

***THE HONORABLE JAMES G. BLANCHARD, JR.
JUDGE, SUPERIOR COURT
AUGUSTA JUDICIAL CIRCUIT***

Memo

To: Members of the Augusta Bar Association

Date: November 14, 2008

Re: Augusta Judicial Circuit Drug Court

On behalf of the Superior Court Judges for the Augusta Judicial Circuit, I am honored to have been trusted and charged with the task of establishing a drug court for our circuit. This is a matter of great concern to me and I believe the citizens in our community. Simply stated, drug addiction lies at the root of a large percentage of crime in our nation and mere incarceration, while removing an individual from society for a time, has proven ineffective in eliminating the problem.

Drug Courts were established to allow the courts to work with prosecution as well as defense to identify individuals who would benefit from treatment, education and counseling under strict supervision to reduce drug dependence and recidivism. With guidance, structure and boundaries, these individuals are able to overcome their addictions, develop appropriate coping skills and obtain an education that will help them become positive, contributing members of society. Fees must be paid by the participants defraying costs of the program, and society is enhanced by the reduction of crime and its associated costs/effects as well as the resulting higher caliber citizenry.

However, the program is not for everybody, nor is it a "get out of jail free card". Participants must admit their guilt as a precursor to admitting their addiction. The program is a twenty-four month intensive program and occurs after plea but before sentencing. Successful completion of the program is tremendously beneficial to an individual resulting (normally) in both the dismissal of their charges as well as a productive return to society. However, termination from the program will reinstate charges and that individual must then proceed to sentencing. As defense attorneys, you must be certain that your clients' rights are fully protected. Likewise, prosecuting attorneys must be certain that citizens' rights are fully protected.

The process should be considered thoroughly and application made to the drug court for acceptance. Be aware that only applicants fitting a predetermined profile will be accepted into the program. Disqualifying offenses include trafficking, violent felonies

and alcohol-only cases; sex offenders and mental health cases are excluded. Please visit the AJC Drug Court web link on the County Department drop down menu at: www.augustaga.gov to review pertinent documents, and for more information.

Generally, an overview of the program would look like this:

- Defendants submit application to Ted Wiggins, Drug Court Coordinator, for accuracy review (application may be made by either the PDO or private counsel but must be made with the assistance of an attorney)
- Properly completed paperwork is forwarded to the District Attorney's office for screening to determine eligibility
- Drug court team meets to determine whether an applicant fits the profile for acceptance into the program

Once accepted the applicant must:

- Maintain a verifiable residence
- Comply with curfew
- Attend AA or NA meetings on a predetermined schedule
- Remain drug free
- Submit to random drug screens
- Complete his/her education
- Gain employable skills
- Become/remain employed
- Report to drug court every Thursday (initially)

Our circuit is fortunate to have Mr. Ted Wiggins serve as our Drug Court Coordinator. Many of you know Mr. Wiggins from his many years of service as a felony state probation officer. Mr. Wiggins was in charge of the Augusta Probation Re-entry Program, working with felons to obtain counseling and gainful employment upon release from incarceration. He oversaw the only successful re-entry program in the State of Georgia making him a very natural candidate to coordinate this program. Over many months he has worked with me along with our district attorney and our public defenders in putting together a comprehensive and challenging program that networks an exceptional team of service providers, counselors and clinicians. You may contact Mr. Wiggins as follows:

Mr. Ted Wiggins
AJC Drug Court Coordinator
530 Greene St., Room 902
Augusta, GA 30901
PH: 706-823-4424

The amount of effort and training that has gone in to the development of this project can not be overstated. Our District Attorney, Ashley Wright has been fundamental in creating a process and department within her office for program guidelines, applicant eligibility evaluation and prosecution oversight. I would comment that her office has the onerous duty of functioning as gate keeper, if they deem an applicant ineligible, that applicant is not admitted for further consideration. Our public defenders have zealously represented defendants in document review and preparation. Their perspective has played a key role in the design utilized by this court. Both our DA and PDO have joined with the court and our coordinator in attending out of state seminars, and after hours study when they would have preferred to be with their families.

The court also wishes to acknowledge the contributions by our sheriffs' offices. Recognizing the value of this program they have enthusiastically embraced it and participated in definition and design. The program requires additional staff for court proceedings as well as assignment of officers for after hour onsite home visits or curfew checks. In these days of budget constraints, the court applauds their ability to identify this program as a means to actually decrease the financial burden of drug addiction to the entire community.

I am excited over the potential of this program. I welcome your questions and participation. Please keep in mind that this is a new program and will be reviewed and adjusted as the court deems appropriate. Thank you for your interest and support.

JGBjr/shs