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Va. drug courts may lose funding

By Bob Gibson

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RICHMOND - Funding for Virginia's drug courts would be wiped out by a House of Delegates amendment to the state budget for the next two years.

The House version of the budget, which is due to be debated and appears certain to be adopted today on the floor of the chamber, removes slightly more than \$5.9 million in continued funding for 14 drug courts, a move not proposed by the Virginia Senate.

If, as expected, the Senate passes its budget that funds drug courts at current levels and the House removes the funding, a conference committee of senior legislators would have to iron out that difference among many others between the two chambers' spending documents before a state budget is adopted.

The House has targeted drug-court funding for removal in previous years only to have it restored by the Senate and former Gov. Mark R. Warner.

Dels. Rob Bell, R-Albemarle County, and Bill Janis, R-Short Pump, said drug-court funding should be cut in these tight budget times. Both delegates said the courts have expanded the mission of the courts far beyond drug offenses, covering cases such as larceny committed by addicts.

"I don't think the average citizen would be happy if they realized that if you are a drug abuser [convicted of another felony], you get a reduced sentence - a Michael Vick discount," Janis said. He said Vick suddenly applied for drug treatment as a convicted dog-fighting felon once he discovered that it could reduce his federal sentence if he completed a drug-treatment program.

"I've never been a particularly big fan of the drug-court system, the sort of notion that there is going to be a different treatment of the same crime by virtue of the fact that the defendant, or the accused, also happens to have the pathology of a substance-abuse problem," Janis said.

Bell, a former Orange County assistant prosecutor, said he has maintained "for many years I would like to see the drug courts focus only on drug offenses."

"We'll see how the budget unfolds," Bell said. This tight budget year with a new round of sagging revenue projections puts pressure "on all sorts of programs, so this is one of the ones that the initial House budget doesn't include," he said.

Others argue, however, that drug courts play an important role that justifies their costs.

"Drug courts work," said Sen. R. Creigh Deeds, D-Bath County. "Essentially a policy debate is going forward about whether the drug courts are a worthwhile investment, whether they work or not, and I think the overwhelming body of evidence indicates that drug courts change lives."

Deeds spoke at a Charlottesville Drug Court graduation ceremony last July and praised the courts as effective in stopping repeat offenses while saving prison costs.

A former Bath County prosecutor, Deeds said incarceration can cost the state more than \$22,000 a year per inmate while the drug-court program of treatment and testing for substance abuse costs about \$6,000 a year per offender.

"Drug courts do, in fact, turn people into productive citizens," Deeds said Wednesday. "That's been the experience in Charlottesville. It's the experience all over Virginia. The House budget basically eliminates money for drug courts, but I hope we can convince them on another direction."

Dels. David J. Toscano, D-Charlottesville, and Terry G. Kilgore, R-Gate City, also defended drug courts.

"I hope we'll be able to get it back in conference," Kilgore said. "There are some people who don't think that drug courts serve a good purpose, but I'm not one of those."

Toscano said, "We have a lot of experience with drug courts. Law enforcement personnel, prosecutors and the judiciary believe they work. The alternative is to incarcerate more people and ironically increase the cost to the commonwealth, so I don't support taking the money out of the budget for drug courts."