

## Mississippi Drug Court Advisory Committee

# Progress Report on Mississippi Drug Courts

February 2011

### State Drug Court Advisory Committee Members

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*Adm. Office of Courts*

**Commissioner Chris Epps**  
*MS Dept. of Corrections*

**Judge John Hudson**  
*Adams County Court*

**Judge Thomas Broome**  
*Rankin County Court*

**Judge Michael Taylor**  
*14th Circuit Court District*

**Judge Allen Couch, Jr.**  
*Desoto County Court*

**Judge Veldore Young**  
*Lauderdale County Court*

**Herb Loving**  
*MS Dept. of Mental Health*

**Patricia Marshall**  
*Office of the Attorney General*

**Hon. Patricia Burchell**  
*District Attorney, 12th Circuit*

**Hon. Bobby Moak**  
*State Representative, Dist. 53*

## Drug Courts - A Brief Overview

Mississippi's Drug Court program offers a cost effective alternative to incarceration. Based on a PEER report, the general cost of incarceration was \$15,235.10 per year during FY 2010. It costs less than \$2,000 a year to intensely supervise an individual in a Drug Court program.

Drug addiction is the root problem of drug-driven crime. Drug Courts treat the addiction problem in an effort to alleviate future criminal behavior. Lowering recidivism produces long-term savings.

Drug Courts also account for about \$1 million in annual fine collections. Participants must pay their fines as a condition of participation in the program. This provides a mechanism for collecting fines which may have otherwise gone

uncollected.

Drug Courts are funded by special assessments on all criminal convictions and traffic violations, as well as fees charged to Drug Court participants. Fees help sustain the programs.

Mississippi currently has 38 Drug Courts, and additional programs are in the planning stages.

However, the programs have outgrown the funding base. The State Drug Court Advisory Committee believes that an additional source of funding is needed in the near future to sustain existing Drug Court programs and develop future programs. Without additional funds, the sustainability of current and future Drug Courts is in jeopardy.

## Drug Court Facts

- \$32,000,000 saved annually in incarceration costs.
- \$54,000,000 saved annually in health care costs.
- \$1,700,000 in fines and fees collected annually and returned to Mississippi counties.
- 2,800 Mississippians currently enrolled in 38 drug court programs.
- 4,500 Mississippians served by drug court programs since 2004 .
- 200 Mississippi babies born to drug-free mothers enrolled in drug court since 2004.

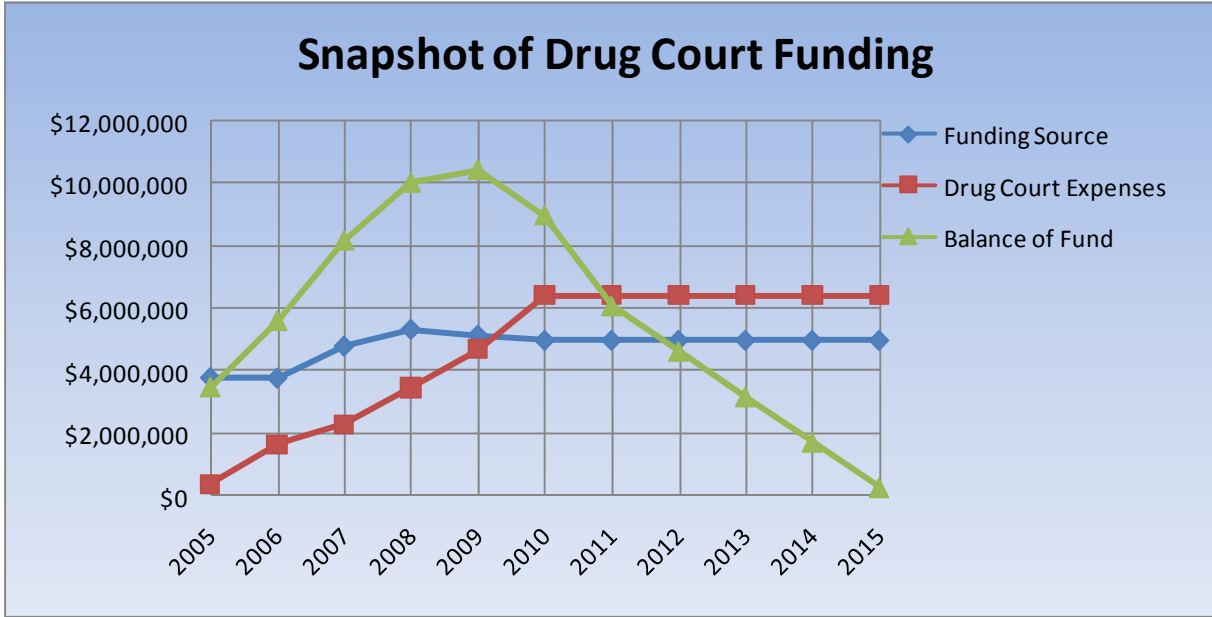


Fig. A

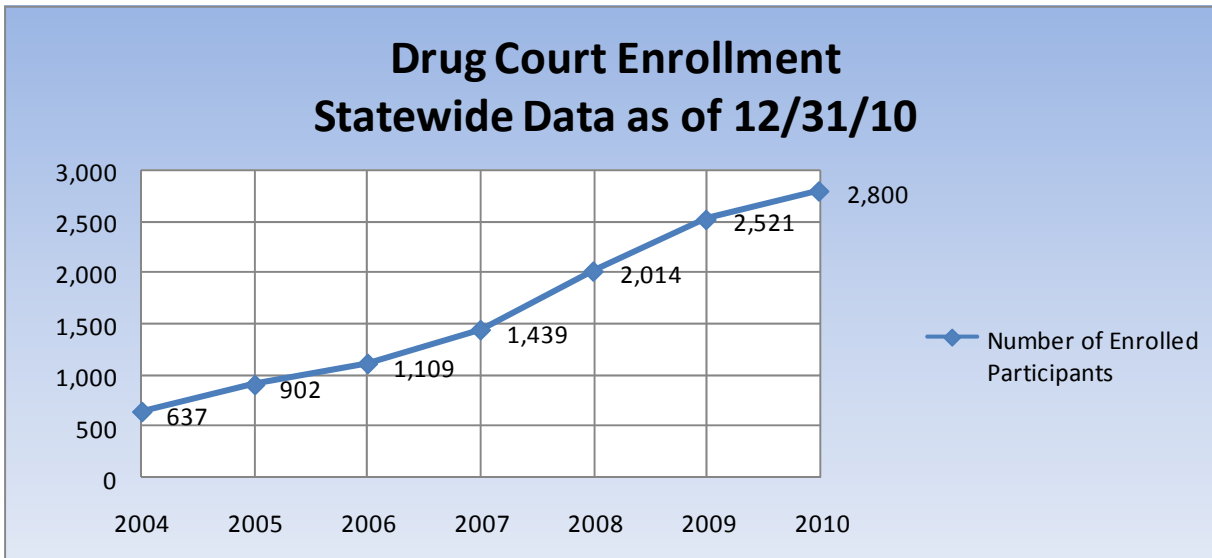


Fig. B

## Drug Court Fund in Jeopardy

*“This kind of success created a different kind of problem. Drug Courts have outgrown their funding source.”*

In fiscally challenging times, there is always pressure to do more with less. Drug Courts are designed to do just that — provide the maximum benefit to society by reducing drug-driven crime and recidivism at a minimal cost to taxpayers.

Drug Courts have grown dramatically since the first

felony adult program was created in the 14th Circuit District in 1999. Growth was slow at first, but judge after judge began seeing the benefits of Drug Court. In the 2008 Legislative session, the Alyce Griffin Clarke Drug Court Act was amended, tasking the State Drug Court Advisory Com-

mittee with developing plans to expand the number of Drug Court programs and to increase program enrollment. Court districts’ participation remains voluntary.

The State Drug Court Advisory Committee responded by revising formulas used to calculate a Drug Court’s

funding level. Funding increased with enrollment. Advisory committee members also began a campaign aimed at educating members of the judiciary, prosecutors, defense attorneys, treatment professionals and the public about the benefits of Drug Courts.

In less than 18 months, the number of Drug Court programs increased from 26 to 38, and enrollment increased from 1,821 to 2,825. That's a 55% increase (Fig. B).

This kind of success created a different kind of problem. Drug Courts have outgrown their current funding source. In the latter months of Fiscal Year 2010, the Advisory Committee realized that Drug Court expenses would soon out-pace the rate of deposits into the state's Drug Court Fund. Furthermore, should the rate of funding and expenditures remain exactly the same, the committee predicts that by Fiscal Year 2015, the state's Drug Court Fund will be depleted (Fig. A). Additional funding is needed to sustain current programs and provide for future growth.

Drug Courts are not just a fad or alternative. They are an integral part of the criminal justice system, providing essential and effective tools in combating drug-driven crime. Programs have grown because they work.

The Drug Court expansion initiative has been very successful. However, in order to increase, or even sustain current Drug Court programs, an additional source of funding should be studied this year.

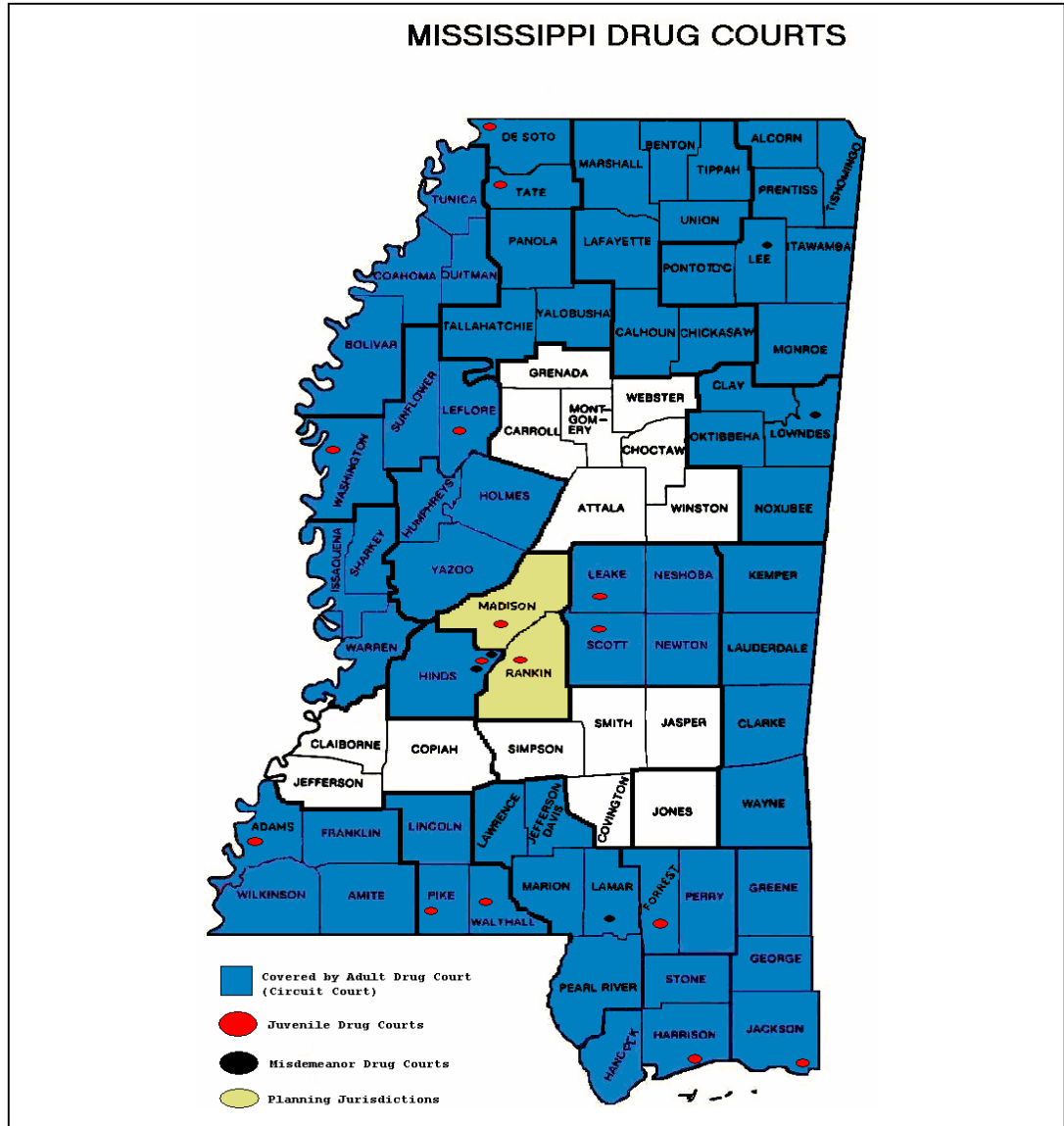


Fig. C

### Growth of Drug Courts

Since enactment of the Alyce Griffin Clarke Drug Court Act, the goal has always been to take Drug Courts to scale by implementing them statewide.

In 2002, when the Mississippi Supreme Court laid out its Drug Court initiative, there were four Drug Court programs serving less than 200 clients. Today, there are 38 Drug Courts serving 2,800 people.

The State Drug Court Advisory Committee is focused

on bringing Drug Courts within reach of every Mississippian in need. Currently, 67 counties have a Drug Court at some level. There are 17 adult felony programs, 14 juvenile programs, five misdemeanor level programs, and most recently, two family treatment court pilot programs in Adams and Rankin counties. The family court programs help troubled families remain drug-free and keep custody of their children.

**"The State Drug Court Advisory Committee is focused on bringing Drug Courts within reach of every Mississippian in need."**

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**Mississippi Drug Court Advisory  
Committee**

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**Is there a Drug Court in  
your community?**

**For Information on starting  
a Drug Court,  
contact the  
Administrative Office of  
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(601)576-4631.**

## **Impact of Drug Courts**

Drug Courts offer a cost effective alternative to the drain on criminal justice system resources posed by expensive incarceration of non-violent drug addicted offenders.

Mississippi's savings in incarceration costs alone is estimated at \$32 million. A further savings is realized in reduced revolving-door arrests and prosecutions, and reduced victimization. The state's annual savings in health care costs is estimated at \$54 million. Nationwide, for every dollar invested in Drug Court, taxpayers save as much as \$3.36 in avoided criminal justice costs alone. Reduced

victimization and healthcare service utilization increase the savings to as much as \$12 for every dollar invested.

The effects reach beyond offenders to their families and the community. Offenders can become productive taxpayers. Drug Courts put offenders to work earning their own livings and supporting their families. Putting a father or mother back to work means parents rather than public assistance support the family. Keeping a parent out of jail lessens the likelihood that a child will come under the supervision of the juvenile justice system and go to foster care.

There's also a savings in human lives. Many Drug Court participants have said they believe they would have died soon if they had not been forced into Drug Court.

Forcing women addicts to stick with drug treatment means babies are born drug-free. Statewide, 200 drug-free births have been documented among Mississippi Drug Court participants since tracking began in 2004. The savings in medical and social services costs is enormous. The difference in terms of those children's quality of life and future achievement is incalculable.

## **Evolution of Drug Courts**

Mississippi's Drug Court movement has expanded not just in the numbers of active programs, but in the kinds of special problem-solving courts.

Early intervention is the key. While Drug Courts began in the arena of the felony adult courts, the movement quickly spread to Youth Courts. If drug problems can be identified and addressed among delinquent teens, there's a better likelihood that those youths won't progress to felony criminal behavior. Likewise, misdemeanor Drug Court programs in Municipal and Justice Courts are intended to identify drugs and alcohol as the root of a problem before addiction progresses and the level of criminal activity escalates to felonies.

While key components are

common to all Drug Courts, the programs are not one-size-fits-all. Special programs focus on the problems of alcoholics, recognizing that while alcohol is a drug, people who struggle to cope with alcoholism have a different set of problems. The 14th Circuit Court, the first to develop a Drug Court for felony offenders, and the 8th Circuit were the first courts to develop a DUI court.

Drug Courts work to connect drug-dependent people with specialized programs and community resources. Another track in Drug Court that's gaining in popularity is Veteran's Drug Court. Based on the same philosophy as Drug Court, this program focuses on veterans who enter the criminal justice system with drug and alcohol addictions. The drug

court will refer the offender to treatment services provided by the Veteran's Administration. These services are provided at little or no costs to the veteran.

Most recently, Family Drug Court programs have been established. These programs focus on parents who have lost custodial rights of their children due to their drug and alcohol addictions. Parents are required to attend substance abuse counseling and must stay clean and sober. Providing a healthy living environment is critical in determining what is in the best interest of the child. This particular program is being piloted in Adams and Rankin counties. The outlook for success is very promising.