Young Adults in Criminal Justice, U.S.A.



Source: U.S. Census, Federal Bureau of Investigation, and Carson & Gollinelli (2014)

3-Year Recidivism Rates

18-to 24-year-olds,
U.S.A (2005 Release Cohort)



Sources: Durose, Cooper & Snyder (2014); Council of State Governments Justice Center (2017).

A closer look: Emerging adults in the justice system

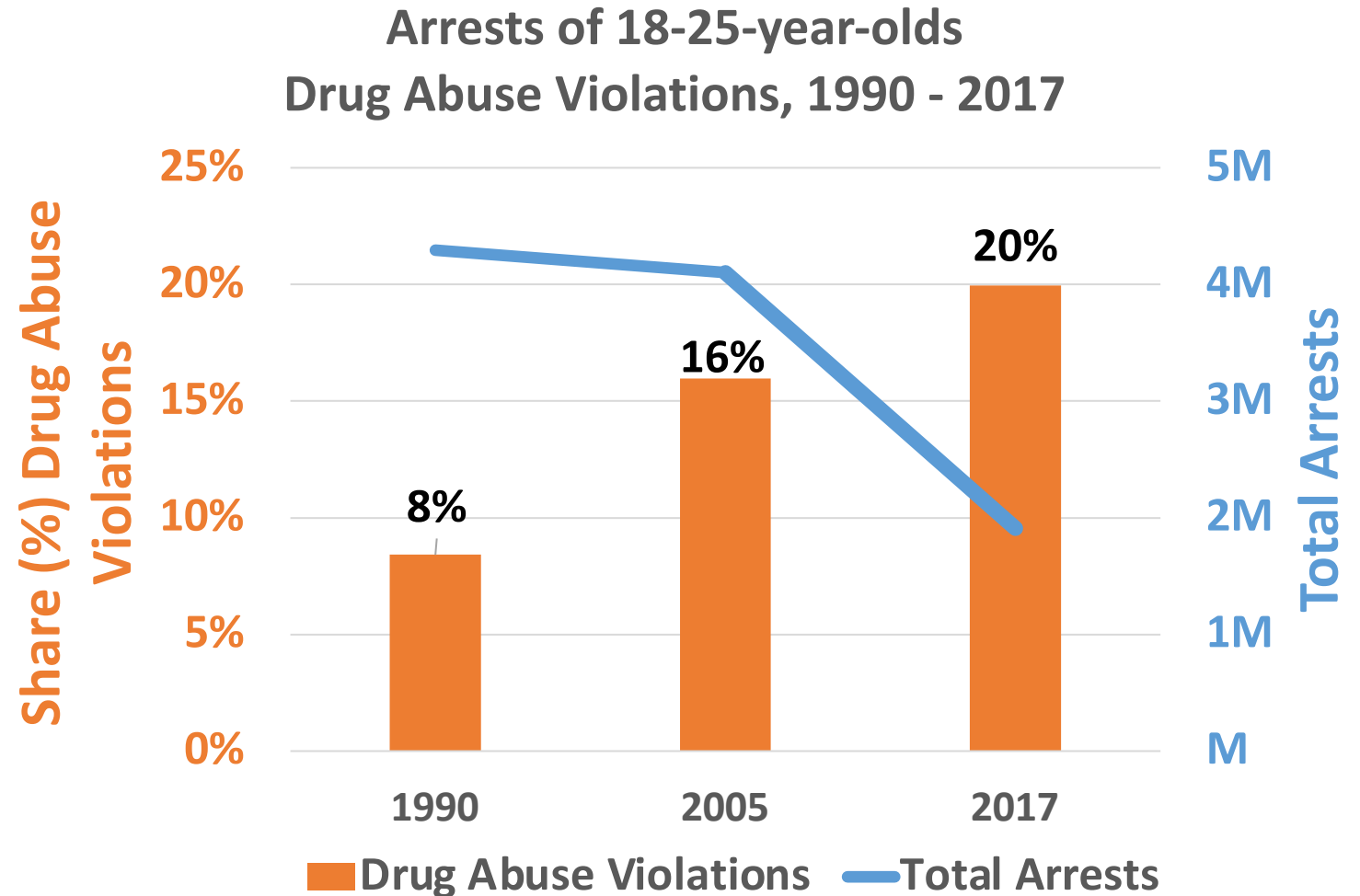
- History of foster care, early childhood trauma & victimization is prevalent.
- Racial and ethnic disparities are stark.
- High levels of detachment from mainstream institutions such as employment and school.



A closer look: Emerging adults in the justice system

Substance use and drug abuse violations are an entryway to the criminal justice system for young adults.

Source: Data for 1990 and 2005 retrieved from Bureau of Justice Statistics, Arrest Data Analysis Tool. Data for 2017 retrieved from Federal Bureau of Investigation, 2017 Uniform Crime Report.



RECENT RESEARCH: Young adulthood is a **distinct** developmental stage

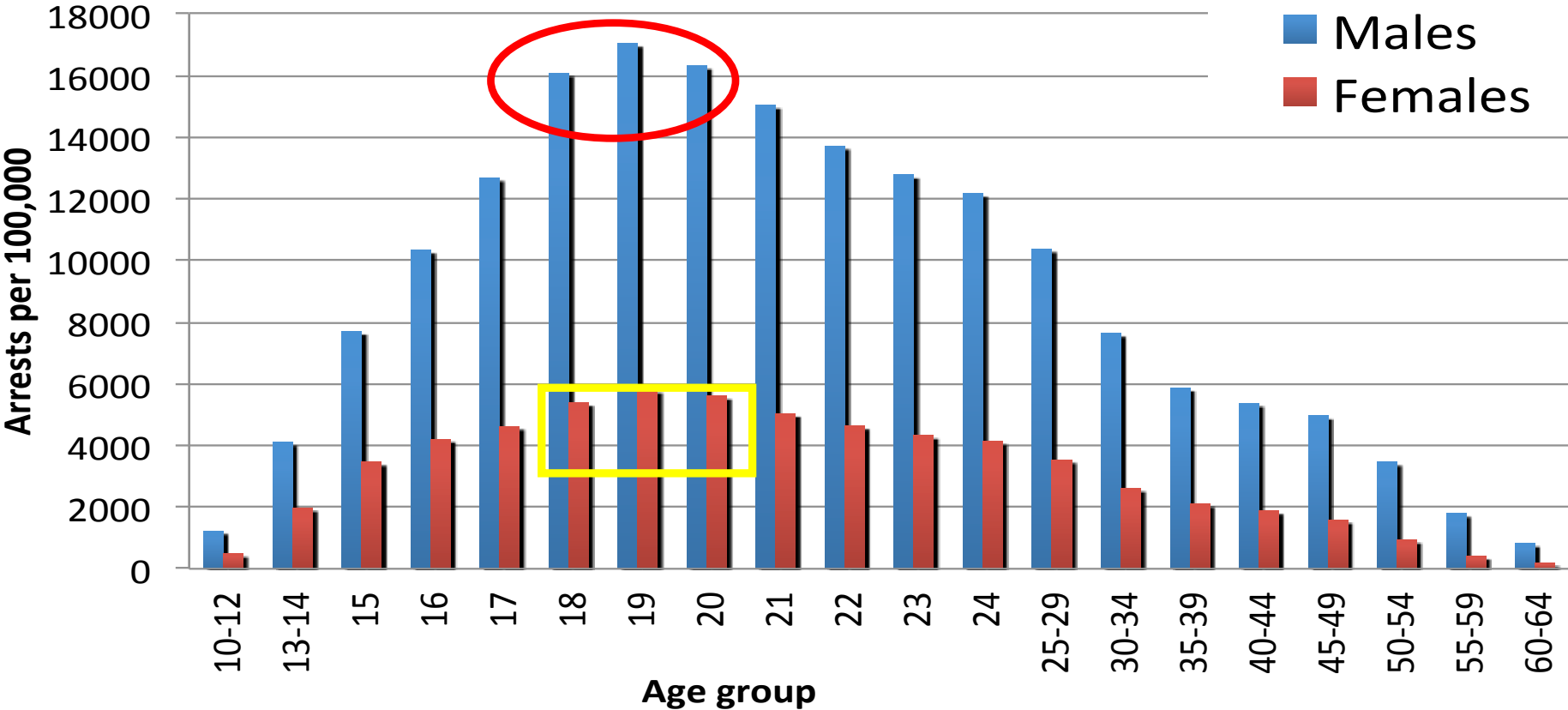
Recent research on neurobiology and developmental psychology found that young adults are:

- More volatile in emotionally charged settings;
- Susceptible to peer and other outside influences;
- Risk takers and impulsive;
- Less future-oriented;
- Above factors are worse for young adults who have experienced trauma/brain injury;
- Heavy drinking and drug use during adolescence and young adulthood adversely affect development and increase impulsivity.

These distinct characteristics of young adults are risk factors associated with involvement in the justice system.

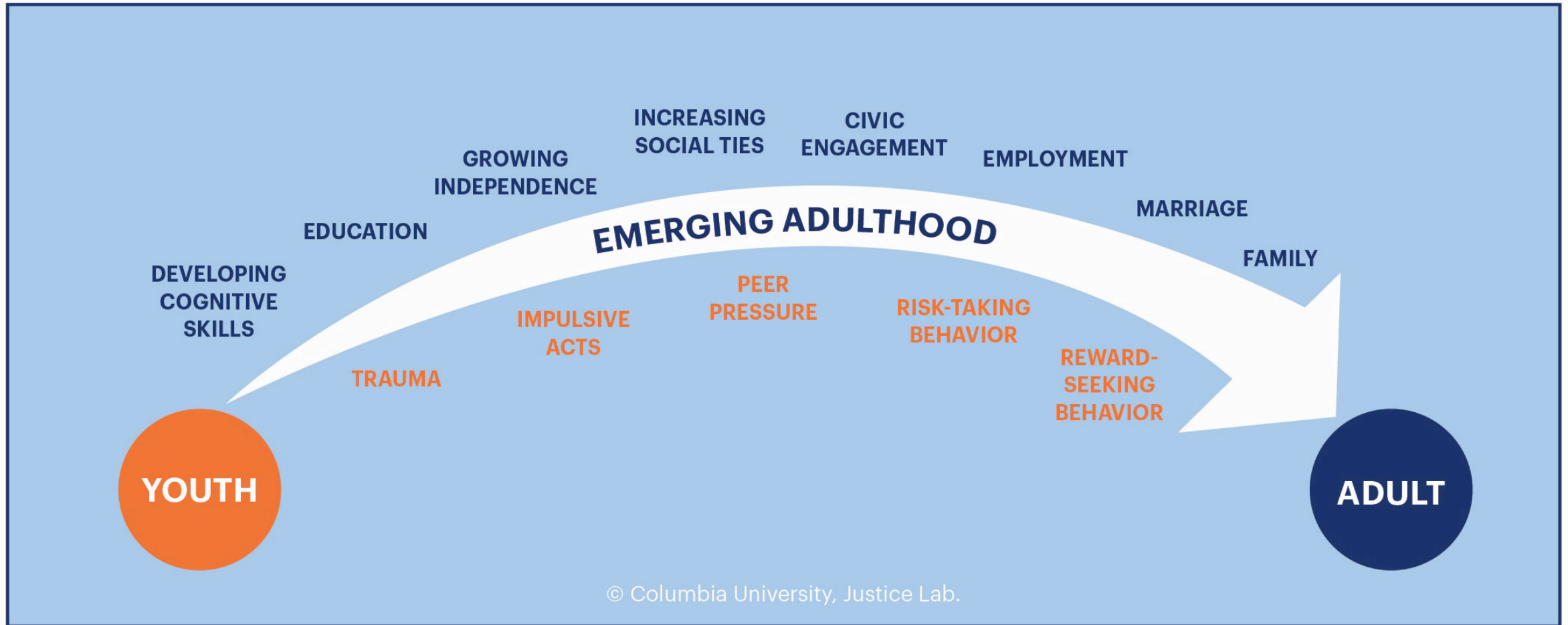
Relatively few emerging adults start criminal career after age 25, most "age out" of crime by 25.

Age- Crime Curve



Source: FBI Uniform Crime Report

Developmental factors and milestones in transition to adulthood



Principles for Justice System Responses to Emerging Adults with SUDs

Principle 1: To the extent possible, young adults with substance use disorders should be **diverted** from the criminal justice system to effective care.

Principle 2: Young adults who have substance use disorders and are subject to the formal justice system should have **access to the full range of developmentally appropriate, high quality addiction treatment modalities** during system-involvement, particularly during incarceration and reentry process.

Principle 3: The justice system should provide resources dedicated to supporting the **safe transition** of young adults from a period of incarceration back to their communities.

Principle 4: The justice system must **reduce the harm caused by criminal records** that create insurmountable barriers to young adults' full and healthy community engagement and their sustained recovery from SUDs.

Source: Selen Siringil Perker and Lael Chester, "The Justice System and Young Adults With Substance Use Disorders," *Pediatrics* (2021) 147 (Supplement 2): S249–S258, <https://doi.org/10.1542/peds.2020-023523H>.

Principle 1: To the extent possible, young adults with substance use disorders should be **diverted** from the criminal justice system to effective care.

- SUD treatment is most effective when provided to youth in their own communities, prior to involvement with the justice system.
- Diversion refers to a broad category of justice initiatives that deflects individuals away from the formal justice system into community services at key junctures of the criminal procedures:
 - Prearrest police diversion
 - Alternatives to sentencing

Principle 2: Young adults who have substance use disorders and are subject to the formal justice system should have access to the full range of **developmentally appropriate**, high quality addiction treatment modalities during system-involvement, particularly during incarceration and reentry process.

Justice system should recognize distinct developmental needs of young adults and **leverage the experience of juvenile justice systems** to better address treatment needs:

- **Systemic measures**: In Europe, several countries treat young adults **in** their juvenile justice systems.
 - A number of states in the US are exploring the possibility of **raising the age** of juvenile justice jurisdiction (e.g. VT, MA, CT, IL)
- **Programmatic measures**: Adoption of developmentally appropriate programs within the adult criminal justice system.
 - Multisystemic Therapy - Emerging Adults (MST-EA)
 - Specialized courts, probation, and corrections for emerging adults
 - E.g. Arches Transformative Mentoring Program, NYC (mentoring/credible messenger models/interactive journaling)

Principle 2: Young adults who have substance use disorders and are subject to the formal justice system should have access to the **full range** of developmentally appropriate, high quality addiction treatment modalities during system-involvement, particularly during incarceration and reentry process.

- Not only are adult jails and prisons ill-equipped to treat young adults specifically, they are ill-equipped to treat substance use in adults of any age.
 - Most U.S. correctional facilities do not continue or initiate medications for opioid use disorder or provide only detoxification or a subset of FDA-approved MAT to incarcerated individuals.
- Justice system should provide **comprehensive access to pharmacotherapy** for addiction treatment during incarceration and immediately following release.
- Justice system should also ensure a **continuum of care** and provide a comprehensive prerelease planning for young adults.

CONCLUSION

- Justice system can do more harm than good for sustained recovery of young adults from addiction in the long term.
 - Collateral consequences of system involvement are pervasive and create barriers to young adults' recovery from addiction, healthy transition to adulthood, and desistance from crime.
- Young adults with SUD should be **diverted** from formal justice system to **community-based** SUD treatment whenever possible.
- Justice systems should systemically **recognize young adulthood as a distinct developmental stage and leverage the experience of the juvenile justice systems** to provide young adults under their care with rehabilitative, not punitive, and developmentally appropriate measures and full range of SUD treatment modalities.

Resources on Emerging Adult Justice

- Selen Siringil Perker and Lael Chester, "The Justice System and Young Adults With Substance Use Disorders," *Pediatrics* (2021) 147 (Supplement 2): S249–S258, <https://doi.org/10.1542/peds.2020-023523H>.
- Siringil Perker, S. and Chester, L. (January 2018). "Combating the Crisis: Using Justice Reform to Address the Drug Epidemic among Emerging Adults." Emerging Adult Justice Research Series, Justice Lab, Columbia University. Available at <https://doi.org/10.7916/z9wa-sf91>
- Siringil Perker, S. and Chester, L. (June 2017). "Emerging Adults: A Distinct Population That Calls for an Age-Appropriate Approach by the Justice System." Emerging Adult Justice Research Series, Program in Criminal Justice Policy and Management, Harvard Kennedy School. Available at https://www.hks.harvard.edu/sites/default/files/centers/wiener/programs/pcj/files/MA_Emerging_Adult_Justice_Issue_Brief_0.pdf
- Chester, L. and Schiraldi, V. (December 2016). "Public Safety and Emerging Adults in Connecticut: Providing Effective and Developmentally Appropriate Responses for Youth Under Age 21." Submitted to the Tow Youth Justice Institute, University of New Haven. Available at https://www.hks.harvard.edu/sites/default/files/centers/wiener/programs/pcj/files/public_safety_and_emerging_adults_in_connecticut.pdf
- Schiraldi, V., Western, B., and Bradner, K. (2015). "Community-Based Responses to Justice-Involved Young Adults." *New Thinking in Community Corrections Bulletin*. Washington, D.C.: U.S. Department of Justice, National Institute of Justice. NCJ 248900. Available at <https://www.hks.harvard.edu/sites/default/files/centers/wiener/programs/pcj/files/ESCC-CommunityBasedResponsesJusticeInvolvedYA.pdf>
- Matthews, S., Schiraldi, V., and Chester, L. (July 2018). "Youth Justice in Europe: Experience of Germany, the Netherlands and Croatia in Providing Developmentally Appropriate Responses to Emerging Adults in the Criminal Justice System." *Justice Evaluation Journal* 2018(1):59-81. Available at <https://doi.org/10.1080/24751979.2018.1478443>.
- Siringil Perker, S., Chester, L., and Schiraldi, V. (January 2019). "Emerging Adult Justice in Illinois: Towards an Age-Appropriate Approach." Emerging Adult Justice Research Series, Justice Lab, Columbia University. Available at <https://doi.org/10.7916/d8-fpvw-1t32>
- Fair and Just Prosecution (January 2019). "Young Adults in the Justice System." *Issues at a Glance*. Available at https://fairandjustprosecution.org/wp-content/uploads/2019/01/FJP_Brief_YoungAdults.pdf.
- Lindell K. U., Goodjoint, K. L. (2020). "Rethinking Justice for Emerging Adults. Spotlight on the Great Lakes Region." *Juvenile Law Center*. Available at <https://jlc.org/sites/default/files/attachments/2020-09/JLC-Emerging-Adults-9-2.pdf>.
- National Institute of Justice Study Group on the Transition from Juvenile Delinquency to Adult Crime, Study Reports. Available at <https://www.nij.gov/topics/crime/Pages/delinquency-to-adult-offending.aspx#reports>.





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