
The Financial Burden of Substance Abuse in West Virginia: The Criminal Justice System Series 2



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The Financial Burden of Alcohol and Substance Abuse in WV: The Criminal Justice System Series 2



The growing financial cost of drug and alcohol abuse puts tremendous pressure on every social sector. The present report, part of a larger Family Funding Study project, is the first in series 2 in which the cost of drug and alcohol abuse to West Virginia's criminal justice, healthcare, education, welfare, and workforce systems will be examined. This particular report focuses on the Criminal Justice System, which includes the Public Defender Program, Prosecuting Attorneys Institute, Parole Board, Law Enforcement, Judicial System, Division of Juvenile Services, Division of Corrections, and Regional Jail Authority. The report presents estimates of the prevalence of drug- and alcohol-involved crimes and services for each agency separately and also the cost of drug- and alcohol-involved crimes.

This first section presents the overall portrait of the cost of drug- and alcohol-involved crimes in the state based on the results in the subsequent sections focused on the different agencies within the criminal justice system.

Chart 1 shows the result of estimating the cost of substance abuse in the eight sectors in West Virginia's Criminal Justice System. This result is presented in more detail later in the report. The chart confirms the cost of substance abuse is astronomical in the state. Further, if nothing is done soon, the growth in cost will be astronomical. As seen in Chart 1 and Table 1, the total cost could grow from \$429 million in 2010 to \$695 million in 2017 if nothing is done to interrupt the trend. The drug and alcohol problems in the state need to be addressed with a comprehensive and collaborative approach, and it needs to be addressed soon.

**Chart 1: Total Cost of Substance Abuse
in the Criminal Justice System**

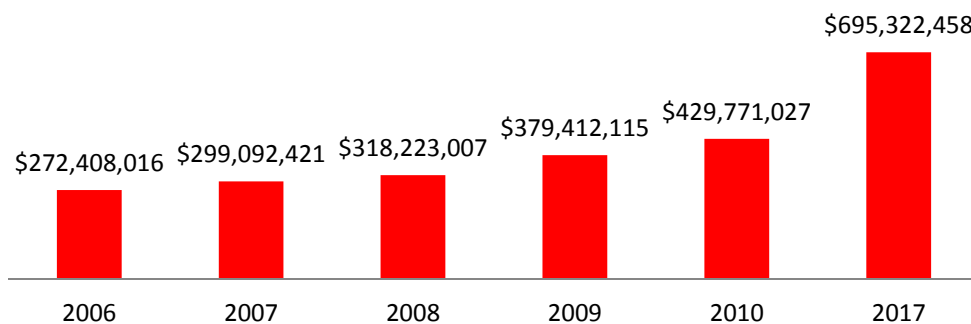


Table 1: The Cost of Drug- and Alcohol Involved Crimes in the West Virginia Criminal Justice System

	2006	2007	2008	2009	2010	2017 ¹
Public Defender System	\$14,512,422.00	\$20,072,823.00	\$23,986,300.00	\$23,560,840.00	\$21,579,457.00	\$36,602,246.00
Prosecuting Attorneys Institute	\$475,179.00	\$670,558.00	\$571,102.00	\$673,225.00	\$1,351,141.00	\$2,327,372.00
Parole Board	\$451,950.00	\$442,098.00	\$689,866.00	\$775,121.00	\$749,893.00	\$1,457,803.00
Law Enforcement	\$123,475,347.00	\$132,702,747.00	\$142,821,928.00	\$180,446,516.00	\$221,359,531.00	\$379,322,137.00
Judicial System	\$28,043,197.00	\$39,888,183.00	\$41,642,997.00	\$45,920,941.00	\$48,987,880.00	\$84,026,551.00
Division of Juvenile Services	\$11,961,813.00	\$11,548,311.00	\$10,341,328.00	\$19,971,260.00	\$23,004,670.00	\$42,823,273.00
Division of Corrections	\$68,266,376.00	\$70,145,176.00	\$73,672,427.00	\$83,745,788.00	\$87,780,863.00	\$124,088,753.00
Regional Jail Authority	\$25,221,732.00	\$23,622,525.00	\$24,497,059.00	\$24,318,424.00	\$24,957,592.00	\$24,674,323.50
	\$272,408,016.00	\$299,092,421.00	\$318,223,007.00	\$379,412,115.00	\$429,771,027.00	\$695,322,458.00

¹ The costs in this column are projected values.

The Public Defender Program

Introduction

The economic impact of drugs and alcohol to any society is astronomical. In West Virginia, not only is this cost high, it has increased significantly. This is part of a series of several reports that will attempt to estimate the cost of drugs and alcohol to the West Virginia Criminal Justice System, which includes the Public Defender Program, Prosecuting Attorneys Institute, Parole Board, Law Enforcement, Judicial System, Division of Juvenile Services, Division of Corrections, and Regional Jail Authority. This report will estimate the percentage of the Public Defender Service (PDS) budget that goes towards dealing with drug- and alcohol-involved crimes from fiscal year (FY) 2006 to fiscal year 2011. It will also estimate the costs of drug and alcohol arrests to PDS from FY 2006 to FY 2011, as well as the sources of these funds for each year.

PDS is different from most other agencies examined in this series because it does not provide direct services to individuals who have committed crimes that are drug- or alcohol-involved. PDS funds all indigent defense for the State of West Virginia through private attorneys appointed on a case-by-case basis or full-time Public Defenders (West Virginia Public Defender Services, 2008). PDS pays each private attorney and other service providers for each case pursuant to a court order, following review by a Circuit Judge (WV PDS, 2008). Full-time Public Defenders are employees of a Public Defender Corporation organized at the Circuit Court level (WV PDS, 2008). These Corporations are separate legal entities but are funded by PDS. In addition to defense services for criminal charges, PDS pays for representation in abuse and neglect, mental commitment, juvenile proceedings, and other related matters (WV PDS, 2008). PDS does not provide direct representation except in a limited number of appellate matters (WV PDS, 2008).

The Cost of Drug- and Alcohol-involved Crimes in the Public Defender Program

The number of total arrests made in West Virginia was used to estimate the number of individuals who may have been arrested and prosecuted for crimes that were drug- and alcohol-involved and who would have been defendants in court cases filed by the state of West Virginia. The WV state police (2009, 2011) provides the number of arrests by calendar year. This format is different from the fiscal year used by the state for budget purposes. Consequently, this report used the counts for calendar year 2006 as the estimates for fiscal year 2005/2006 or FY 2006, and likewise for subsequent years.

According to the WV state police (2009, 2011), a total of 17,224 persons were arrested for direct drug-involved crimes of the total 53,794 arrests made in FY 2010. This figure was higher than the 5,958 and 7,530 drug-involved arrests made in FY 2005 and 2006, respectively (WV state police, 2009). By contrast, a decreasing trend was observed for direct alcohol-involved arrests. According to WV state police (2009), 14,363, 13,399, and 11,681 persons were arrested for direct alcohol-involved crimes in FY 2008, 2009, and 2010, respectively. The trend in total arrest was also decreasing; 57,658, 57,467, and 53,794 arrests were made in FY 2008, 2009, and 2010, respectively. Overall, these data resulted in 28.4%, 30.1%, and 32.0% arrests for direct drug-involved crimes and 24.9%, 23.3%, and 21.7% arrests for direct alcohol-involved crimes in FY 2008, 2009, and 2010, respectively.

Apart from the arrests that were for direct drug- and alcohol-involved crimes, other arrests are indirectly associated with drugs and alcohol. Using the 1996 Survey of Inmates in Local Jails and the

1995 Survey of Adults on Probation, Miller, Levy, Cohen, and Cox (2006) estimated the percentage of other crimes that are indirectly drug- and alcohol-involved. They defined a crime as being indirectly drug-involved if an inmate reported being under the influence of drugs or if the inmate committed the crime to pay for drugs. The percentages of assault, rape, robbery, burglary, larceny, and motor vehicle theft which were attributed to drugs by Miller et al. (2006) are reported in Table 2. Further, they defined a crime as being indirectly alcohol-involved if an inmate reported consuming at least one drink of alcohol shortly before the offense was committed. The percentages of homicide, assault, rape, robbery, burglary, larceny, and motor vehicle theft which were attributed to alcohol by Miller et al. (2006) are reported in Table 3. This methodology was used for estimating indirect drug- and alcohol-involved arrests in the present report. For example, 18% of arrests were for assault in FY 2010 and Miller et al. (2006) argued that 13% of these assaults were indirectly due to drugs.

Table 2: Percent of Crimes Directly and Indirectly Attributable to Drugs from FY 2006 to FY 2010 in the Public Defender Program

	Miller et al.'s % attributable	2006		2007		2008		2009		2010	
		Total ²	Due to drugs ³	Total ¹	Due to drugs ²	Total ⁴	Due to drugs ⁵	Total ¹	Due to drugs ²	Total ¹	Due to drugs ²
Homicide	25	0.1	0.0	0.1	0.0	0.1	0.0	0.1	0.0	0.1	0.0
Assault	13	15.0	2.0	17.5	2.3	17.6	2.3	17.3	2.2	18	2.3
Rape	18	0.4	0.1	0.2	0.0	0.2	0.0	0.2	0.0	0.2	0.0
Robbery	39	0.4	0.2	0.4	0.2	0.5	0.2	0.6	0.2	0.5	0.2
Burglary	36	1.8	0.7	2.4	0.9	2.3	0.8	2.6	0.9	2.6	0.9
Larceny-Theft	23	8.1	1.9	2.7	0.6	3.1	0.7	2.7	0.6	4.1	0.9
Motor Vehicle Theft	23	0.8	0.2	0.8	0.2	0.7	0.2	0.6	0.1	0.7	0.2
Indirect Drug-involved			4.9		4.2		4.2		4.0		4.5
Direct Drug Offenses		11.8	11.8	29.5	29.5	29.2	29.2	30.7	30.7	32.0	32.0
Overall Drug Offenses			16.7		33.7		33.4		34.7		36.5

² These are the percentages of arrests for each type of crime as reported by WV state police (2009).

³ These are estimated percentages of persons arrested for crimes that are indirectly due to drugs using Miller et al.'s (2006) fractions.

⁴ These are the percentages of arrests for each type of crime as reported by WV state police (2009).

⁵ These are estimated percentages of persons arrested for crimes that are indirectly due to drugs using Miller et al.'s (2006) fractions.

Table 3: Percent of Crimes Directly and Indirectly Attributable to Alcohol from FY 2006 to FY 2010 in the Public Defender Program

	Miller et al.'s % attributable	2006		2007		2008		2009		2010	
		Total	Total	Total	Due to Alcohol	Total	Due to Alcohol	Total	Due to Alcohol	Total	Due to Alcohol
Homicide	42.0	0.1	0.0	0.1	0.0	0.1	0.0	0.1	0.0	0.1	0.0
Assault	41.0	15.0	6.2	17.5	7.2	17.6	7.2	17.3	7.1	18.0	7.4
Rape	39.0	0.4	0.1	0.2	0.1	0.2	0.1	0.2	0.1	0.2	0.1
Robbery	33.0	0.4	0.1	0.4	0.1	0.5	0.2	0.6	0.2	0.5	0.2
Burglary	36.0	1.8	0.7	2.4	0.9	2.3	0.8	2.6	0.9	2.6	0.9
Larceny-Theft	19.0	8.1	1.5	2.7	0.5	3.1	0.6	2.7	0.5	4.1	0.8
Motor Vehicle Theft	26.0	0.8	0.2	0.8	0.2	0.7	0.2	0.6	0.2	0.7	0.2
Indirect Alcohol-involved			8.9		9.0		9.1		9.0		9.6
Direct Alcohol Offenses		26.0	26.0	26.3	26.3	24.9	24.9	23.3	23.3	21.7	21.7
Overall Alcohol Offenses			34.9		35.3		34.0		32.3		31.3

Miller et al.'s (2006) attribution percentages were multiplied by the percentage of arrests that were for the crimes classified as indirect drug- and alcohol-involved and the results were divided by 100. The results provided the percentages of homicide arrests that were indirectly drug- and alcohol-involved related. For example, the percentage of the assault arrests that were indirectly drug-involved in 2010 is $(13*18)/100 = 2.3\%$. The same procedure was used for the other categories of crime that Miller et al. (2006) specified. All the resulting estimates were summed and then added to the 32.0% direct drug-involved and 21.7% direct alcohol-involved arrests, respectively. The results suggested that approximately 36.5% of arrests in 2010 were either directly or indirectly related to drugs (Table 2) and approximately 31.3% of arrests were either directly or indirectly related to alcohol in the same year (Table 3). Note that Miller et al. (2006) also included child sexual abuse and child physical abuse/neglect crimes, which were not included with the WV state police data.

Tables 2 and 3 also provide trends in the percentage of crimes directly and indirectly attributable to drugs and alcohol. Although the total percentage of drug-involved crimes has been fluctuating over the years, the most recent years show a clear increase. Some of the decline over the years resulted from declines in indirect drug-involved crimes. Direct drug-involved crimes have kept an upward trend apart from a slight dip in 2008. For alcohol-involved crimes, there were also some fluctuations due to declines

in the percentage of crimes directly attributable to alcohol. Overall, there was a slight decline in total alcohol-involved crimes from 2006 to 2010.

Table 4: Estimates of Drugs and Alcohol Cost to the Public Defender Service from FY 2006 to FY 2010

	Total Budget ⁶	% Crime due to drugs	Estimated cost of drugs crimes ⁷	% Crime due to alcohol	Estimated cost of alcohol crimes ⁶	Total cost of drugs and alcohol
2006	\$28,124,848.00	16.7	\$4,696,850.00	34.9	\$9,815,572.00	\$14,512,422.00
2007	\$29,091,048.00	33.7	\$9,803,683.00	35.3	\$10,269,140.00	\$20,072,823.00
2008	\$35,587,983.00	33.4	\$11,886,386.00	34	\$12,099,914.00	\$23,986,300.00
2009	\$35,165,432.00	34.7	\$12,202,405.00	32.3	\$11,358,435.00	\$23,560,840.00
2010	\$31,828,108.00	36.5	\$11,617,259.00	31.3	\$9,962,198.00	\$21,579,457.00

Table 5: Cost of Drugs and Alcohol to the Public Defender Service by Source of Fund

	2006	2007	2008	2009	2010
Drugs Cost by Source					
General fund	\$4,695,180.00	\$9,800,313.00	\$11,883,046.00	\$12,195,465.00	\$11,611,784.00
Federal fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Appropriated special fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Unappropriated special fund	\$1,670.00	\$3,370.00	\$3,340.00	\$6,940.00	\$5,475.00
Total⁶	\$4,696,850.00	\$9,803,683.00	\$11,886,386.00	\$12,202,405.00	\$11,617,259.00
Alcohol Cost by Source					
General fund	\$9,812,082.00	\$10,265,610.00	\$12,096,514.00	\$11,351,975.00	\$9,957,503.00
Federal fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Appropriated special fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Unappropriated special fund	\$3,490.00	\$3,530.00	\$3,400.00	\$6,460.00	\$4,695.00
Total⁶	\$9,815,572.00	\$10,269,140.00	\$12,099,914.00	\$11,358,435.00	\$9,962,198.00

Table 4 shows that over \$11 million was consumed from PDS' budget for prosecuting persons arrested for drug-involved crimes in FY 2010; this was a 147% increase from FY 2006. Table 4 also shows that over \$9 million was consumed from PDS' budget for prosecuting persons arrested for alcohol-

⁶ Budget figures were provided by the West Virginia Budget Office.

⁷ Rounded up to nearest dollar

involved crimes in FY 2010; this was only a 1.5% increase from FY 2006. In total, **drug- and alcohol-involved crimes consumed over 50% of PDS' budget.**

Table 5 presents data on the different sources of funds for PDS' budget. Nearly all of PDS's budget comes mainly from general funds. Less than 0.01% comes from the unappropriated special funds, which could also be from state funds. Thus, the state of **West Virginia bore nearly all of the cost of PDS' services for persons arrested for drug- and alcohol-involved crimes.**

The Prosecuting Attorney's Institute

Introduction

The economic impact of drugs and alcohol to any society is astronomical. In West Virginia, not only is this cost high, it has increased significantly. This is part of a series of several reports that will attempt to estimate the cost of drugs and alcohol to the West Virginia Criminal Justice System, which includes the Public Defender Program, Prosecuting Attorneys Institute, Parole Board, Law Enforcement, Judicial System, Division of Juvenile Services, Division of Corrections, and Regional Jail Authority. This report will estimate the percentage of the Prosecuting Attorneys Institute (PAI) budget that goes towards dealing with drug- and alcohol-involved arrests from fiscal year (FY) 2006 to fiscal year 2010. It will also estimate the costs of drug and alcohol arrests to PAI from FY 2006 to FY 2010, as well as the sources of these funds for each year.

The PAI is different from most other agencies examined in this series of reports because it does not provide direct services to individuals who commit crimes that are drug- or alcohol-involved. It, however, provides several indirect services such as (a) training for prosecutors and preparing manuals for use by prosecutors, (b) training for other law enforcement entities, (c) special prosecuting attorneys to pursue criminal matters, (d) legal research, technical assistance, and technical and professional publications to prosecutors, (e) uniform reporting procedures for prosecutors, (f) identification of experts and other resources for use by prosecutors, (g) recommendations to the legislature in regard to uniform processing of juvenile cases, and (h) all other information requested and directed by the Executive Council (WV Prosecuting Attorneys Institute, 2009).

The Cost of Drug- and Alcohol-involved Crimes in the Prosecuting Attorney's Institute

The number of total arrests made in West Virginia was used to estimate the number of individuals who would have been arrested and prosecuted for crimes that were drug- and alcohol-involved and who would have been defendants in court cases filed by the state of West Virginia. Tables 2 and 3 provide this information and also information on trends in the percentage of crimes directly and indirectly attributable to drugs and alcohol.

Table 6 shows that drug-involved crimes consumed over \$727,000 of PAI's budget in FY 2010; this was about a 373% increase from FY 2006. Table 6 also shows that alcohol-involved crimes consumed over \$623,000 of PAI's budget in FY 2010; this was a 94% increase from fiscal year 2006. In total, **drug- and alcohol-involved crimes consumed over half of PAI's budget.**

Table 7 presents data on the different sources of funds for PAI's budget. There has been a shift recently in PAI budget, such that over half of its budget now comes from unappropriated special fund. Nonetheless, about 28% of PAI's budget came mainly from appropriated special funds which are all state funds⁸ in 2010. General funds also are entirely from the state. Thus, the state of West Virginia bore an additional 12% of the cost of prosecuting persons who were arrested for drug- and alcohol-involved crimes. Approximately 4% of the cost comes from federal funds. Thus, West Virginia pays a substantial price for prosecuting crimes due to drug and alcohol use and stands to gain tremendously from efforts to reduce the use of both substances.

⁸ Clarification provided by WV Budget Office's Official.

Table 6: Estimates of Drugs and Alcohol Cost to the Prosecuting Attorneys Institute from FY 2006 to FY 2010

	Total Budget ⁹	% Crime due to drugs	Estimated cost of drugs crimes ¹⁰	% Crime due to alcohol	Estimated cost of alcohol crimes ⁶	Total cost of drugs and alcohol
2006	\$920,889.00	16.7	\$153,788.00	34.9	\$321,390.00	\$475,179.00
2007	\$971,823.00	33.7	\$327,504.00	35.3	\$343,054.00	\$670,558.00
2008	\$847,333.00	33.4	\$283,009.00	34	\$288,093.00	\$571,102.00
2009	\$1,004,814.00	34.7	\$348,670.00	32.3	\$324,555.00	\$673,225.00
2010	\$1,992,833.00	36.5	\$727,384.00	31.3	\$623,757.00	\$1,351,141.00

Table 7: Cost of Drugs and Alcohol to the Prosecuting Attorneys Institute by Source of Fund

	2006	2007	2008	2009	2010
Drugs Cost by Source					
General fund	\$29,874.00	\$76,251.00	\$74,731.00	\$85,016.00	\$89,923.00
Federal fund	\$33,311.00	\$67,289.00	\$25,952.00	\$28,226.00	\$29,690.00
Appropriated special fund	\$90,604.00	\$183,964.00	\$182,326.00	\$190,839.00	\$200,784.00
Unappropriated special fund	\$0.00	\$0.00	\$0.00	\$44,590.00	\$406,987.00
Total⁶	\$153,788.00	\$327,504.00	\$283,009.00	\$348,670.00	\$727,384.00
Alcohol Cost by Source					
General fund	\$62,431.00	\$79,872.00	\$76,074.00	\$79,136.00	\$77,112.00
Federal fund	\$69,614.00	\$70,484.00	\$26,418.00	\$26,274.00	\$25,460.00
Appropriated special fund	\$189,345.00	\$192,698.00	\$185,602.00	\$177,640.00	\$172,179.00
Unappropriated special fund	\$0.00	\$0.00	\$0.00	\$41,506.00	\$349,006.00
Total⁶	\$321,390.00	\$343,054.00	\$288,093.00	\$324,555.00	\$623,757.00

⁹ Budget figures were provided by the West Virginia Budget Office.

¹⁰ Rounded up to nearest dollar

The Law Enforcement Agency

Introduction

The economic impact of drugs and alcohol to any society is astronomical. In West Virginia, not only is this cost high, it is increasing significantly. This is part of a series of several reports that will attempt to estimate the cost of drugs and alcohol to the Public Defender Program, Prosecuting Attorneys Institute, Parole Board, Law Enforcement, Judicial System, Division of Juvenile Services, Division of Corrections, and Regional Jail Authority. This report will estimate the percentage of the Law Enforcement sector's budget that goes towards dealing with drug-involved and alcohol-involved arrests and crimes from fiscal year (FY) 2006 to fiscal year 2010. It will also estimate the costs of drug and alcohol arrests to the Law Enforcement sector from FY 2006 to FY 2010, as well as the sources of these funds for each year.

There are three arms of law enforcement that would be involved in drug- and alcohol-involved arrests and crimes in West Virginia: the state police, the municipal police, and the county sheriffs. The budget and the cost of drug- and alcohol-involved crimes are reported separately for the three offices.

The Cost of Drug- and Alcohol-involved Crimes in the Law Enforcement Sector

The number of total arrests made in West Virginia was used to estimate the number of individuals who may have been arrested by law enforcement officers for drug- and alcohol-involved crimes in the state. Tables 2 and 3 provide this information and also information on trends in the percentage of crimes directly and indirectly attributable to drugs and alcohol.

Table 8 shows that the state police spent over \$46 million on drug-involved crimes and arrests in FY 2010; this was a 258% increase from FY 2006. Table 3 also shows that the state police spent over \$39 million on alcohol-involved crimes in FY 2010 which was a 47% increase from fiscal year 2006. In total, over 50% of the state police office's budget goes towards drug- and alcohol-involved crimes.

The municipal police spent even more. Table 8 shows that the municipal police spent over \$48 million for drug-involved crimes and arrests in FY 2010, a 172% increase from FY 2006. Table 3 also shows that the municipal police spent over \$41 million on alcohol-involved crimes in FY 2010 which was a 12% increase from fiscal year 2006. In total, over 60% of the municipal police offices' budget goes towards drug- and alcohol-involved crimes.

Further, Table 8 includes how much county sheriffs spent on drug and alcohol-involved crimes and arrests. Over \$24 million was spent on drug-involved crimes and arrests in FY 2010; this was a 162% increase from FY 2006. Table 8 also shows that county sheriffs spent over \$21 million on alcohol-involved crimes in FY 2010, an 8% increase from fiscal year 2006. In total, over 60% of the county sheriff offices' budget goes towards drug- and alcohol-involved crimes.

Finally, Table 8 show estimates of how much in total was spent by all the three law enforcement divisions on drug- and alcohol-involved crimes and arrests. Over 119 million was spent on drug-involved crimes and arrests in FY 2010. However, this was a 198% increase from FY 2006. Table 8 also shows that the three law enforcement division spent over \$102 million on alcohol-involved crimes in FY 2010, nearly a 22% overall increase from fiscal year 2006. In total, over 60% of the total law enforcement budget goes towards drug- and alcohol-involved crimes.

Table 8: Estimates of Drugs and Alcohol Cost to the Law Enforcement Offices from FY 2006 to FY 2010

	Total Budget ¹¹	% Crime due to drugs	Estimated cost of drugs crimes ¹²	% Crime due to alcohol	Estimated cost of alcohol crimes ⁶	Total cost of drugs and alcohol ⁶
State Police						
2006	\$77,256,592.00	16.7	\$12,901,851.00	34.9	\$26,962,551.00	\$39,864,402
2007	\$76,722,342.00	33.7	\$25,855,429.00	35.3	\$27,082,987.00	\$52,324,638
2008	\$87,507,404.00	33.4	\$29,227,473.00	34	\$29,752,517.00	\$58,279,931
2009	\$87,635,763.00	34.7	\$30,409,610.00	32.3	\$28,306,351.00	\$58,190,146
2010	\$126,869,412.00	36.5	\$46,307,335.00	31.3	\$39,710,126.00	\$86,017,461
Municipal Police						
2006	\$105,744,019.00	16.7	\$17,659,251.00	34.9	\$36,904,663.00	\$54,532,191.00
2007	\$109,900,051.00	33.7	\$37,036,317.00	35.3	\$38,794,718.00	\$59,258,108.00
2008	\$111,864,383.00	33.4	\$37,362,704.00	34	\$38,033,890.00	\$61,044,394.00
2009	\$116,600,584.00	34.7	\$40,460,403.00	32.3	\$37,661,989.00	\$78,122,392.00
2010	\$131,774,239.00	36.5	\$48,097,597.00	31.3	\$41,245,337.00	\$89,342,934.00
County Sheriffs						
2006	\$56,431,903.00	16.7	\$9,424,128.00	34.9	\$19,694,734.00	\$29,101,932.00
2007	\$59,488,043.00	33.7	\$20,047,470.00	35.3	\$20,999,279.00	\$32,075,953.00
2008	\$62,350,639.00	33.4	\$20,825,113.00	34	\$21,199,217.00	\$34,024,744.00
2009	\$65,086,812.00	34.7	\$22,585,124.00	32.3	\$21,023,040.00	\$43,608,164.00
2010	\$67,845,333.00	36.5	\$24,763,547.00	31.3	\$21,235,589.00	\$45,999,136.00
Total						
2006	\$239,432,514.00	16.7	\$39,985,230.00	34.9	\$83,561,947.00	\$123,475,347.00
2007	\$246,110,436.00	33.7	\$82,939,217.00	35.3	\$86,876,984.00	\$132,702,747.00
2008	\$261,722,426.00	33.4	\$87,415,290.00	34	\$88,985,625.00	\$142,821,928.00
2009	\$269,323,159.00	34.7	\$93,455,136.00	32.3	\$86,991,380.00	\$180,446,516.00
2010	\$326,488,984.00	36.5	\$119,168,479.00	31.3	\$102,191,052.00	\$221,359,531.00

¹¹ Budget figures for the state police were provided by the West Virginia Budget Office. Budget figures for the municipal police and county sheriff were provided by the WV State Auditor's Office.

¹² Rounded to the nearest dollar

Table 9: Cost of Drugs and Alcohol to the Law Enforcement Offices by Source of Fund

	2006	2007	2008	2009	2010
Drugs Cost by Source					
General fund	\$38,406,602.00	\$79,909,913.00	\$84,130,253.00	\$89,645,124.00	\$103,564,219.00
Federal fund	\$184,600.00	\$296,878.00	\$323,648.00	\$574,613.00	\$11,474,436.00
Appropriated special fund	\$704,128.00	\$1,396,168.00	\$1,444,354.00	\$1,522,880.00	\$1,608,078.00
Unappropriated special fund	\$689,899.00	\$1,336,258.00	\$1,517,035.00	\$1,712,519.00	\$2,521,746.00
Total⁶	\$39,985,229.00	\$82,939,217.00	\$87,415,290.00	\$93,455,136.00	\$119,168,479.00
Alcohol Cost by Source					
General fund	\$80,262,899.00	\$83,703,855.00	\$85,641,575.00	\$83,444,885.00	\$88,809,865.00
Federal fund	\$385,782.00	\$310,973.00	\$329,462.00	\$534,870.00	\$9,839,722.00
Appropriated special fund	\$1,471,501.00	\$1,462,455.00	\$1,470,301.00	\$1,417,551.00	\$1,378,982.00
Unappropriated special fund	\$1,441,766.00	\$1,399,700.00	\$1,544,287.00	\$1,594,074.00	\$2,162,484.00
Total⁶	\$83,561,948.00	\$86,876,983.00	\$88,985,625.00	\$86,991,380.00	\$102,191,053.00

All the funds for the municipal police’s and county sheriff’s budget come from the general fund. Therefore, the state of West Virginia bears all the costs of drug- and alcohol-involved crimes in these two sectors. The state police’s budget comes from several sources and those are reported in Table 9. Most of the state police’s budget, 66% to be exact in 2010, comes mainly from the general fund. Federal funds made up 24% of the state police’s budget; a significant increase from previous years. About 5% comes each from appropriated and unappropriated special funds. Unappropriated special funds are all state funds and appropriated special funds can be either state or federal¹³. Appropriated special funds are often provided by the federal government to the state in special situations like flooding and other emergency relief situations⁶, which is unlikely to be used for law enforcement. Therefore, it is likely that the 5% appropriated special is entirely from state funds. Thus, **the state of West Virginia bears at least 70% of the cost of drug- and alcohol-involved crimes and arrests in the law enforcement sector.**

¹³ Clarification provided by WV Budget Office’s Official

The Judicial System

Introduction

The economic impact of drugs and alcohol to any society is astronomical; this is the case in West Virginia. This is part of a series of several reports that will attempt to estimate the cost of drugs and alcohol to the West Virginia Criminal Justice System, which includes the Public Defender Program, Prosecuting Attorneys Institute, Parole Board, Law Enforcement, Judicial System, Division of Juvenile Services, Division of Corrections, and Regional Jail Authority. This report will estimate the percentage of the West Virginia judicial system's budget that was spent on prosecuting individuals arrested for drug-involved and alcohol-involved crimes from fiscal year (FY) 2006 to fiscal year 2011. It will also estimate the costs of drug- and alcohol-related arrests to West Virginia's judicial system from FY 2006 to FY 2011, as well as the sources of these funds for each year.

The West Virginia judicial system includes the supreme court of appeals, circuit courts, magistrate courts, family courts, mental hygiene commissioner, probation office, and municipal courts, which deal with ordinance violations and operate at the local level. Of particular interest in the present report are the circuit and magistrate courts and the probation office because they deal with persons arrested for drug- and alcohol-related crimes.

The circuit courts are West Virginia's only trial courts of record. In 2005, West Virginia's 55 counties were divided into 31 circuits with 65 judges (WV Supreme Court of Appeals, 2009). The circuits vary in size; one has seven judges while eleven have one judge each (WV Supreme Court of Appeals, 2009). The circuit courts have jurisdiction over civil cases at law over \$300 or more or in equity, felonies and misdemeanors, juvenile matters, appeals de novo or on the record from magistrate, court and municipal court, appeals from state administrative agencies, excluding workers' compensation, and appeals from family court decisions (WV Supreme Court of Appeals, 2009). In 2006, the year with the most recent publicly available data, 47,998 cases were filed in West Virginia. Of these cases, 31,325 were civil cases, 9,053 were criminal cases, and 7,620 were juvenile matters. Although no information was provided on the crimes committed in the criminal cases, estimates obtained from arrests data will be applied to obtain the percentage of the 9,053 cases that were due to drugs and alcohol crimes. The estimate obtained would be applied to the circuit courts' budget in FY 2006 to 2011. Different estimates were not applied for the different years because there is significant fluctuation in the number of cases filed at the circuit courts and this makes it hard to determine the trend. For example, 44,170, 47,772, 46,890, 48,535, and 47,998 cases were filed between 2002 to 2006.

There are 158 magistrates in West Virginia. The magistrate courts oversee civil actions of \$5,000 or less, felony preliminary hearings, misdemeanors, landlord-tenant matters, traffic violations, and emergency protective orders in domestic violence cases (WV Supreme Court of Appeals, 2009). In 2006, the year with the most recent publicly available data, 367,082 cases were filed in West Virginia. Of these cases, the 24,698 felony, 160,585 motor vehicle misdemeanor, and 80,634 other misdemeanor cases are of relevance in this study. Although no information was provided on the crimes committed in each of these types of cases, estimates obtained from arrests data will be applied to obtain the percentage of the number of each type of case that were due to drugs and alcohol crimes. The number of cases filed at magistrate courts fluctuated in a similar manner to the circuit courts cases.

Probation officers provide many services to circuit courts, such as conducting investigations and drug screening, preparing pre-sentence reports, recommending sentences for criminal offenders, and monitoring offenders sentenced to probation. Although no recent data exist, the West Virginia court system had 41 adult, 84 adult/juvenile and 48 juvenile probation officers in 2005, the year with the most recent publicly available data. Probation officers supervised 14,404 adult and juvenile offenders in 2005 with an average annual cost of \$882 per offender (WV Supreme Court of Appeals, 2009).

The Cost of Drug- and Alcohol-involved Crimes in the Judicial Sector

The number of total arrests made in West Virginia was used to estimate the number of cases that were prosecuted for crimes that were drug- and alcohol-involved in the judicial system. Tables 2 and 3 provide this information and also information on trends in the percentage of crimes directly and indirectly attributable to drugs and alcohol.

Table 10 shows that the circuit courts spent slightly more than \$10 million on drug-involved cases in FY 2010; this was a 210% increase from FY 2006. Table 10 also shows that over \$9 million was spent on alcohol-involved crimes in FY 2010; this was a 27% increase from FY 2006. In total, over 50% of the circuit courts' budget goes towards prosecuting drug- and alcohol-involved crimes.

In addition, Table 10 shows that the magistrate courts spent close to an estimated \$9 million on drug-involved cases in FY 2010; this was a 171% increase from FY 2006. Table 10 also shows that over \$8 million was spent on alcohol-involved crimes in FY 2010; this was a 11% increase from FY 2006. In total, over 50% of the magistrate courts' budget went towards trying drug- and alcohol-involved crimes.

Similarly, Table 10 shows that the WV probation office spent close to an estimated \$6 million on drug-involved cases in FY 2010; this was a 189% increase from FY 2006. Table 3 also shows that over \$5 million was spent on alcohol-involved crimes in FY 2010; this was a 18% increase from FY 2006. In total, over 50% of the probation office's budget went towards providing services for clients who were incarcerated for drug- and alcohol-involved crimes.

The source of the budgets for the circuit and magistrate courts, and the probation office, were not provided but some indication of the sources of the budgets for the circuit and magistrate courts and the probation office was obtained from the sources of funds for the overall Supreme Court budget in WV. The obtained distribution was applied to the cost of drug- and alcohol-involved crimes. According to data provided by West Virginia Budget Office, over 94% of the judicial system's budget came from the general fund in 2010. Around 4% comes from the federal government. Appropriated constituted 1% of the budget in 2010. Further, in the past four years, some unappropriated special funds have been available, making up slightly more than 1% of the budget. However, unappropriated special funds are also entirely state funds. Thus, it is safe to conclude that **over 95% of the cost of prosecuting cases relating to drug- and alcohol-involved crimes is borne by the state.**

Table 10: Estimates of Drugs and Alcohol Cost to the Judicial System from FY 2006 to FY 2010

	Total Budget ¹⁴	% Crime due to drugs	Estimated cost of drugs crimes	% Crime due to alcohol	Estimated cost of alcohol crimes	Estimated cost of drugs and alcohol crimes
Circuit Courts						
2006	\$20,379,612.00	16.7	\$3,403,395.00	34.9	\$7,112,485.00	\$10,515,880.00
2007	\$20,851,866.00	33.7	\$7,027,079.00	35.3	\$7,360,709.00	\$14,387,788.00
2008	\$21,461,758.00	33.4	\$7,168,227.00	34	\$7,296,998.00	\$14,465,225.00
2009	\$27,205,299.00	34.7	\$9,440,239.00	32.3	\$8,787,312.00	\$18,227,551.00
2010	\$28,975,104.00	36.5	\$10,575,913.00	31.3	\$9,069,208.00	\$19,645,121.00
Magistrate Courts						
2006	\$21,038,746.00	16.7	\$3,513,471.00	34.9	\$7,342,522.00	\$10,855,993.00
2007	\$22,525,394.00	33.7	\$7,591,058.00	35.3	\$7,951,464.00	\$15,542,522.00
2008	\$25,300,556.00	33.4	\$8,450,386.00	34	\$8,602,189.00	\$17,052,575.00
2009	\$25,346,121.00	34.7	\$8,795,104.00	32.3	\$8,186,797.00	\$16,981,901.00
2010	\$26,157,631.00	36.5	\$9,547,535.00	31.3	\$8,187,339.00	\$17,734,874.00
Probation Office						
2006	\$12,928,920.00	16.7	\$2,159,130.00	34.9	\$4,512,193.00	\$6,671,323.00
2007	\$14,431,699.00	33.7	\$4,863,483.00	35.3	\$5,094,390.00	\$9,957,873.00
2008	\$15,022,547.00	33.4	\$5,017,531.00	34	\$5,107,666.00	\$10,125,197.00
2009	\$15,987,297.00	34.7	\$5,547,592.00	32.3	\$5,163,897.00	\$10,711,489.00
2010	\$17,120,775.00	36.5	\$6,249,083.00	31.3	\$5,358,803.00	\$11,607,886.00
Total						
2006	\$54,347,280.00	16.7	\$9,075,996.00	34.9	\$18,967,201.00	\$28,043,197.00
2007	\$57,808,960.00	33.7	\$19,481,620.00	35.3	\$20,406,563.00	\$39,888,183.00
2008	\$61,784,863.00	33.4	\$20,636,144.00	34	\$21,006,853.00	\$41,642,997.00
2009	\$68,538,717.00	34.7	\$23,782,935.00	32.3	\$22,138,006.00	\$45,920,941.00
2010	\$72,253,510.00	36.5	\$26,372,531.00	31.3	\$22,615,349.00	\$48,987,880.00

¹⁴ Budget figures were provided by the Administrative Services Division of the WV Supreme Courts of Appeal.

Table 11: Cost of Drugs and Alcohol to the Supreme Court by Source of Fund

	2006	2007	2008	2009	2010
General fund	\$26,641,037.00	\$37,893,774.00	\$39,560,847.00	\$43,624,894.00	\$46,538,486.00
Federal fund	\$1,121,728.00	\$1,595,527.00	\$1,665,720.00	\$1,836,838.00	\$1,959,515.00
Appropriated special fund	\$280,432.00	\$398,882.00	\$416,430.00	\$459,209.00	\$489,879.00
Unappropriated special fund	\$280,432.00	\$398,882.00	\$416,430.00	\$459,209.00	\$489,879.00
Total	\$28,043,197.00	\$39,888,183.00	\$41,642,997.00	\$45,920,941.00	\$48,987,880.00

The Division of Juvenile Services

Introduction

The economic impact of drugs and alcohol to any society is astronomical; this is the case in West Virginia. This is part of a series of several reports that will attempt to estimate the cost of drugs and alcohol to the West Virginia Criminal Justice System, which includes the Public Defender Program, Prosecuting Attorneys Institute, Parole Board, Law Enforcement, Judicial System, Division of Juvenile Services, Division of Corrections, and Regional Jail Authority. This report will estimate the percentage of the Division of Juvenile Services (DJS) budget that was spent on providing correctional services to persons under age 18 who were arrested for drug-involved and alcohol-involved crimes from fiscal year (FY) 2006 to fiscal year 2010. It will also estimate the costs of drug and alcohol arrests to DJS from FY 2006 to FY 2010, as well as the source of these funds for each year.

The 1997 House Bill 2680 required that DJS develop a comprehensive plan to establish a unified state system for social and rehabilitative programming and treatment of juveniles in pre-dispositional detention centers and juvenile correctional centers, and a comprehensive plan for regional detention centers and programs (WV Juvenile Justice System, 2009). The bill also created a partnership between WV Department of Health and Human Resources and DJS for planning and establishing balanced and comprehensive programming for juveniles and their families, including prevention and early intervention strategies (WV Juvenile Justice System, 2009). Out of the ten juvenile detention centers (three staff-secure facilities and seven hardware secure facilities in West Virginia), DJS operates nine of them and contracts with a private not-for-profit agency to operate the remaining facility. The present study focused on estimating the DJS' cost of providing services for persons under age 18 who committed drug- and alcohol-involved crimes in juvenile correctional and detention centers.

The Cost of Drug- and Alcohol-involved Crimes in the Division of Juvenile Services

The total number of persons under age 18 arrested in West Virginia was used to estimate the number of juveniles who were arrested for crimes that were drug- and alcohol-involved and who would have been in DJS juvenile correctional facilities. The WV state police (2009, 2011) provides the number of juvenile arrests by calendar year. This format is different from the fiscal year used by the state for budget purposes. Consequently, this report used the counts for calendar year 2006 as the estimates for fiscal year 2005/2006 or FY 2006, and likewise for subsequent years.

According to WV state police (2009, 2011), 390 persons under age 18 were arrested for drug crimes out of the total 3,345 juvenile arrests made in FY 2006. This number had increased by 62% in 2010 to result in 631 juvenile drug crime arrests. Drug arrests, thus, constitute a greater proportion of juvenile arrests today. Over a quarter of juvenile arrests was for drug crimes in 2010 whereas only 11% of juvenile arrests in 2006 was for drug crimes. By contrast, a decline was observed for alcohol crimes. According to WV state police (2009), 380 persons under age 18 were arrested for alcohol crimes in FY 2006 compared to 179 juveniles arrestees in FY 2010.

Apart from these direct drug and alcohol crime arrests, other arrests may be indirectly associated with drugs and alcohol. Using the 1996 Survey of Inmates in Local Jails and the 1995 Survey of Adults on Probation, Miller, Levy, Cohen, and Cox (2006) estimated the percentage of other crimes that are indirectly drug- and alcohol-involved. They defined a crime as being indirectly drug-involved if an inmate reported being under the influence of drugs or if the inmate committed the crime to pay for drugs. The percentages of assault, rape, robbery, burglary, larceny, and motor vehicle theft which were attributed to drugs by Miller et al. (2006) are reported in Table 12.

Further, they defined a crime as being indirectly alcohol-involved if an inmate reported consuming at least one drink of alcohol shortly before the offense was committed. The percentages of homicide, assault, rape, robbery, burglary, larceny, and motor vehicle theft which were attributed to

alcohol by Miller et al. (2006) are reported in Table 13. This methodology was applied for estimating indirect drug- and alcohol-involved arrests in the present report. For example, 22.4% of juvenile arrests were for assault in FY 2010 and Miller et al. (2006) argued that 25% of these homicides were indirectly due to drugs.

Table 12: Percent of Crimes Directly and Indirectly Attributable to Drugs from FY 2006 to FY 2010 in the Division of Juvenile Services

	Miller et al.'s % attributable	2006		2007		2008		2009		2010	
		Total ¹⁵	Due to drugs ¹⁶	Total ¹	Due to drugs ²	Total ¹⁷	Due to drugs ¹⁸	Total ¹	Due to drugs ²	Total ¹	Due to drugs ²
Homicide	25	0.00	0.00	0.15	0.04	0.13	0.03	0.00	0.00	0.1	0.03
Assault	13	2.60	0.34	2.26	0.29	2.11	0.27	20.5	2.67	22.4	2.91
Rape	18	0.44	0.08	0.67	0.12	0.64	0.12	0.30	0.05	0.30	0.05
Robbery	39	0.77	0.30	0.52	0.20	0.58	0.23	1.30	0.51	0.80	0.31
Burglary	36	3.64	1.31	2.67	0.96	2.11	0.76	4.10	1.48	4.60	1.66
Larceny-Theft	23	19.57	4.50	14.14	3.25	12.88	2.96	4.40	1.01	3.70	0.85
Motor Vehicle Theft	23	1.98	0.46	1.51	0.35	0.93	0.21	1.60	0.37	3.80	0.87
Indirect Drug-involved			6.99		5.21		4.58		6.09		6.68
Direct Drug Offenses		11.20	11.20	11.32	11.32	11.68	11.68	24.10	24.10	25.60	25.60
Overall Drug Offenses			18.19		16.53		16.26		30.19		32.28

¹⁵ These are the percentages of arrests for each type of crime as reported by WV state police (2009).

¹⁶ These are estimated percentages of persons arrested for crimes that are indirectly due to drugs using Miller et al.'s (2006) fractions.

¹⁷ These are the percentages of arrests for each type of crime as reported by WV state police (2009).

¹⁸ These are estimated percentages of persons arrested for crimes that are indirectly due to drugs using Miller et al.'s (2006) fractions.

Table 13: Percent of Crimes Directly and Indirectly Attributable to Alcohol from FY 2006 to FY 2010 in the Division of Juvenile Services

	Miller et al.'s % attributable	2006		2007		2008		2009		2010	
		Total	Total	Total	Due to Alcohol	Total	Due to Alcohol	Total	Due to Alcohol	Total	Due to Alcohol
Homicide	42.0	0.00	0.00	0.15	0.06	0.13	0.05	0.00	0.00	0.10	0.04
Assault	41.0	2.60	1.07	2.26	0.93	2.11	0.87	20.5	8.41	22.40	9.18
Rape	39.0	0.44	0.17	0.67	0.26	0.64	0.25	0.3	0.12	0.30	0.12
Robbery	33.0	0.77	0.25	0.52	0.17	0.58	0.19	1.30	0.43	0.80	0.26
Burglary	36.0	3.64	1.31	2.67	0.96	2.11	0.76	4.10	1.48	4.60	1.66
Larceny-Theft	19.0	19.57	3.72	14.14	2.69	12.88	2.45	4.40	0.84	3.70	0.70
Motor Vehicle Theft	26.0	1.98	0.51	1.51	0.39	0.93	0.24	1.60	0.42	3.80	0.99
Indirect Alcohol-involved			7.03		5.46		4.81		11.70		12.95
Direct Alcohol Offenses		10.88	10.88	10.27	10.27	8.62	8.62	7.89	7.89	7.97	7.97
Overall Alcohol Offenses			17.91		15.73		13.43		19.59		20.92

Miller et al.'s (2006) attribution percentages were multiplied by the percentage of juvenile arrests that were for the crimes they classified as indirectly drug- and alcohol-involved and the results were divided by 100. The results provided the percentages of arrests that were for indirect drug- and alcohol-involved crimes. For example, the percentage of homicide arrests that were indirectly drug-involved in 2010 is $(25 * 22.4) / 100 = 2.91\%$. The resulting estimates were added to the 6.68% and 12.95% direct drug- and alcohol-involved arrests, respectively. The results suggested that approximately 32.28% of crimes in 2010 were either directly or indirectly related to drugs (Table 12) and approximately 20.92% of crimes were either directly or indirectly related to alcohol (Table 13). Note that Miller et al. (2006) also included child sexual abuse and child physical abuse/neglect crimes, which were not included in the WV state police data.

Tables 12 and 13 also provide trends in the percentage of crimes directly and indirectly attributable to drugs and alcohol. The percentage of drug-involved crimes increased between FY 2006 and FY 2010. Additionally, the percentage of alcohol-involved crimes also increased between FY 2006 and FY 2010.

Table 14 shows that the DJS spent over \$13 million for drug-involved crimes in FY 2010 in their correctional facilities; this was a 131% increase from FY 2006. Table 14 also shows that over \$9 million was spent on alcohol-involved crimes in FY 2010; this was a 52% increase from fiscal year 2006. In total, **over 50% of DJS' budget goes towards drug- and alcohol-involved crimes.**

Table 14: Estimates of Drugs & Alcohol Cost to the Division of Juvenile Services from FY 2006 to FY 2010

	Total Budget ¹⁹	% Crime due to drugs	Estimated cost of drugs crimes ²⁰	% Crime due to alcohol	Estimated cost of alcohol crimes ⁶	Estimated cost of drugs and alcohol crimes ⁶
2006	\$33,135,215.00	18.19	\$6,027,296.00	17.91	\$5,934,517.00	\$11,961,813.00
2007	\$35,797,615.00	16.53	\$5,917,346.00	15.73	\$5,630,965.00	\$11,548,311.00
2008	\$34,831,012.00	16.26	\$5,663,523.00	13.43	\$4,677,805.00	\$10,341,328.00
2009	\$40,119,043.00	30.19	\$12,111,939.00	19.59	\$7,859,321.00	\$19,971,260.00
2010	\$43,241,861.00	32.28	\$13,958,473.00	20.92	\$9,046,197.00	\$23,004,670.00

Table 15: Cost of Drugs and Alcohol to the Division of Juvenile Services by Source of Fund

	2006	2007	2008	2009	2010
Drugs Cost by Source					
General fund	\$5,892,872.00	\$5,727,960.00	\$5,467,976.00	\$11,792,869.00	\$13,742,197.00
Federal fund	\$60,209.00	\$99,198.00	\$98,800.00	\$116,798.00	\$0.00
Appropriated special fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Unappropriated special fund	\$74,215.00	\$91,262.00	\$96,747.00	\$202,273.00	\$216,276.00
Total⁶	\$6,027,296.00	\$5,918,420.00	\$5,663,523.00	\$12,111,940.00	\$13,958,473.00
Alcohol Cost by Source					
General fund	\$5,802,162.00	\$5,449,755.00	\$4,516,293.00	\$7,652,279.00	\$8,906,033.00
Federal fund	\$59,282.00	\$94,380.00	\$81,604.00	\$75,789.00	\$0.00
Appropriated special fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Unappropriated special fund	\$73,073.00	\$86,830.00	\$79,909.00	\$131,253.00	\$140,164.00
Total⁶	\$5,934,517.00	\$5,630,965.00	\$4,677,806.00	\$7,859,321.00	\$9,046,197.00

The WV Budget Office provided fiscal data for DJS by source of funds. The resulting distribution by source of funds was applied to the cost of drugs and alcohol in DJS. Table 15 presents these data on the different sources of funds for DJS' budget. Most of DJS' budget comes from the General Fund; in 2010, 98% to be exact came from that source. The 2% of the cost that came from the unappropriated special funds are also mainly state funds. WV therefore bears the bulk of the burden of juveniles' involvement in drug and alcohol crimes.

¹⁹ Budget figures were provided by the West Virginia Budget Office.

²⁰ Rounded up to the nearest dollar

The Division of Corrections

Introduction

The economic impact of drugs and alcohol to any society is astronomical. In West Virginia, not only is this cost high, it has increased significantly. This is part of a series of several reports that will attempt to estimate the cost of drugs and alcohol to the West Virginia criminal justice system, which includes the Public Defender Program, Prosecuting Attorneys Institute, Parole Board, Law Enforcement, Judicial System, Division of Juvenile Services, Division of Corrections, and Regional Jail Authority. This report will estimate the percentage of Division of Corrections (DOC) inmates who committed drug-involved and alcohol-involved crimes from fiscal year (FY) 2006 to fiscal year 2010. It will also estimate the costs of drug and alcohol crimes to DOC from FY 2006 to FY 2010, as well as the sources of the funds.

The Cost of Drug- and Alcohol-involved Crimes in the Division of Corrections

The West Virginia Division of Corrections (DOC) is the state agency that houses convicted felons. DOC facilities include the Central Office, 12 Correctional Facilities, 4 Work Release Centers, 16 Parole Offices, 1 Training Academy and 1 Prison Industries main office (WV Division of Corrections, 2008). As of March 2008, DOC had a total of 1,832 employees, 6,075 inmates, and 2,486 parolees (WV Division of Corrections, 2008). However, the average inmate population²¹ in the DOC facilities in FY 2010 was 6,483 (WV Division of Corrections, 2011); this was a 312% increase from the 1,575 inmates in 1990 (WV Division of Corrections, 2005). Of the inmates in 2010, 11.70% were in DOC facilities for crimes directly involving drugs whereas 2.00% were there for crimes directly involving alcohol; the estimates for 2006 were 9.99% and 2.67% (Tables 16 and 17), respectively. Apart from these, other crimes are indirectly associated with drugs and alcohol. Using the 1996 Survey of Inmates in Local Jails and the 1995 Survey of Adults on Probation, Miller, Levy, Cohen, and Cox (2006) estimated the percentage of other crimes that are indirectly drug- and alcohol-involved. They defined a crime as being indirectly drug-involved if an inmate reported being under the influence of drugs or if the inmate committed the crime to pay for drugs. The percentages of homicide, assault, rape, robbery, burglary, larceny, motor vehicle theft, child sexual abuse, and child physical abuse/neglect which were attributed to drugs by Miller et al. (2006) are reported in Table 16. Further, they defined a crime as being indirectly alcohol-involved if an inmate reported consuming at least one drink of alcohol shortly before an offense was committed. The percentages of homicide, assault, rape, robbery, burglary, larceny, motor vehicle theft, child sexual abuse, and child physical abuse/neglect which were attributed to alcohol by Miller et al. (2006) are reported in Table 17. For example, 13.60% of DOC inmates committed homicide in FY 2010 and Miller et al. (2006) would argue that 25% of these homicides were indirectly due to drugs.

²¹ Estimate based on inmates in legal custody of DOC on June 30, 2010

Table 16: Percent of Crimes Directly and Indirectly Attributable to Drugs from FY 2006 to FY 2010 in the Division of Corrections

	Miller et al.'s % attributable	2006		2007		2008		2009		2010	
		Total	Due to Drugs	Total	Due to Drugs	Total	Due to Drugs	Total	Due to Drugs	Total	Due to Drugs
Homicide	25.00	17.31	4.33	14.20	3.55	13.80	3.45	13.40	3.35	13.60	3.40
Assault	13.00	5.80	0.75	5.10	0.66	4.70	0.61	5.70	0.74	5.70	0.74
Rape	18.00	9.63	1.73	6.90	1.24	6.90	1.24	7.10	1.28	6.90	1.24
Robbery	39.00	9.61	3.75	9.70	3.78	9.00	3.51	10.00	3.90	10.20	3.98
Burglary	36.00	12.68	4.56	9.20	3.31	11.50	4.14	14.10	5.08	14.20	5.11
Larceny-Theft	23.00	3.25	0.75	5.70	1.31	5.80	1.33	6.50	1.50	6.20	1.43
Motor Vehicle Theft	23.00	0.19	0.04	0.00	0.00	0.00	0.00	0.30	0.07	0.00	0.00
Child Sexual Abuse and Sexual Abuse in the First and Second degrees	4.00	6.61	0.26	6.50	0.26	6.80	0.27	7.70	0.31	7.80	0.31
Child Physical Abuse/Neglect	3.00	1.05	0.03	1.50	0.05	1.70	0.05	1.00	0.03	1.00	0.03
Indirect Drug-involved			16.20		14.16		14.60		16.25		16.24
Direct Drug Offenses	100.00	9.99	9.99	11.00	11.00	9.80	9.80		11.40		11.80
Overall Drug Offenses			26.19		25.16		24.40		27.65		28.04

Tables 16 and 17 also provide trends in the percentage of crimes directly and indirectly attributable to drugs and alcohol for the Division of Corrections. The percentage of drug-involved crimes has increased in the last two years; increases have been recorded in both direct and indirect drug-involved crimes. For alcohol-involved crimes, there has been a decline in the percentage of both direct and indirect alcohol-involved crimes.

However, in spite of declines in the percentages of crimes that were drug- and alcohol-involved, the cost of drugs and alcohol to DOC continued to increase. Table 18 shows that over \$47 million of DOC's budget was consumed by drug-involved crimes in FY 2010; this was a 37.75% increase from the approximately \$34 million of FY 2006. Table 18 also shows that over \$40 million of the agency's budget was consumed by alcohol-involved crimes in FY 2010 which was a 19.24% increase from the approximately \$33 million of FY 2006. In total, **about half of DOC's budget goes towards drug- and alcohol-involved crimes.**

West Virginia Budget Office provided data on the different sources of funds for DOC's total budget. This same distribution was applied to the cost estimates in Table 19. From Table 19, one can conclude that **the state of West Virginia bears most of the cost of drugs and alcohol in DOC.** Ninety-

three percent of the cost of drugs- and alcohol-involved crimes comes from the general revenue whereas less than 1% comes from federal funds.

Table 17: Percent of Crimes Directly and Indirectly Attributable to Alcohol from FY 2006 to FY 2010 in the Division of Corrections

	Miller et al.'s % attributable	2006		2007		2008		2009		2010	
		Total	Due to Alcohol	Total	Due to Alcohol	Total	Due to Alcohol	Total	Due to Alcohol	Total	Due to Alcohol
Homicide	42.00	17.31	7.27	14.20	5.96	13.80	5.80	13.4	5.63	13.6	5.71
Assault	41.00	5.80	2.38	5.10	2.09	4.70	1.93	5.70	2.34	5.70	2.34
Rape	39.00	9.63	3.76	6.90	2.69	6.90	2.69	7.10	2.77	6.90	2.69
Robbery	33.00	9.61	3.17	9.70	3.20	9.00	2.97	10.00	3.30	10.20	3.37
Burglary	36.00	12.68	4.56	9.20	3.31	11.50	4.14	14.10	5.08	14.20	5.11
Larceny-Theft	19.00	3.25	0.62	5.70	1.08	5.80	1.10	6.50	1.24	6.20	1.18
Motor Vehicle Theft	26.00	0.19	0.05	0.00	0.00	0.00	0.00	0.30	0.08	0.00	0.00
Child Sexual Abuse and Sexual Abuse in the First and Second degree	17.00	6.61	1.12	6.50	1.11	6.80	1.16	7.70	1.31	7.80	1.33
Child Physical Abuse/Neglect	9.00	1.05	0.09	1.50	0.14	1.70	0.15	1.00	0.09	1.00	0.09
Indirect Alcohol-involved			23.02		19.58		19.94		21.82		21.81
Direct Alcohol Offenses		2.67	2.67	3.20	3.20	3.36	3.36	3.00	3.00	2.00	2.00
Overall Alcohol Offenses			25.69		22.78		23.30		24.82		23.81

Table 18: Estimates of Drugs and Alcohol Cost to the Division of Corrections from FY 2006 to FY 2010

	Total Budget	% Crime due to drugs	Estimated cost of drugs crimes	% Crime due to alcohol	Estimated cost of alcohol crimes ⁶	Total cost of drugs and alcohol
2006	\$ 131,534,444.00	26.19	\$34,462,024.00	25.69	\$33,804,352.00	\$68,266,376.00
2007	\$ 146,257,663.00	25.16	\$36,827,680.00	22.78	\$33,317,496.00	\$70,145,176.00
2008	\$ 154,384,801.00	24.40	\$37,700,768.00	23.30	\$35,971,659.00	\$73,672,427.00
2009	\$ 159,606,990.00	27.65	\$44,131,333.00	24.82	\$39,614,455.00	\$83,745,788.00
2010	\$ 169,297,711.00	28.04	\$47,471,078.00	23.81	\$40,309,785.00	\$87,780,863.00

Table 19: Cost of Drugs and Alcohol to the Division of Corrections by Source of Fund

	2006	2007	2008	2009	2010
	Drugs Cost by Source				
General fund	\$31,943,972.00	\$34,114,013.00	\$34,942,426.00	\$42,005,665.00	\$44,514,673.00
Federal fund	\$170,235.00	\$163,540.00	\$158,600.00	\$179,725.00	\$30,844.00
Appropriated special fund	\$100,370.00	\$182,216.00	\$177,729.00	\$205,269.00	\$0.00
Unappropriated special fund	\$2,234,294.00	\$2,338,659.00	\$2,391,136.00	\$1,936,282.00	\$208,283.00
Total⁶	\$34,448,871.00	\$36,798,428.00	\$37,669,891.00	\$44,326,942.00	\$44,753,800.00
	Alcohol Cost by Source				
General fund	\$31,334,122.00	\$30,887,012.00	\$33,367,153.00	\$37,706,351.00	\$37,799,371.00
Federal fund	\$166,985.00	\$148,070.00	\$151,450.00	\$161,330.00	\$26,191.00
Appropriated special fund	\$98,454.00	\$164,979.00	\$169,717.00	\$184,260.00	\$0.00
Unappropriated special fund	\$2,191,638.00	\$2,117,435.00	\$2,283,339.00	\$1,738,102.00	\$176,862.00
Total⁶	\$33,791,199.00	\$33,317,496.00	\$35,971,659.00	\$39,790,044.00	\$38,002,424.00

The Parole Board

Introduction

The economic impact of drugs and alcohol to any society is astronomical. In West Virginia, not only is this cost high, it has increased significantly. This is part of a series of several reports that attempt to estimate the cost of drugs and alcohol to various institutions in West Virginia's criminal justice system. The West Virginia criminal justice system includes the Public Defender Program, Prosecuting Attorneys Institute, Parole Board, Law Enforcement, Judicial System, Division of Juvenile Services, Division of Corrections, and Regional Jail Authority. This report will estimate the percentage of the clients served by the West Virginia Parole Board who were incarcerated for drug- and alcohol-involved crimes from fiscal year (FY) 2006 to fiscal year 2010; this population includes WV parolees, and Out-of-State parolees and probationers (WV Division of Corrections, 2008). This report will also estimate the costs of drug and alcohol crimes to the Parole Board from FY 2006 to FY 2010, as well as the sources of these funds for each year.

The West Virginia Parole Board plays an important role in West Virginia's criminal justice system. It makes independent, quality, conditional releases of adult offenders (West Virginia Parole Board, 2005). It also makes clemency recommendations to the Governor for adult offenders. In addition, the Parole Board works to facilitate the timely integration of offenders back into society as law-abiding citizens (West Virginia Parole Board, 2005).

The Cost of Drug- and Alcohol-involved Crimes in the Parole Board

The average number of clients under the supervision of West Virginia Parole Board in FY 2010 was 2,374²²; this was a 9.0% increase from the 2,178 clients in 2006 (Division of Corrections, 2005, 2008). The number of clients was broken down by the most serious crime for which the client had been incarcerated. Of the Parole Board's clients in 2010, 26.0% had been incarcerated specifically for drug offenses whereas 4.4% had been incarcerated specifically for alcohol offenses (WV Division of Corrections, 2011).

Apart from the crimes that were directly attributable to drugs and alcohol, drugs and alcohol are indirectly associated with several other crimes. Using the 1996 Survey of Inmates in Local Jails and the 1995 Survey of Adults on Probation, Miller, Levy, Cohen, and Cox (2006) estimated the percentage of other crimes that are indirectly drug- and alcohol-involved. They defined a crime as being indirectly drug-involved if an inmate reported being under the influence of drugs or if the inmate committed the crime to pay for drugs. Further, they defined a crime as being indirectly alcohol-involved if an inmate reported consuming at least one drink of alcohol shortly before the offense was committed.

Unlike the Division of Correction (DOC) data presented in a different report in this series (WV Division of Corrections, 2011), the crimes committed by the Parole Board's clients were not broken down into the level of detail needed to apply Miller et al.'s (2006) methodology to obtain the proportion of the Parole Board's clients who had committed crimes that were indirectly drug- and alcohol-involved. For example, apart from the most recent year, all sex crimes were lumped together. This was also the case for child abuse and several other crimes. Thus, the estimates of indirect drug- and alcohol-involved DOC inmates were used as estimates of indirect drug- and alcohol-involved Probation Board clients. For

²² Based on numbers of parolees on June 30, 2010

example, 16.24% of DOC inmates in FY 2010 committed a crime that was indirectly due to drugs (Table 16). This estimate of indirect drug-involved crime was added to the 26.00% of the Parole Board’s clients who had committed offenses that were directly drug-related and suggested that 42.24% of Parole Board’s clients had been incarcerated for crimes that were directly or indirectly drug-involved in FY 2010 (Table 20). Table 20 provides the trend of the percentage of crimes directly and indirectly attributable to drugs and alcohol. The percentage of Parole Board’s clients that had been incarcerated for drug-involved crimes increased in the first four-year period between FY 2006 and FY 2009; only recently was there a slight decline in 2010. For alcohol-involved crimes, the percentage of Parole Board’s clients that had been incarcerated for direct and indirect alcohol-involved crimes declined in FY 2007 and has recently increased and remained steady. The most recent rate was, however, still lower than the rate in 2006.

In spite of the decline in proportion of crimes that were alcohol-involved, the cost of alcohol to the Parole Board increased in all years apart from FY 2007 and FY 2010. Table 21 shows that an estimated \$287,139 of the Parole Board’s budget was consumed by alcohol-involved crimes in FY 2010; this was a 54% increase from FY 2006. Table 21 also shows that the amount that the Parole Board spent on drug-involved crimes in FY 2010 was nearly double what was spent in 2006 because their overall budget nearly doubled. Approximately \$462,754 of the Parole Board’s budget was consumed by drug-involved crimes in FY 2010 compared to approximately \$265,344 in FY 2006. In total, **more than half of the Parole Board’s budget goes towards crimes attributable to drugs and alcohol.**

Table 22 presents data on the different sources of funds for the Parole Board’s budget. The Parole Board’s budget comes totally from the general fund. As such, the state of West Virginia bears all the cost of services provided by the Parole Board for crimes attributable to drugs and alcohol!

Table 20: Percent of Parole Board’s Clients that had been Incarcerated for Crimes Directly and Indirectly Attributable to Drugs and Alcohol from FY 2006 to FY 2010

	Drug					Alcohol				
	2006	2007	2008	2009	2010	2006	2007	2008	2009	2010
Indirectly-involved ²³ Offenses	16.20	14.16	14.60	16.25	16.24	23.02	19.58	19.94	21.82	21.81
Directly-involved Offenses	22.41	24.60	27.60	28.30	26.00	4.13	4.30	4.40	4.40	4.40
Overall Drug Offenses	38.62	38.77	42.21	44.55	42.24	27.16	23.88	24.34	26.22	26.21

²³ These are the percentages of DOC inmates whose crimes were indirectly due to drugs and alcohol in the preceding report. They were used as estimates for the Parole Board’s clients because the Parole Board’s data was not broken down in sufficient detail.

Table 21: Estimates of Drugs and Alcohol Cost to the Parole Board from FY 2006 to FY 2010

	Total Budget	% Crime due to drugs	Estimated cost of drugs crimes	% Crime due to alcohol	Estimated cost of alcohol crimes ⁶	Total cost of drugs and alcohol
2006	\$687,063.00	38.62	\$265,344.00	27.16	\$186,606.00	\$451,950.00
2007	\$705,663.00	38.77	\$273,586.00	23.88	\$168,512.00	\$442,098.00
2008	\$1,036,611.00	42.21	\$437,555.00	24.34	\$252,311.00	\$689,866.00
2009	\$1,095,268.00	44.55	\$487,942.00	26.22	\$287,179.00	\$775,121.00
2010	\$1,095,534.00	42.24	\$462,754.00	26.21	\$287,139.00	\$749,893.00

Table 22: Cost of Drugs and Alcohol to the Parole Board by Source of Fund

	2006	2007	2008	2009	2010
Drugs Cost by Source					
General fund	\$265,344.00	\$273,586.00	\$437,554.00	\$487,942.00	\$462,754.00
Federal fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Appropriated special fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Unappropriated special fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total⁶	\$265,344.00	\$273,586.00	\$437,554.00	\$487,942.00	\$462,754.00
Alcohol Cost by Source					
General fund	\$186,606.00	\$168,512.00	\$252,311.00	\$287,179.00	\$287,139.00
Federal fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Appropriated special fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Unappropriated special fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total⁶	\$186,606.00	\$168,512.00	\$252,311.00	\$287,179.00	\$287,139.00

The Regional Jail Authority

Introduction

The economic impact of drugs and alcohol to any society is astronomical. In West Virginia, not only is this cost high, it is increasing significantly. This is part of a series of several reports that will attempt to estimate the cost of drugs and alcohol to the West Virginia Criminal Justice System, which includes the Public Defender Program, Prosecuting Attorneys Institute, Parole Board, Law Enforcement, Judicial System, Division of Juvenile Services, Division of Corrections, and Regional Jail Authority. This report will estimate the percentage of Regional Jail Authority (RJA) inmates that committed direct and indirect drug- and alcohol-involved crimes from 2005 to 2008. It is important to note at this stage that RJA provided their inmate data by calendar year but the data were used as estimates for the relevant fiscal year in this report. This report will also estimate the costs of drug and alcohol crimes to RJA from fiscal year (FY) 2005 to FY 2008, as well as the sources of these funds for each year.

The Cost of Drug- and Alcohol-involved Crimes in the Regional Jail Authority

The West Virginia RJA operates 10 jails, which houses offenders who have received a sentence of less than a year. In addition, offenders who receive a sentence of more than year are often housed in regional jails until bed space opens up for them at the Division of Corrections' facilities. RJA's facilities booked 44,207, 46,700, 46,615, 44,629, and 44,165 inmates from 2006 to 2010; this resulted in a 7.89% increase in inmates between 2006 and 2010 (Regional Jail Authority, 2011). The inmates had total charges of 73,342, 80,061, 81,387, 79,722, and 79,126 in 2006, 2007, 2008, 2009, and 2010 since one booking can involve multiple charges. The present study uses the charges so as to capture all incidences related to drug and alcohol. Of the inmates in 2010, 7.75% were in the institutions for crimes directly involving drugs whereas 13.17% were there for crimes directly involving alcohol (Regional Jail Authority, 2008). Direct-alcohol crimes have recorded slight decline over the years due to increases in total number of inmates in 2006 and 2007 and also due to the decline in actual number of inmates who committed direct alcohol-involved crimes. A total of 5,112, 4,855, 4,893, 6,012, and 6,132 inmates had direct drug-involved criminal charges in 2005, 2006, 2007, and 2008, respectively. Similarly, a total of 16,147, 14,849, 13,062, 10,817, and 10,424 inmates had direct alcohol-involved criminal charges in 2006, 2007, 2008, 2009, and 2010, respectively. Overall, these data resulted in 6.97%, 6.06%, 6.01%, 7.54%, and 7.75% of charges being directly attributable to drugs and 22.02%, 18.55%, 16.05%, 13.97, and 13.17% of charges being directly attributable to alcohol in 2006, 2007, 2008, 2009, and 2010, respectively.

Apart from these direct drug- and alcohol-involved crimes, other crimes are indirectly associated with drugs and alcohol. Using the 1996 Survey of Inmates in Local Jails and the 1995 Survey of Adults on Probation, Miller, Levy, Cohen, and Cox (2006) estimated the percentage of other crimes that are indirectly drug- and alcohol-involved. They defined a crime as being indirectly drug-involved if an inmate reported being under the influence of drugs or if the inmate committed the crime to pay for drugs. The percentages of homicide, assault, rape, robbery, burglary, larceny, motor vehicle theft, child sexual abuse, and child physical abuse/neglect which were attributed to drugs by Miller et al. (2006) are reported in Table 23. Further, they defined a crime as being indirectly alcohol-involved if an inmate reported consuming at least one drink of alcohol shortly before the offense was committed. The percentages of homicide, assault, rape, robbery, burglary, larceny, motor vehicle theft, child sexual

abuse, and child physical abuse/neglect which were attributed to alcohol by Miller et al. (2006) are reported in Table 24. For example, 0.32% of RJA inmates committed homicide in 2010 and Miller et al. (2006) would argue that 25% of these homicides were indirectly due to drugs.

Miller et al.'s (2006) attribution percentages were multiplied by the percentage of inmates in RJA facilities who had committed the crimes that they classified as indirectly drug- and alcohol-involved and the results were divided by 100. The results provided the percentages of RJA inmates who had committed indirect drug- and alcohol-involved crimes. For example, the percentage of inmates who had a homicide charge that was indirectly drug-involved in 2005 is $(25*0.32)/100=0.08\%$. The resulting estimates were summed and then added to the 14.96% and 37.80% direct drug- and alcohol-involved charges, respectively. The results suggested that approximately 20.08% of charges in 2010 were either directly or indirectly related to drugs (Table 23) and approximately 17% of charges were either directly or indirectly related to alcohol (Table 24). Thus, 28% of inmates of RJA's inmate in 2010 had a drug- and alcohol-involved charge. And, the estimates were nearly the same in subsequent years.

Tables 23 and 24 also provide the trend in the percentage of crimes directly and indirectly attributable to drugs and alcohol. The percentage of drug-involved crimes declined slightly between 2005 and 2007 but it increased recently in 2008. The decline was due to reduction in both the number of inmates incarcerated for direct and indirect drug crimes. For alcohol-involved crimes, the decline was more recent in the last two fiscal years and most of the decline was due to reduction in number of inmates incarcerated for direct alcohol crimes.

However, in spite of the decline in the percentages of crimes that were drug- and alcohol-involved, the cost of drugs and alcohol to RJA increased significantly in FY 2007. Table 25 shows that over \$9 million of RJA's budget was consumed by drug-involved crimes in FY 2010; this was a 36% increase from FY 2006. Table 25 also shows that over \$15 million of RJA's budget was consumed by alcohol-involved crimes in FY 2008; this was a 15% decline from fiscal year 2006. In total, **over a quarter of RJA's budget goes towards providing services to inmates who commit drug- and alcohol-involved crimes.**

West Virginia Budget Office provided data on the different sources of RJA budget. The resulting distribution was applied to the amount consumed by drug- and alcohol-involved crimes in Table 26. Table 26 presents estimates of the different sources of funds for RJA's budget. RJA's budget comes mainly from appropriated and non-appropriated special funds. Appropriated special funds are all state funds and most of unappropriated special funds are also state funds. However, in cases of emergency disaster, the federal government may provide unappropriated funds but it is not expected that such funds would go towards correctional programs²⁴. Thus, drugs and alcohol crimes place a significant burden on the State of West Virginia!

²⁴ Clarification provided by WV Budget Office's Official

Table 23: Percent of Crimes Directly and Indirectly Attributable to Drugs from FY 2006 to FY 2010 in the Regional Jail Authority Facilities

	Miller et al.'s % attributable	2006		2007		2008		2009		2010	
		Total ²⁵	Due to drugs ²⁶	Total ¹	Due to drugs ²	Total ²⁷	Due to drugs ²⁸	Total ¹	Due to drugs ²	Total ¹	Due to drugs ²
Homicide	25	0.14	0.04	0.24	0.06	0.22	0.06	0.18	0.05	0.32	0.08
Assault	13	2.9	0.38	9.17	1.19	9.01	1.17	5.93	0.77	6.38	0.83
Rape	18	0.04	0.01	0.05	0.01	0.05	0.01	0.23	0.04	0.23	0.04
Robbery	39	0.58	0.23	0.63	0.25	0.59	0.23	0.67	0.26	0.66	0.26
Burglary	36	1.97	0.71	1.22	0.44	1.32	0.48	2.05	0.74	2.24	0.81
Larceny-Theft	23	4.72	1.09	1.07	0.25	4.69	1.08	4	0.92	4.26	0.98
Motor Vehicle Theft	23	0.1	0.02	0.44	0.10	0.09	0.02	0.03	0.01	0.03	0.01
Child Sexual Abuse and Sexual Abuse in the First and Second degree	4	0.19	0.01	0.19	0.01	0.17	0.01	0.22	0.01	0.24	0.01
Child Physical Abuse/Neglect	3	0.21	0.01	0.50	0.02	0.42	0.01	0.17	0.01	0.22	0.01
Indirect Drug-involved			2.50		2.33		3.07		2.81		3.03
Direct Drug Offenses			6.97		6.06		6.01		7.54		7.75
Overall Drug Offenses			9.47		8.39		9.08		10.35		10.78

²⁵ These are the percentages of arrests for each type of crime as reported by WV state police (2009).

²⁶ These are estimated percentages of persons arrested for crimes that are indirectly due to drugs using Miller et al.'s (2006) fractions.

²⁷ These are the percentages of arrests for each type of crime as reported by WV state police (2009).

²⁸ These are estimated percentages of persons arrested for crimes that are indirectly due to drugs using Miller et al.'s (2006) fractions.

Table 24: Percent of Crimes Directly and Indirectly Attributable to Alcohol from FY 2006 to FY 2010 in the Regional Jail Authority Facilities

	Miller et al.'s % attributable	2006		2007		2008		2009		2010	
		Total	Total	Total	Due to Alcohol	Total	Due to Alcohol	Total	Due to Alcohol	Total	Due to Alcohol
Homicide	42.0	0.14	0.06	0.24	0.1	0.22	0.09	0.18	0.08	0.32	0.13
Assault	41.0	2.9	1.19	9.17	3.76	9.01	3.69	5.93	2.43	6.38	2.62
Rape	39.0	0.04	0.02	0.05	0.02	0.05	0.02	0.23	0.09	0.23	0.09
Robbery	33.0	0.58	0.19	0.63	0.21	0.59	0.19	0.67	0.22	0.66	0.22
Burglary	36.0	1.97	0.71	1.22	0.44	1.32	0.48	2.05	0.74	2.24	0.81
Larceny-Theft	19.0	4.72	0.90	1.07	0.2	4.69	0.89	4	0.76	4.26	0.81
Motor Vehicle Theft	26.0	0.10	0.03	0.44	0.11	0.09	0.02	0.03	0.01	0.03	0.01
Child Sexual Abuse and Sexual Abuse in the First and Second degree	4	0.19	0.03	0.19	0.03	0.17	0.03	0.22	0.04	0.24	0.04
Child Physical Abuse/Neglect	3	0.21	0.02	0.5	0.05	0.42	0.04	0.17	0.02	0.22	0.02
Indirect Alcohol-involved			3.15		4.92		5.45		4.39		4.75
Direct Alcohol Offenses			22.02		18.55		16.05		13.97		13.17
Overall Alcohol Offenses			25.17		23.47		21.50		18.36		17.92

Table 25: Estimates of Drugs and Alcohol Cost to the Regional Jail Authority from FY 2005 to FY 2008

	Total Budget	% Crime due to drugs	Estimated cost of drugs crimes ²⁹	% Crime due to alcohol	Estimated cost of alcohol crimes ⁵	Estimated cost of drug and alcohol crimes ⁵
2006	\$72,811,005.00	9.47	\$6,895,202.00	25.17	\$18,326,530.00	\$25,221,732.00
2007	\$74,144,774.00	8.39	\$6,220,747.00	23.47	\$17,401,778.00	\$23,622,525.00
2008	\$80,108,108.00	9.08	\$7,273,816.00	21.50	\$17,223,243.00	\$24,497,059.00
2009	\$84,703,671.00	10.35	\$8,766,830.00	18.36	\$15,551,594.00	\$24,318,424.00
2010	\$86,960,249.00	10.78	\$9,374,315.00	17.92	\$15,583,277.00	\$24,957,592.00

²⁹ Rounded up to the nearest dollar

Table 26: Cost of Drugs and Alcohol to the Regional Jail Authority by Source of Fund

	2006	2007	2008	2009	2010
	Drugs Cost by Source				
General fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Federal fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Appropriated special fund	\$1,058,936.00	\$940,668.00	\$1,022,055.00	\$1,174,174.00	\$1,226,806.00
Unappropriated special fund	\$5,836,266.00	\$5,280,078.00	\$6,251,761.00	\$7,592,656.00	\$8,147,509.00
Total⁶	\$6,895,202.00	\$6,220,746.00	\$7,273,816.00	\$8,766,830.00	\$9,374,315.00
	Alcohol Cost by Source				
General fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Federal fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Appropriated special fund	\$2,814,511.00	\$2,631,405.00	\$2,420,064.00	\$2,082,883.00	\$2,039,365.00
Unappropriated special fund	\$15,512,019.00	\$14,770,374.00	\$14,803,179.00	\$13,468,711.00	\$13,543,911.00
Total⁶	\$18,326,530.00	\$17,401,779.00	\$17,223,243.00	\$15,551,594.00	\$15,583,276.00

Conclusion

The picture of the financial burden of substance abuse to the criminal justice system in West Virginia is indeed quite grim. This report estimates that substance abuse costs the criminal justice system approximately \$429 million in 2010. If urgent actions are not taken, the cost could easily increase to over \$695 million in 2017. These estimated costs are quite conservative because this report focuses only on direct cost. Indirect cost of injuries to innocent parties by substance users and illness not directly due to substance use but that are complicated or extended due to substance use were not estimated. In addition, the cost of tobacco use and abuse is not included in any of the reports because that has been adequately examined in various studies. Thus, the costs reported in this report paint a very conservative picture of the financial burden of substance abuse in the state.

The pervasive nature and accompanying consequences of drug and alcohol use and abuse are readily evident in West Virginia. The magnitude of these costs and their rates of increase suggest that the state needs to take urgent actions to address drug and alcohol use. The prevalence estimates provided by the present report also suggest that West Virginia cannot afford to adopt a “wait and see” approach. Rather, the state should direct urgent attention at preventing drug and alcohol use at all ages. The comprehensive approach to the problem of substance abuse advocated by the *Governor’s Comprehensive Strategic Plan to Address Substance Abuse in West Virginia*³⁰ is one of the most viable options to stemming this tide (West Virginia Partnership to Promote Community Well-being, 2008). The Plan’s approach will lessen the financial burden facing the education system and free up resources for other much-needed programs.

³⁰ www.prevnet.org/wvpartnership/plan.aspx

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