

Chatham County DUI Court

2007 Report



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The Chatham County DUI Court has been in operation for nearly five years. The Court has touched countless lives by providing multiple DUI offenders the opportunity to become and remain sober through a court mandated treatment program. Our successful graduates become productive members of the community and their sobriety is instrumental in rebuilding the graduates' family bonds, which are so often broken and left in ruins by substance abuse.

Treatment is the core of the DUI Court. It is not unusual for defendants to enter DUI Court with no prior substance abuse treatment but to have four or more DUI convictions in their lifetimes. The DUI court recognizes that without treatment the multiple DUI offender will likely continue driving while drunk, placing the entire community at risk. Jail time in itself will not cure this population of substance abusers.

We hope this report will provide a greater understanding of the Chatham County DUI Court and its operations in 2007. If you have any questions or concerns, please feel free to contact the DUI Court Coordinator, David A. Wood at 912-652-7280 or dwood@chathamcounty.org

Sincerely,

H. Gregory Fowler, Chief Judge
State Court of Chatham County

HGF/sms

Chatham County DUI Court

2007 Report

The Chatham County DUI Court's Annual Report for 2007 provides the reader an understanding of the DUI Court and the contributions it has made to the community it serves.

The History of Chatham County DUI Court

The State Court of Chatham County established the Chatham County DUI Court in May of 2003 with the intent of reducing DUI recidivism. The court was one of three pilot DUI Courts in the State of Georgia. Initially, the court received grant money from the National Highway Traffic Safety Administration and support from Georgia's Administrative Office of the Courts. Chatham County now fully funds the court and the City of Savannah, Georgia has collaborated with the State Court to provide supplemental funding. The Honorable H. Gregory Fowler, Chief Judge of State Court, presides over the Court and was the driving force in bringing the DUI Court to Chatham County.

The Mission of Chatham County DUI Court

The Chatham County DUI Court is a "Problem Solving Court" for multiple DUI offenders under the jurisdiction of the Chatham County State Court. The court's mission statement is to confront the substance abuse issue underlying the repetitive pattern of offenders of driving under the influence of alcohol. The DUI Court provides meaningful treatment to participants coupled with continuing judicial oversight designed to reduce recidivism through enhanced supervision and individual accountability. Additionally, the Court's goal is to increase public safety for citizens of Chatham County and to educate the public about the multiple benefits DUI Courts offer the communities they serve.

Traditional approaches to sentencing (i.e. periods of confinement, fines, community service, interlock devices, victim impact panels, and alcohol risk reduction courses) alone are simply inadequate to address addictive behavior demonstrated by a continuing pattern of DUI offenses. The DUI Court Program brings the full weight of all interveners (judges, prosecutors, defense counsel, substance abuse treatment providers, law enforcement, probation officers, and others) to bear, forcing the offender to deal with his/her substance abuse problem.

All three of Chatham County's State Court judges (Judge H. G. Fowler, Judge Ronald Ginsberg and Judge Herman Coolidge) sentence eligible defendants to complete the DUI Court.

Any defendant that is sentenced in the State Court of Chatham County for their second DUI in five years or their third or more DUI in a lifetime is eligible for DUI Court providing that they reside in Chatham, Bryan or Effingham County, and are not a violent felon. After sentencing, the court mandates substance abuse treatment, 12 step meeting attendance, random drug tests, biweekly court appearances and more, as a condition of probation. The treatment portion of DUI Court lasts a minimum of one year and includes a treatment program tailored to the individual needs of the participant. The participant is responsible for paying all treatment fees. If the participant fails to meet any requirements of DUI Court, the presiding DUI Court judge issues immediate sanctions. The sanctions may include but are not limited to, additional community

service, jail time or both. Participates with multiple infractions may be scheduled for a hearing to determine if his/her probation should be revoked.

The Chatham County DUI Court accepts eligible defendants sentenced by the Tybee Island Municipal Court. The DUI Court is currently serving eight Tybee Island defendants.

Over 780 defendants have been sentenced to DUI Court since its inception, and 315 participants have graduated. The remaining defendants either are in active treatment or have been terminated for cause. The court boasts a DUI recidivism rate for its graduates of less than 5% compared to the national average of over 19%.

The DUI Court is a collaborative effort of the State Court, the City of Savannah and Chatham County governments. It works with direct coordinated support from the District Attorney's Office, PRIDE Probation and the Recovery Place of Savannah. DUI Court participants also receive needed services from local social service agencies, public and private.

Phases of treatment for DUI Court

Orientation Phase (8 Weeks)

During this phase, the participant will attend two group counseling sessions per week. In addition, the participant is required to attend three approved 12-Step Meetings per week. The participant meets with his/her probation officer at least biweekly and attends all DUI Court sessions held approximately every two weeks. Random drug/alcohol screenings are conducted as deemed appropriate, but at least twice a week.

Phase One (12 weeks)

Since minimization, rationalization, and even denial of use is to be expected during the initial contacts with participants, Phase One of DUI Court functions as an extended assessment. The participants spend a majority of their time in a group discussion focusing on patterns of use, history of consequences associated with use and, if applicable, past attempts to control use. Phase One consists of a minimum of one 3-hour group counseling session per week, documented 12-Step Meetings, bi-weekly appearances before the Judge, and random drug testing by the treatment provider and probation.

Phase Two (17 weeks)

Experience with each participant during Phase One is used during Phase Two to individualize requirements for each participant. Each participant completes a personalized change plan with program staff by the end of Phase One. This plan will reflect the type, intensity, and frequency of services during Phase Two: the active treatment and early recovery portion of DUI Court participation. For some, there will be no change in terms of expectations. Based on a participant's readiness and motivation for treatments, some may have to modify their check-ins, court appearances, and approved 12-Step Meeting attendance. All participants will, at a minimum, continue in weekly group sessions for 17 weeks during Phase Two, continue to appear before the Judge no less than two times per month, and be randomly drug tested by the treatment provider and probation.

Aftercare (15 weeks)

The Fourth Phase of DUI Court focuses on completing personal goals for use/recovery and on learning to manage high-risk situations. The participant will attend two, 1.5 hour group

counseling sessions per month, and three approved 12-Step Meetings per week. During this phase, the participant will also concentrate on completing requirements to have their drivers' license reinstated.

2007 Statistics and Demographics

Statistics

The following statistics are from the period 01/01/07 – 12/31/07

Average B.A.C. upon arrest of participants sentenced in 2007: .17%

Participants in 2007 that refused testing upon arrest: 29.6%

Participants sentenced: 172

- Arrested by SCMPD: 86.23%
- Graduations held: 94
- Participants that were revoked for non-compliance: 34
- Participants that completed program with no sanctions: 28

Mandatory Treatment

Court sessions held: 60

- Treatment appointments assigned: 5,816
- Treatment appointments reported as missed: 212
- Percentage of completed treatment appointments: 96.4%

Mandatory Drug Testing

- Drug test performed: 4,951
- Positive drug test: 356
- Positive for alcohol: 76
- Positive for cocaine: 65
- Positive for THC: 58
- Positive for RX: 55
- No show for drug test: 102

Home visits where the participant was tested: 244

Home visits that resulted in a positive test for alcohol: 23

Demographics

- White males sentenced to DUI Court in 2007: 88 or 51% of overall participants
- African American males sentenced to DUI Court in 2007: 46 or 26% of overall participants
- White females sentenced to DUI Court in 2007: 20 or 12 % of overall participants
- Hispanic males sentenced to DUI Court in 2007: 13 or 8% of overall participants

- African American females sentenced to DUI Court in 2007: 5 or 3% of overall participants.
- Average age of participants sentenced in 2007: 38
- Percentage of participants sentenced in 2007 that had two or more DUIs in a five year period: 59%

The Pro-Active Activities toward Public Awareness of the DUI Courts and DUI Court Benefits during 2007

Members of the Chatham County DUI Court attended the State of Georgia's Annual Drug/DUI Court Conference in Peachtree City, GA. in May of 2007. Topics relating to the programs issues are discussed during the conference's numerous breakout sessions. The Georgia Administrative Offices of the Courts (AOC) host the conference. The AOC has proven invaluable to treatment courts throughout the state in the further education of its coordinators and staff.

Members of the DUI Court also attended the National Association of Drug Court Professionals annual conference in Washington, D.C. in June of 2007. While in Washington, members met with Georgia's Senators and State Representatives to discuss the importance of continued support for drug courts. All members of congress were receptive and pledged support for the work Drug and DUI Courts perform.

In October of 2007, the DUI Court received a Certificate of Appreciation from the Georgia Council of Court Administrators in recognition of the valuable contributions the Chatham County DUI Court has made to improving public safety.

Realizing that the key to providing impaired drivers with treatment was identifying them, the DUI Court donated 10 Alco-Sensors to SCMPD's Patrol Division. These instruments are an invaluable tool in assisting police with drunk driving cases. Funds for the purchase of the Alco-Sensors were obtained through a grant from the Judicial Council Standing Committee on Drug Courts

The Chatham County DUI Court strives to educate the public on the cost of DUI in hopes of deterring people from driving drunk. The court has placed "DON'T DUI" bus ads on nine C.A.T. buses. The public service announcements have been running for nearly 12 months. In addition, the DUI Court has collaborated with SCAD and a 30-second DUI Court Public Service Announcement is in its planning stage.

During St. Patrick's Day 2007, the DUI Court ran a breakdown of the monetary cost of a second DUI in five years in the Savannah Morning News. The Court received positive comments from the public on this ad and will run the ad again in 2008. This time the Savannah Morning News, which includes a parade route map in its parade day newspaper, will be placing the ad adjacent to the parade route map. A PDF version of the ad is located on the last page of this report.

SCRAM

The Chatham County DUI Court uses many means of monitoring participants for use of alcohol or other drugs, including urine drug test, hair follicle test and the SCRAM device.

The SCRAM device is an ankle bracelet that detects the use of alcohol by sampling insensible perspiration on the wearer's skin. The SCRAM also detects and reports tampering with the device.

The DUI Court's most common use of SCRAM is for participants that have already been caught using alcohol while in DUI Court. While the SCRAM is expensive to the majority of participants, (\$9.00 per day) it has proven to be effective in keeping most users sober.

For the year 2007, 24 participants were court ordered to wear the SCRAM for a total of 1533 days. This 63-day average resulted in five confirmed alcohol use events.

This data supports the logic that SCRAM deters the wearer from consuming alcohol. The largest drawback is the cost to the participant for the bracelet.

In the summer of 2008, the Chatham County DUI Court expects to begin using version 2.0 of the SCRAM. The new SCRAM device is reported to be one sided and half the weight of the current version.

Partnership with Chatham Area Transit

The targeted DUI Court participants are strapped, by virtue of being in DUI court, with significant financial obligations over and above their normal living expenses. They must pay for their treatment, for probation supervision, for drug and alcohol testing and for any other requirement the DUI Court team deems appropriate for each individual participant. In addition, they are obligated to pay any fine ordered in their case, usually in excess of \$1,500. With this in mind, the DUI Court has partnered with Chatham Area Transit to provide a means for DUI court participants who are unlicensed to receive \$1.00 bus tickets.

In exchange for tickets, the Court assigns misdemeanor probationers to perform community service work for CAT, doing various maintenance and other activities not already provided for by CAT personnel. CAT sets the work requirement and schedules to assure the service is of real benefit to CAT. The work is valued at the rate of the Federal Minimum Wage rate per hour, and payable to the State Court DUI Court in the form of bus tickets. The DUI Court would then distribute those tickets to appropriate DUI Court participants only.

In 2007, participants earned 5,667 bus tickets through this program. Providing public transportation to participants not only encourages usage of public transportation but also discourages driving while unlicensed.

Taxpayer Savings

Total savings to Chatham County taxpayers is difficult to accurately report because terms of sentencing can vary widely.

Many DUI/Drug Courts choose to calculate taxpayer savings by multiplying a set number of days that participant might spend in jail (i.e. 90 days) by a standard dollar amount to house an inmate. This number can sometimes be artificially high. For example, using the above calculations the Chatham County DUI Court has saved taxpayers \$761,400.00 in inmate housing costs in 2007.

A more realistic calculation is using the difference between the DUI Court graduate's DUI recidivism rate in Chatham County (5%) from the national average (19%) and multiplying this 14% of graduates by the number of days a multiple DUI offender might receive if arrested for another DUI (180 days).

Using the above calculations, we conservatively estimate that the Chatham County DUI Court has saved taxpayers approximately \$356,400.00 in inmate housing cost. This estimate does not take into account the large taxpayer savings from publicly funded expenses associated with alcohol/drug abuse.

In Closing

The Chatham County DUI Court is committed to the purpose of improving public safety and reducing deaths, injury, property damage, crime, and cost to the taxpayers of Chatham County by reducing recidivism of DUI Court participants for DUI and other offenses related to the abuse of alcohol and other drugs.

DRINKING AND DRIVING IS EXPENSIVE!

Check out the minimum costs for a person convicted in the State Court of Chatham County of a 2nd DUI offense within a five (5) year period, along with one or more other traffic charges.

Fine for DUI \$600.00 (minimum)	\$949.00 (after mandatory surcharges)
Fine for one additional Traffic Charge \$100.00	\$143.00 (after mandatory surcharges)
Lost of Work Due to Jail Time (15 days)	\$1,200.00 (lost wages)*
Community Service (240 hours)	\$2,400.00 (lost wages)*
Court Mandated Appointments (108 hours minimum)	\$1,080.00 (lost wages)*
Attorney Fees (minimum)	\$2,500.00
Treatment Fees	\$1,820.00
Probation Fees	\$1,176.00
Risk Reduction (DUI School)	\$285.00
Victim Impact Panel	\$30.00
Clinical Evaluation	\$85.00
Ignition Interlock (six months)	\$525.00
Publication of Photo	\$25.00
Driver's Licenses Reinstatement Fee	\$210.00 and going up!
Transportation Cost Due to 1 Year License Suspension	\$576.00 (12 month C.A.T. Pass)
Auto Insurance Increase (approximate)	15%

TOTAL: \$13,004.00 + the insurance increase

*For a person earning \$10.00 per hour or \$20,800.00 per yr.

This requires 31% of their income over the mandatory two year period of the DUI Court program.

www.statecourt.org

A message from your Chatham County DUI Court