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TO: Rep. Leo Daughtry, House of Appropriations Committee,
2011 House & Senate Appropriations Committees, and
2011 House & Senate Appropriations Sub-Committees for Justice & Public Safety

FROM: Mecklenburg County 26th Judicial District Court Judges

DATE: April 12, 2011

RE: Drug Treatment Courts in North Carolina

Without a single exception, my nineteen (19) District Court colleagues join me in opposing any budget reductions that eliminate Drug Treatment Courts in North Carolina.

North Carolina's first Drug Treatment Court was created and began operating in Mecklenburg County in 1995, when a group of progressive court officials fashioned a treatment court based upon other proven national models. It had become quite obvious to the group members, including judges, district attorneys, public defenders and probation officers, that the archaic approach of simply incarcerating drug offenders and addicts was not only counterproductive, but perpetuated the endless cycle of drug abuse, arrest, prosecution, and incarceration. The more one offended the higher in costs to the individuals, their families, to society, and to the State.

After 16 years of operation, drug treatment court graduates are remaining drug and alcohol free, raising healthy children, participating in their communities, attending and completing school, working and paying taxes. From the inception of their first Drug Treatment Court a decade and a half ago, North Carolina has endorsed this proven method, and expanded to 25 Adult Drug Treatment Courts, 12 Family Drug Treatment Courts and Four Youth Treatment courts statewide in 21 judicial districts.

These intensively structured programs offer substance addicted offenders charged with non-violent offenses an alternative to incarceration. Program participants are held accountable for their behavior in a rehabilitative environment that provides a holistic approach to substance abuse while ensuring the safety of our citizens.

North Carolina Adult Criminal Drug Treatment Courts served 1,402 offenders during FY 09-10. Processing those same offenders through the traditional court system would have cost North Carolina over \$4.9 million. This figure does not include the cost for any substance abuse treatment, court costs involved in sentencing these offenders, the costs involved in processing probation violations/revocations and any subsequent jail/prison sentences due to any revocation.

For the fiscal year ending June 30, 2010, North Carolina spent an average of \$27,134 per inmate incarcerated. By contrast, offenders being supervised by probation, a component of Drug Treatment Courts, had a yearly cost of \$1,256 per offender.

Elimination of Drug Treatment Courts makes little economic sense.

Drug Treatment Court Cost Effectiveness:

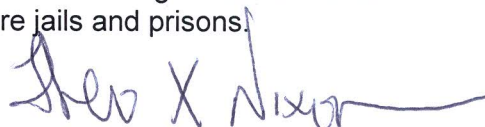
- Incarceration of drug-using offenders costs between \$23,575 - \$32,262 per year;
- Nationwide, for every \$1.00 invested in Drug Court, taxpayers save as much as \$3.36;
- Drug Courts produce cost savings ranging from \$4,000 - \$12,000 per participant;
- More importantly, there are the human and societal benefits. In FY 2009-2010, a total of 25 drug free babies were born to mothers participating in North Carolina Drug Treatment Courts. That equates to \$750,000 - \$1.4 million saved for ever baby born, or \$18 - \$35 million for FY 2009 - 2010 alone!

Drug Treatment Court Recidivism:

- Nationwide, 75% of Drug Court graduates remain arrest-free two years after leaving the program and longer term national effects are being researched;
- Drug Courts significantly reduce crime as much as 35 percent more than other sentencing options;
- Drug Courts are six times more likely to keep drug offenders in treatment long enough for them to be substance free. Unless substance abusing/addicted offenders are regularly supervised by a judge and held accountable, 70 percent drop out of traditional treatment option and few successfully graduate.

I understand that for over a year, a bipartisan group of legislators have organized an effort known as Justice Reinvestment, which is intended to reduce the State's prison population and costs by changing how the state prosecutes and supervises offenders who commit nonviolent crimes. That is what the Drug Treatment Courts have done since 1995.

The Judiciary has operated with inadequate funding for years. This is nothing new to the Judges who traditionally receive less than 3% of the state's budget resources to operate one third of the government. Please do not hamper our efforts to save the state money and to utilize proven methods to protect and serve our citizens. If Drug Treatment Courts are sacrificed in the proposed budget cuts, I suggest building more jails and prisons.



Theo X. Nixon
District Court Judge
26th Judicial District