

# ATLANTIC JUDICIAL CIRCUIT DRUG COURT

## History

The Atlantic Judicial Circuit began exploring the possibility of a Drug Court in 2008 under the leadership of Superior Court Judge D. Jay Stewart. A planning committee was formed to develop the criteria, policies, procedures and forms for the court. The committee selected Recovery Place of Savannah, Inc. as the treatment provider and a drug court team was appointed. A grant from the Judicial Council of Georgia was awarded to fund the implementation and on January 5, 2009, the Drug Court held its first official court session in Liberty County.

## Reasons for Establishing

A drug court is a specialized system for screening, evaluating, educating, and rehabilitating defendants convicted of alcohol and drug related offenses.

Drug courts transform the roles of both criminal justice practitioners and treatment providers. The judge is the central figure in a team effort that focuses on sobriety and accountability as the primary goals. Because the judge takes on the role of trying to keep participants engaged in treatment, providers can effectively focus on developing a therapeutic relationship with the participant. In turn, treatment providers keep the court informed of each participant's progress so that rewards and sanctions can be provided.

Drug courts create an environment with clear and certain rules. The rules are definite, easy to understand, and most important, compliance is within the individual's control. The rules are based on the participant's performance and are measurable. For example, the participant appears in court or does not, attends treatment sessions or does not; the drug tests reveal drug use or abstinence. The participant's performance is immediately and directly communicated to the judge, who rewards progress or penalizes non-compliance. A drug court establishes an environment that the participant can understand—a system in which clear choices are presented and individuals are encouraged to take control of their own recovery. (Taken from the Georgia Drug Court Standards)

## Key Components

*Defining Drug Courts: The Key Components* was developed through a cooperative agreement between the Drug Courts Program Office and the National Association of Drug Court Professionals. The report serves as a guide for the development and operation of drug courts and has been adopted as official policy by the Conference of Chief Justices, the Conference of State Court Administrators, and several states, including Georgia.

The Ten Key Components of a Drug Court are:

- Drug courts integrate alcohol and other drug treatment services with justice system case processing.
- Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
- Eligible participants are identified early and promptly placed in the drug court program.
- Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.
- Abstinence is monitored by frequent alcohol and other drug testing.
- A coordinated strategy governs drug court responses to participants' compliance.
- Ongoing judicial interaction with each drug court participant is essential.
- Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
- Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
- Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.

## **Mission and Goals**

The mission of the Atlantic Judicial Council Drug Court is to reduce substance abuse, related criminal activity and recidivism by providing quality, holistic substance abuse treatment and thereby creating a safer community environment.

To reach the mission, the following goals were established:

- (1) To assist drug court participants in becoming abstinent and maintaining sobriety.
  - Random drug screens will be conducted at least once weekly on each participant with appropriate sanctions being leveled for missed, positive, or adulterated screens.
  - Employ a system of sanctions and incentives to deter participants from drug and alcohol use and to reward abstinence.
  - Require participants to have at least 12 months of continued abstinence in order to graduate from the Program.
- (2) To minimize recidivism among drug court participants.
  - Each drug court participant will attend scheduled court appearances based on the number required for the phase the participant is in.
  - Each participant must have full-time employment unless the judge approves otherwise.
  - Each participant must become/remain current in all child support obligations and court fees.
  - Modify the programming based on factors identified through program evaluations that are correlated with recidivism.

- (3) To promote the well being of the drug court participants and their families through vocational training and drug education.
- Each participant must attend AA/NA meetings and group sessions as required by the participant's phase level.
  - Each participant must have or be working toward at least a high school diploma, GED, or educational equivalent unless the judge approves otherwise.
  - Each participant must complete 20 hours of community service before moving into each phase.
- (4) To obtain sufficient funding to insure sustainability of the Liberty County Drug Court Program.
- Apply for grant funding through federal and state agencies.
  - Research and apply for funding through community and corporate organizations.
  - Work with county and city governments to obtain permanent funding status through the operating budgets

### **Overview of Program**

The Atlantic Judicial Circuit Drug Court Program is a 24-month, intensive outpatient chemical dependency treatment program for criminal offenders that is supervised by the Superior Court of Liberty County. The purpose of the program is to provide substance abuse treatment to criminal offenders who suffer an addiction to drugs and/or alcohol. The goal of the program is to treat addicted offenders in a manner so that recidivism is reduced and offenders can become productive members of society. The safety of the public is of paramount concern and only nonviolent offenders are accepted into the program.

The Drug Court Program provides a comprehensive course of treatment that integrates group counseling, individual counseling, and involvement in community-based recovery programs, random drug screens, medical monitoring, judicial supervision, and case management services. The program has access to a continuum of treatment services ranging from residential detoxification and stabilization to aftercare. Collateral services are provided to address needs such as stable housing and family counseling. A system of sanctions and incentives is utilized to alter maladaptive patterns of behavior. A mandatory monthly leisure activity is designed to help participants learn sober leisure skills to occupy the time that was spent in illicit activities.

The Drug Court Program follows a treatment team approach in which treatment decisions are made by a multidisciplinary team of professionals from the substance abuse treatment field, the local court system, probation, the defense bar, and law enforcement. Weekly staff meetings and court sessions are held to review the progress of each participant in the program. Monitoring and intensive supervision are also integral parts of the program. Participants are monitored for use of illegal drugs and alcohol by a system of random urine screens. Supervision is conducted by mandatory attendance at counseling sessions and weekly court appearances and by random home visits by law enforcement officers.

In order to graduate from the Drug Court Program, participants must have: successfully completed all phases of treatment, earned a high school diploma or G.E.D., be gainfully employed, performed 80 hours of community service, paid a \$2,000.00 Drug Court fee, and maintained at least 12 months of continuous sobriety.

**ELIGIBILITY**

Persons arrested on drug charges must meet certain criteria to be eligible as a candidate for drug court. To be eligible, a defendant must have been arrested for drug or drug motivated offenses; or sentenced to a period of probation under the First Offender Act or have at least 3 years remaining on their probation sentenced; and test positive on at least one drug screen while on probation or admit to using drugs or alcohol while on probation.

Exclusionary Criteria:

Certain legal factors may exclude one from being eligible for the drug court program. These factors include:

- Conviction of any violent offense as defined by the federal government
- Sex offenders
- Felony firearm charges (an individual may reapply at a later date if charges are reduced)
- A severe physical or mental handicap that would prevent program participation, though an appropriate referral must be made
- Illegal Alien Status
- Individuals with any gang affiliation
- Current felony charge of a more serious nature than drug charge
- Pending felony charges in other jurisdictions

**PROGRAM INTAKE**

The Drug Court program accepts referrals for prospective participants from a variety of sources as depicted in the diagram below. Each of the referrals undergoes a criminal screening by the District Attorney’s Office and a medical screening by the treatment staff. The Drug Court Team reviews all the information to ensure that the prospective participant meets the eligibility criteria and determines whether to accept the participant into the program.

Savings for Graduates:

Cost	1 Year	2 Years	Graduates	Total Cost
Jail	\$2,775	\$25,550	24	\$613,200
Drug Court	\$ 5,712*	\$11,424	24	\$274,176
Total Savings for graduating clients				\$339,024

\* Based on average annual cost to operations divided by average of 40 clients/month

## Savings for all Participants:

Savings	Clients	Days/Year*	Cost	Total Cost
Jail	91	60,060 days	\$35.00/day	\$2,102,100
Drug Court	91	2184 months	\$450/month	\$ 982,800
Total Savings for all Participants				\$ 1,119,300

\* Based on 330 treatment days/year

## Sustainability Plans

The Drug Court continues to search and apply for grants however as the court completes its fourth year of operation the grants become harder to receive and are more targeted in their usage. Generally, courts in the planning and early implementation stage are given priority. Currently we are receiving grant funds from the Bureau of Justice Assistance, the Georgia Department of Behavioral Health and Developmental Disabilities. The Court has also applied for a grant from the Georgia Criminal Justice Coordinating Council. In addition, Liberty County supports the Court with in-kind services and money from the DATE (Drug/Alcohol Treatment and Education) Fund.

With the effort to expand services to the other counties of the circuit, the Drug Court has been seeking funding from the DATE Funds of those counties with constituents participating in the program.

Also, with the assistance of Mr. Kelly Davis, the Atlantic Judicial Circuit Drug Court Foundation, Inc. was incorporated in February 2009. The Court has obtained a federal tax identification number and is hoping to become a 501c3 agency so that the community may also participate in financially supporting the Drug Court.

## Drug Court Team

### Judge D. Jay Stewart

#### District Attorney's Office

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#### Liberty County Sheriff's Office

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#### Public Defender's Office

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#### State Probation Office

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#### Treatment Staff

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#### Drug Court Administrator

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