

Drug courts

Stay out of jail clean

The best way to keep drug offenders from returning to prison

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from the print edition

ONE was an intravenous drug user who had slept outdoors on a trampoline. Another was a wife and mother who started drinking at 14 and turned to meth at 49. A third was a college graduate and licensed pilot who left home for months on end. All are felons. Along with five others, at a graduation ceremony in the sanctuary of a Baptist church in north Georgia recently, all received praise and a hug from Judge Jason Deal and handshakes from both prosecution and defence lawyers.

They are among the 358 people who have “graduated” from the drug court in Hall County—one of 28 such courts across the state and roughly 2,500 around the country. Courts differ in whom they accept. Hall County’s participants cannot have more than one felony conviction, while most participants in Fulton County’s (Atlanta) drug court have committed a number. But they operate similarly.



Keep it zipped

Participants undergo intensive treatment instead of prison. Judges receive special training. Rather than simply resolving a case and sentencing the offender, they preside over teams that include prosecutors and defence lawyers, police, treatment and job-training counsellors and case workers. Participants are drug-tested often, and appear regularly before a judge, who sanctions or rewards them for their behaviour. Rewards include praise and small tokens such as sweets and gift tokens. Sanctions can range from chastisement to a brief stay in jail. They can also be more creative: a judge in Forsyth County’s juvenile court gave a teenager caught in bed with his girlfriend a week’s care of an electronic baby doll that had to be rocked, fed and changed.

All of this may sound paternalistic, but it works. A statewide study in Georgia found the two-year recidivism rate among drug-court participants was 7%, compared with 15% for those on probation alone and 29% for drug-users who served time in state prison. A number of similar studies conducted in drug courts around the country show similar results. Hall County’s recidivism rate is 4.7%, and nearly 98% of its scheme’s participants are employed. Jail keeps addicts off the street, but does little more than that. Drug courts, by contrast, focus on teaching addicts how to stay clean, and how to do things others take for granted: get up every morning, show up to work on time every day, pay their bills. Prison has a punitive as well as a rehabilitative aspect, and some have been cool to drug courts for that reason, seeing them as coddling criminals. But criminals will eventually return to society. Better they return well-adjusted rather than hardened and still addicted.

In any event, such schemes not only help the participant, but save money. In Georgia a drug-court sentence costs over \$10,000 less than a prison sentence—no small number in a state that operates the fifth-largest prison system in the country, spending one in every 17 of its budgetary dollars on incarceration and parole. A national study by the Urban Institute, a think-tank, found that drug courts produce \$2.21 in benefits (reduced crime and costs of incarceration) for every \$1 spent; expanding their reach to cover all

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arrestees would raise the level of benefits to \$3.36.

For this reason drug courts are winning plaudits across the political spectrum. Barack Obama mentioned them favourably in a recent interview, citing them as part of a growing range of efforts to treat drugs “as a public health problem”. And when Nathan Deal was inaugurated last month as Georgia’s new governor, he praised them for their efficacy and cost-effectiveness. In fact, he was sworn in by a drug-court judge: his son Jason, from Hall County.

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