



Administrative Office of the Courts

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FACTS ABOUT GEORGIA'S DRUG COURTS

1. ***What is a drug court?***

A drug court is a special program given the responsibility by local judges to handle cases involving drug-using offenders through ongoing judicial intervention, comprehensive supervision, drug testing, treatment and other social services. Immediate sanctions and incentives motivate participants to change their drug-use behavior.

2. ***Why are drug courts beneficial?***

Drug courts are intended to change offender behavior through a team approach that involves judges, district attorneys, public defenders, case workers, probation officers and treatment providers. All work together with offenders to help them break their drug habit and prevent repeat offenses, and to encourage them to find gainful employment. Drug court programs divert non-violent offenders from costly prison time, saving taxpayers money. They help society and free up police resources by reducing repeat drug offenses as well as other crimes committed by drug users trying to get money to support their drug habits. In Georgia, only non-violent offenders who have no history of drug sales offenses are eligible for drug court programs. Offenders are also required to pay for all or part of their treatment.

3. ***How many drug courts are there in Georgia?***

The concept of drug courts was championed in Georgia by former Chief Justice Robert Benham. The state's first drug court was established in Bibb County in 1994. Georgia now has 23 drug courts. Of these, 13 are for adult felony drug offenses, 3 for adult misdemeanor drug offenses, and 7 for juvenile drug offenses.

4. ***Where are Georgia's adult drug courts located?***

<u>Program Name</u>	<u>Major City Served</u>	<u>Type of Offense</u>
Appalachian Judicial Circuit	Jasper	Felony
Athens/Clarke County	Athens	Misdemeanor
Bibb County	Macon	Felony
Bulloch County	Statesboro	Felony
Carroll County	Carrollton	Misdemeanor
Chatham County	Savannah	Felony
Cobb County	Marietta	Felony
Conasauga Judicial Circuit	Dalton	Felony
Dekalb County	Decatur	Felony
Enotah Judicial Circuit	Cleveland	Felony

Fulton County	Atlanta	Felony
Glynn/Camden County	Brunswick/St. Marys	Felony
Hall County	Gainesville	Felony
Laurens County	Dublin	Felony
Pataula Judicial Circuit	Cuthbert	Felony
Thunderbolt (City)	Thunderbolt	Misdemeanor

5. ***Where are Georgia's juvenile drug courts located?***

Bibb County	Macon
Camden County	St. Marys
Cobb County	Marietta
Dekalb County	Decatur
Laurens County	Dublin
Muscogee County	Columbus
Newton County	Covington

6. ***What is an adult misdemeanor drug offense?***

Misdemeanor drug offenses are possession of less than one ounce of marijuana, driving under the influence, or any other offense involving alcohol possession.

7. ***What is an adult felony drug offense?***

Felony drug offenses involve possession of hard drugs such as cocaine, scheduled drugs such as opiates or amphetamines, or more than one ounce of marijuana, or obtaining drugs through fraud.

8. ***What is a juvenile drug court?***

Juvenile drug court programs handle both misdemeanor and felony drug offenses committed by eligible juveniles. However, if violence or possession for sale is involved, a juvenile will not be eligible for this program.

9. ***Who determines whether the accused is eligible to participate in a drug court program?***

In Georgia, the decision about which court should try a drug case is made by the District Attorney for the jurisdiction involved, based on the facts of each case. Often, an assistant DA is assigned to handle substance abuse cases, and works as part of the Drug Court team.

10. ***What procedure is followed in Georgia drug courts?***

Pre-trial diversion: When defendants enter a drug court program on a pre-trial diversion basis, they are not asked to plead innocent or guilty. They enter immediately into the intervention program, including regular meetings with the judge. If they successfully complete the program, charges against them may be dismissed. If they fail to complete the program, they will be prosecuted on the original charge.

Post-plea sentencing: In these cases, the defendant enters a plea, but the judge agrees to defer imposing a sentence until an intervention program is completed. Upon successful completion, the judge may vacate the plea, and ask the DA to dismiss the case.

Post-adjudication: In these cases, the judge imposes a sentence but agrees to suspend it until completion of the intervention program, often as a condition of sentencing. Upon successful completion, the Court may modify the suspended sentence.