INFORMATION PAPER

WHAT IS A “DRUG COURT”??

A special purpose court that combines mandatory drug treatment with a strict court – structured follow – up. It is used as an alternative to incarceration, demands accountability and responsibility, uses graduated sanctions (punishments) for violations, and graduated incentives (rewards) for compliance. It is under the direct control of a Circuit Judge who develops a relationship with the participants through regular and frequent appearances with the Judge, and who takes an active part in the rehabilitation and management of the participant’s progress. The individual participant is well aware that they remain out of jail only by strictly adhering to the requirements imposed by the Drug Court Judge: In essence, they stay out of jail one day at a time.

WHY HAVE A DRUG COURT ??

Mississippi Department of Corrections has an inmate population of over 20,000 individuals. The PEER Committee, and the State Auditor’s Office, has determined that the annual cost to incarcerate one inmate is approximately $18,000 per annum. 54% of these inmates are incarcerated for drug or drug – related crimes (such as property theft, burglary, etc). In fact, approximately 80% of all felonies committed in the State of Mississippi have drugs (to include alcohol) as their genesis.

WHAT DRUG COURTS ARE NOT!!

*** Soft on Crime

*** A “Hug – a – Thug” Program

*** An Easy Way Out of Criminal Trouble

*** A Plea Bargaining Tool
WHAT IS THE DRUG COURT TO YOU AND YOUR COMMUNITY ??

-- A way to move the caseload more quickly through the system:

    Drug Addicts, out on bond, commit more crimes (an average of 40 - 60 additional crimes in order to support their habit prior to appearing before a Judge for adjudication).

    Optimally, a drug addict will be in Drug Court within 7 days of arrest, off the streets and into rehabilitation/treatment – Won’t commit more crimes if no habit to support !!

-- A way to eliminate many trials:

    Drug Court participants plead Guilty; Judge withholds acceptance of the Plea.

    Participant may be adjudicated at any time for non-compliance, and immediately sentenced to the Penitentiary.

    Since most participants have a sincere desire to change, they are encouraged by the opportunities of the Drug Court.

-- A way to significantly reduce prison population and reserve the prison beds for longer sentences for violent and dangerous offenders, plus the drug dealers.

    Mississippi has the potential for over 4,000 participants in Drug Court (22 Circuit Court Districts x 200 participants per District).

    The Court can control who goes in the Front Door of the Penitentiary, but Mississippi Department of Corrections (under Federal Guidelines concerning over-crowding and budgetary constraints) controls who goes out the Back Door. With Drug Courts, we can be more comfortable that violent offenders and drug dealers will serve a significantly higher percentage of their sentence.

-- A way to significantly reduce recidivism:

    The recidivism rate in the 8th District is 2%

    The recidivism rate nationwide for Drug Courts is 18 – 20%

    The recidivism rate for inmates departing Parchman is 40 – 50%.
WHAT IS THE DRUG COURT TO YOU AND YOUR COMMUNITY??

-- A program about safer streets and communities.

  Fewer drug addicts on the street mean fewer crimes.

  Remove – support – rehabilitate the drug addict: prevent crimes

  Law enforcement and prosecutorial resources may be redirected if there are fewer low level property crimes.

-- A program where the Judge, Prosecutor and Defense Attorney all have the same goals:

  Responsibility and accountability are required and enforced.

  Gainful employment is required.

  Total abstinence from drugs and alcohol is required and enforced.

  Care for dependents is required.

  Other educational and self-help programs (12-step, etc) are required.

-- A way to genuinely make a positive difference in the lives of participants and their families.

  When a parent is in the penitentiary, the children run wild.

  Drug and alcohol addictions are family problems – not just problems for the individual.

  Take drugs and alcohol out of the mix: MANY family problems will resolve themselves – allowing families to remain together.

  Numerous health and social issues are created by drug addiction, straining the available resources of the DHS, Health Department and other community services.
IS DRUG COURT FOR EVERYONE ??

ABSOLUTELY NOT !!

Violent offenders and most drug dealers are NOT eligible under any circumstances – these are the people for which prisons were designed !

DO DRUG COURTS WORK ??

ABSOLUTELY, YES !!

** Over 40 Drug Courts in Mississippi, counting Juvenile Drug Courts

** Drug Courts exist in all 50 states.

** Over 775,000 Adults and 295,000 Juveniles enrolled, nationwide.

** Over One Million Adults and 300,000 Juveniles have graduated, nationwide.

** Over 6,900 drug-free babies born to parents in Drug Court, nationwide.

** 80% of Drug Court graduates retain or obtain employment.

HOW IS THE DRUG COURT FUNDED ??

In July 2004, Governor Haley Barbour signed House Bill 2892 into law: this law increased the fines and fees for all Misdemeanors and Felonies, to include traffic infractions, by $20. $10 was designated for the Drug Courts, and $10 was designated for the Mental Health Program.

In essence, the criminals and law-breakers are funding the Drug Courts.
EIGHTH JUDICIAL DISTRICT DRUG COURT

** Program began 01 January 2004

** Eighth Judicial District Court was the **first** Certified Drug Court in Mississippi

** Budget is approximately $227,000 per annum

** Participants in Program (01 June 2014): 185

** Participants Terminated: 23 (Including 2 for medical reasons)

Estimated Dollar Amount saved the State of Mississippi for non-incarceration of 185 individuals: 185 x $18,000 x 1 year = $3,330,000. (Per Annum)

TOTAL COST FOR FIVE YEARS INCARCERATION: $16,650,000

The Eighth Judicial District Drug Court is a 5 year program:
TOTAL: $227,000 x 5 years = $1,135,000 FOR ONE DRUG COURT

NET SAVINGS TO MISSISSIPPI FOR ONE DRUG COURT:
$16,650,000 minus $1,135,000 = $15,515,000 SAVINGS PER YEAR

We (The Court System) have been using the “lock’em up and throw away the key” approach for 50 years – **IT HAS NOT WORKED**!!  We take first-time, non-violent offenders, drug addicted, place them in prison with no chance of recovering from their drug habit, place them so that they learn to be professional criminals, and then release them to return to the same place, with the same people, in the same situation, and expect change ??

This is Einstein’s definition of insanity – “Do the same thing over and over and over again, yet expect a different result!”

THE ULTIMATE GOAL IS TO PRODUCE A LAW – ABIDING, DRUG – FREE AND RESPONSIBLE CITIZEN, AND DRUG COURTS ARE DOING EXACTLY THAT!!