

16th Circuit District Drug Court ready to accept referrals

July 25, 2011

The 16th Circuit District Drug Court started accepting referrals of non-violent first-time offenders this past week at the start of the Clay County Circuit Court term. The program will progress to Oktibbeha, Lowndes and Noxubee counties during the next several months as Circuit Court terms begin in those counties. The Circuit Court term for Oktibbeha County began July 25.

Drug Courts seek to rehabilitate drug-using offenders through drug treatment and intense supervision with frequent court appearances and random drug testing. Drug courts offer the incentive of a chance to remain out of jail and be employed and the sanction of a prison sentence if participants fail to remain drug-free and in compliance with all program requirements.

Circuit Judge Lee J. Howard will supervise the Drug Court program. Circuit Judge Lee S. Coleman will assist Judge Howard.

Judge Howard said the treatment-based Drug Court gives him an alternative to sending drug-dependent offenders to prison.

Judge Howard said, "For years we've tried everything to reduce the number of drug dependencies, serious addictions, and abuse. So far, nothing has worked."

The most recent statistics from the U.S. Department of Justice estimate that drug use or abuse is a factor in 80 percent of serious crimes committed in the United States, Judge Howard said. "Anything that can help reduce that number is going to be beneficial."

Mississippi Supreme Court Chief Justice Bill Waller Jr. said, "I am very pleased with the leadership of Judge Howard. We need to be in the business of saving lives and careers through rehabilitation."

The Drug Court is expected to be able to eventually accommodate up to 100 participants, said 16th Circuit District Drug Court Coordinator April Edwards.

Participants accepted into the 16th Circuit District Drug Court program will be required to plead guilty to their charge, complete a drug treatment program, and remain under the supervision of the court for three to five years. The earliest one could expect to complete the program is within three years, Edwards said. People with more severe addiction problems may be enrolled in the program for up to five years.

Intensive drug treatment is the first of five phases of the program. "You have to get them drug free first before you can start working on the other treatment techniques," Judge Howard said. "Once you get them in there and get them cleaned up, they start thinking more clearly. You have to get them cleaned up so that they can make good decisions."

"A lot of them think this is the easy way to get out of going to prison," Judge Howard said. "Drug Court is not easy, and it's not for everyone."

Frequent drug testing is intended to keep participants away from drugs.

Those who don't stay out of trouble will be removed from the Drug Court program and face Judge Howard for sentencing. "We get rid of them if they are arrested for another crime while they are in the Drug Court program. That's the quickest way to get out of Drug Court," Judge Howard said.

The 16th Circuit District Drug Court is for adult offenders facing felony charges. Charges eligible for referral to Drug Court may include first-time drug possession and non-violent crimes committed to support a drug habit, such as embezzlement, false pretense and grand larceny, Edwards said.

Judge Howard said, "We are looking mainly for the substance abuser that is involved in

relatively minor offenses.”

State law prohibits acceptance into a drug court program of anyone charged with violent crimes or having a conviction for a previous violent felony. Those charged with or having a prior conviction for distribution, sale, and possession with intent to distribute, production, manufacture or cultivation of controlled substances are prohibited from being accepted into a drug court program. Drug courts cannot accept anyone charged with burglary of an occupied dwelling. Also barred is anyone charged with driving under the influence of alcohol or drugs in an offense that resulted in the death of a person.

The Administrative Office of Courts certified the 16th District Drug Court program on June 7, 2011.

The Drug Court has been holding in-service training with local law enforcement agencies in Clay and Oktibbeha counties in preparation of the start of the Circuit Court terms. In-service training for the Drug Court program will progress to Lowndes and Noxubee county law enforcement agencies in preparation of Drug Court referrals as the Circuit Court terms start in those counties.

Edwards expressed appreciation to the local law enforcement agencies in the 16th Circuit Court for their support of the Drug Court program. “The reception of the Drug Court program has been very positive and shows the level of dedication in our communities to ensuring public safety and reducing the recidivism rates in Oktibbeha, Clay, Lowndes and Noxubee counties,” Edwards said.

The program will operate on a budget of \$125,000 a year provided by the state Administrative Office of Courts. Funding comes from fees assessed to those who receive traffic citations and misdemeanor and felony charges. The Drug Court is supported by the offenders the program was established to supervise. Drug Court participants pay a monthly fee to help cover the cost of testing supplies. There is no additional cost to the tax payers of the district.

The Oktibbeha County Board of Supervisors agreed for Oktibbeha County to be the lead county in the Drug Court. Oktibbeha County will handle accounting for the court, with reimbursement provided by the AOC. The Drug Court office is located at 100 Felix Long Drive in Starkville.

The Drug Court program includes two staff members: Edwards as Drug Court Coordinator, and Probation Officer Landon Griffin, assigned from the Mississippi Department of Corrections. Judge Howard will take on supervision of the program in addition to his regular judicial duties.

Judge Howard expressed appreciation to Chief Justice Waller, State Drug Court Coordinator Joey Craft and the Oktibbeha County Board of Supervisors for their support of efforts to implement the Drug Court.

Craft said, “Our goal of a statewide drug court program is one step closer to being realized. With the addition of Judge Howard’s program, we now have a drug court in 17 judicial circuits which encompass 65 of 82 counties in Mississippi.”

Mississippi currently has 39 drug courts. About 2,800 people are enrolled in drug courts statewide.

“The drug court program in the 16th Circuit Court will prove to be an invaluable asset to the citizens of Oktibbeha, Noxubee, Lowndes and Clay counties, just as it has been in the other areas of the state,” Craft said. “Drug courts hold people accountable for their illegal and sometimes dangerous actions, while at the same time providing them with proper substance abuse treatment and access to other services they will need in order to change their lives for the better.”

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