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**DRUG TREATMENT UNDER JUDICIAL SUPERVISION
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DRUG TREATMENT UNDER JUDICIAL SUPERVISION (PTDJ)

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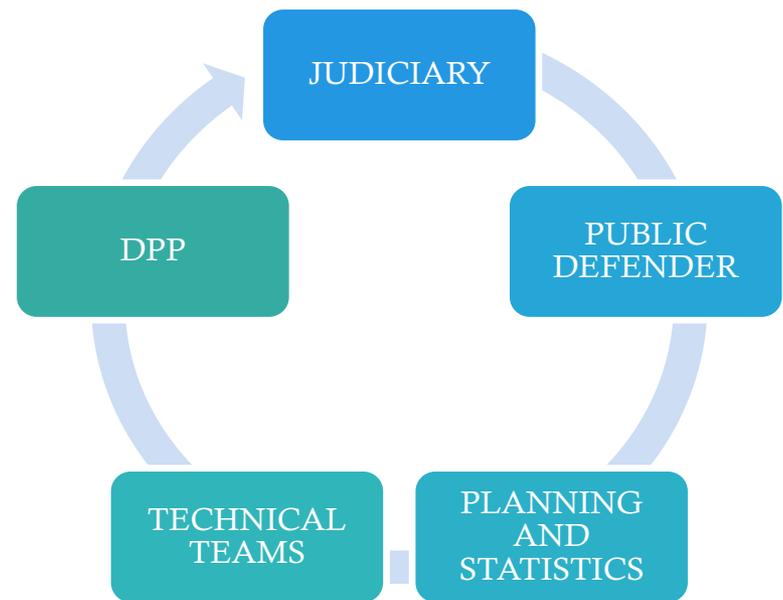
Institutional Interest

- ◆ The program began on June 16th, 2011. With the collaboration of CICAD, OEA, ICD, IAFA.
- ◆ Studies done on drug consumption in Costa Rica show an increase in the consumption of psychoactive substances, representing 7% of the total population.
- ◆ These studies link repression with crimes committed and the levels of violence to drug trafficking. These arguments are valid considering the relationship between drugs and both common and organized crime.



THE JUDICIARY

- ◆ The Judiciary of Costa Rica focuses on judicial duties, department of public prosecutions, the Office of the Public Defender, and the Office for Victims of Crime and Testimony, each with functional independence and that had been organized prior to the initial implementation of PTDJ/DTCs.



GENERAL INFORMATION ON PTDJ/DTCs

- ◆ The Drug Treatment Under Judicial Supervision (PTDJ) program falls within the framework of the Restorative Justice program, which is known as a more effective response to crime.
- ◆ This initiative has required inter-institutional cooperation between the judicial and health components of the model



The Punitive Role of the Court and PTDJ

- ◆ Initially, protocols were structured such that no legal reforms or structural modifications of the judiciary would be required to implement the model, finding new forms of access to justice with specialized intervention within preestablished procedure.
- ◆ From the State's perspective there was one issue pending: those people who had not only broken the law, but also have an addiction that may be causally related to relapse into crime.



Restorative Justice and PTDJ

- Restorative Justice (RJ) is “an evolutionary response to crime that respects the dignity and equality of all people, favoring understanding and promoting social harmony through the recovery of victims, offenders, and communities.”



RJ ADULTS

RJ JUVENILE

PTDJ/DRUG
TREATMENT
COURTS

Restorative Justice and PTDJ

- ◆ Specialized and comprehensive care is provided for people with problematic use of psychoactive substances since this addiction motivated the offense committed
- ◆ Through these programs, victims' needs are met and access to justice is guaranteed through informed decisionmaking and conflict resolution. This program empowers the victim to return to the community without fear and guarantees the reparation of harm



Restorative Justice and PTDJ

The community participates in conflict resolution

In terms of judicial supervision there is a change: the judge assumes a dynamic role and a commitment to society



Restorative Justice and Alternatives Solutions to Conflict

Art. 25 CPP

- Suspension of judicial process

Art.30 inc. j

- Integral Harm Reparation

Art. 36

- Reconciliation



Benefits

The victim has access to a prompt and complete justice

The possibility of addressing the offender's problem of substance abuse is explained to the victim

The importance of addressing the offender's problem of substance use is recognized

The offender receives treatment from an interdisciplinary team of professionals that IAFA designated exclusively for DTCs

The victim is informed as to the offender's progress in treatment

The economic cost to the judicial branch and the state is much lower a trial

Interdisciplinary teams monitor compliance of the treatment plan- this support and control is an essential aspect of the model.



Analysis of Cases

- ◆ The 2-year pilot plan began accepting cases in August 2013
- ◆ Goal: To bring 20 participants through the program with a term of 20 months
- ◆ Currently the Judiciary has referred 8 cases to IAFA for consideration



Progress and Acheivements of PTDJ

- ◆ The judiciary has considered the drug treatment program specifically in the Institutional Strategic Plan, adopted by the Corte Plena.
- ◆ The Public Prosecutor, as part of the criminal prosecution policy, suggest that PTDJ/DTCs will be used for certain crimes whose penalty is less than three years in prison



Conclusions

- ◆ The recommendations of international and national bodies for drugs and crime Recommend strengthening a system of early treatment, bringing together the efforts of the health sector, the judiciary and civil society. This program maintains those standards necessary to adequately treat the population.
- ◆ The PTDJ/DTC program strengthens efforts towards a more humane and inclusive judicial process and brings the democratic ideal, inspired by our Constitution to a reality, whereby we ensure equality, inclusion, that all voices are heard and that justice is done.
- ◆ In order for the population to have access to treatment, the allocation of sufficient human resources and quality materials for the implementation of the model is necessary.



¡Muchas Gracias!

