



Supreme Court of Appeals State of West Virginia

News

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UPDATE

Roane and Calhoun Counties get Adult Drug Court

For immediate release

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SPENCER, W.Va. – Drug addiction is “like an ocean you can’t swim out of unless somebody throws you a lifeline. That’s what the drug court team does,” Supreme Court Director of Probation Services Director Mike Lacy said Tuesday during the opening ceremony for an adult drug court that will serve Roane and Calhoun Counties.

“Drug courts teach responsibility and self-reliance,” Supreme Court Justice Brent D. Benjamin said at the ceremony, which was held in the circuit courtroom of the Roane County Courthouse in Spencer and was attended by about fifty community leaders from both counties.

Justice Benjamin, Lacy, and Fifth Judicial Circuit (Calhoun, Jackson, Mason and Roane Counties) Judge David W. Nibert thanked the audience for supporting the creation of the drug court and talked about how successful similar programs have been elsewhere.

There are now 24 active adult drug courts serving 39 of West Virginia’s 55 counties. Another four that will serve other 10 counties are in the planning stages.

In 2009 and 2011 respectively, the West Virginia Legislature enacted legislation which codified adult and juvenile drug courts in West Virginia under the administration, control and responsibility of the Supreme Court. As part of the Justice Reinvestment Act passed in 2014, adult drug courts should be established in all of West Virginia’s counties by July 1, 2016.

Rigorous evaluation and research has demonstrated that, where adult drug courts are implemented consistent with models and procedures developed based on objective studies, they significantly reduce recidivism and substance abuse among high-risk substance abusing offenders.

Properly implemented adult drug courts increase the likelihood of successful rehabilitation while simultaneously reducing the cost to the public below the historic costs of addressing the problems in the criminal justice system.

Lacy and Justice Benjamin told numerous stories about repeat offenders who became drug court graduates and said during their graduation ceremonies that drug court finally gave them the help they needed.

Simply sending drug addicts to jail or prison doesn't solve the underlying cause of drug-related crimes. "When they come back out of prison, they come back out the same way they went in – addicts," Lacy said.

He and Justice Benjamin said drug addiction and related crime touches all levels of society. Doctors, and the children of lawyers and children of judicial officers have been among those who have gone through drug court programs.

Drug court is so difficult – with mandatory appearances before a judge, drug tests, community service, reports to probation officers, etc., -- that some people have decided they would rather serve a sentence incarcerated than continue.

Judge Nibert, already the drug court judge in Mason County, also will oversee the Calhoun-Roane drug court. The fourth county in the circuit, Jackson County, is served by the Wood-Wirt County Adult Drug Court.

Other members of the new drug court team include Roane County Magistrate Jason D. Bennett, Calhoun County Magistrate Richard G. Postalwait, Roane County Prosecutor Josh Downey, Calhoun County Magistrate Shannon Johnson, defense attorney Justin White, Katie Nutter and Heather Paxton of the Roane County Day Report Center, Fifth Circuit Chief Probation Officer Chris Johnson, and interim Drug Court Probation Officer Kim Mertz, among others.

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