



Supreme Court of Appeals State of West Virginia

News

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Chief Justice says drug courts save money, help families, help communities

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CHARLESTON, W.Va. – Adult and juvenile drug courts save the state millions of dollars, turn potential repeat offenders into productive citizens, keep families together, and help communities prosper, Supreme Court Chief Justice Brent D. Benjamin told a joint meeting of the House and Senate Judiciary Committees on Tuesday, February 26, in the House of Delegates Chamber.

There currently are 420 adults and 108 juveniles in drug courts in West Virginia. If they were not in the drug court programs and instead incarcerated or adjudicated delinquent, it would cost the state roughly \$20.4 million to house and treat them, he said.

“We don’t have the space in our jails and prisons for all those people,” he said.

By comparison, the current cost of the drug court programs is about \$3 million, Chief Justice Benjamin said.

It costs the state as much as \$33,000 a year to incarcerate an adult non-violent drug offender, and there is a recidivism rate of 80 percent, he said. An adult drug court costs about \$10,000 a year per person, some of which is defrayed by the participant. The adult drug court recidivism rate is down to about 10 percent in West Virginia.

West Virginia has twenty adult drug courts covering thirty counties. Sixteen juvenile drug courts cover twenty counties. Chief Justice Benjamin asked legislators to encourage their local prosecutors and other members of the multi-disciplinary teams that participate in the drug courts to start them in the counties where they are not offered.

“We don’t believe in giving up on our fellow citizens in this state,” Chief Justice Benjamin said.

Those who operate the drug courts – the judicial officers, prosecutors, defense attorneys, social workers, counselors, and law enforcement officers – are volunteers. They operate the courts on their own time and without additional pay.

Since he joined the Supreme Court in January 2005, Chief Justice Benjamin has attended as many drug court openings and graduations as his schedule would permit because he believes so strongly in the importance of the programs. He told legislators several stories about graduates he has met.

He said he was particularly moved when he held an infant born to a woman who was drug-free before and during her pregnancy because of a drug court.

“Looking into this happy, healthy child’s eyes was a profound experience,” he said.

“It’s not just about drugs. It’s about their lives, turning them around,” he said.

Chief Justice Benjamin began his remarks talking about country music singer Mindy McCready, who committed suicide earlier this month after struggling with addiction and mental health issues.

“Today, tens of thousands of our fellow West Virginians struggle with drug and mental health issues. Unlike Ms. McCready, ‘Time’ Magazine pays them no heed. The front pages of our news publications do not carry their stories,” Chief Justice Benjamin said.

“They do not come here to talk to you. Indeed, they often hide their struggle, afraid of a world which is quick to condemn, and slow to help. These are our sons and daughters. These are our moms and dads. These are our neighbors. These are our friends,” he said.

Chief Justice Benjamin recalled a letter from a recent graduate to the team that helped him. It said: “Thank-you for not giving up on me.”

“This program is about changing lives and creating responsibility,” Chief Justice Benjamin said.

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