

## 55<sup>th</sup> District Court Sobriety Court

The 55<sup>th</sup> District Court Sobriety Court targets OWI 2nd and OWI 3rd offenders found to be dependent on alcohol or other drugs who are not violent offenders as defined in MCL 600.1062. General eligibility criteria require that potential participants meet the target population and live within 30 miles of Ingham County. We also occasionally accept non-target population participants if they are dependent on alcohol and/or other drugs, traditional approaches to rehabilitation have failed, and it appears they will benefit from the program.

Initial eligibility screening typically occurs at arraignment. The magistrate reviews LEIN data and other records to verify that the potential participant meets general eligibility criteria and places the potential participant on Sobriety Court bond conditions. As a condition of bond, the potential participant must meet with the Sobriety Court pretrial supervision officer immediately.

The pretrial supervision officer conducts a more thorough screening, reviews the bond conditions with the potential participant and makes all appropriate referrals, as the conditions prohibit alcohol/drug use. Alcohol monitoring, random urine testing & a substance abuse assessment is also required. Additionally, the pretrial supervision officer monitors the potential participant's compliance with bond conditions by meeting with him/her prior to each subsequent court date and/or scheduled report dates. The pretrial supervision officer notifies the prosecutor and judge of the determination of eligibility and of any bond violations.

All potential Sobriety Court participants must complete a full biopsychosocial substance abuse assessment prior to sentencing. The Michigan Alcohol Screening Test (MAST) and the Drug Abuse Screening Test (DAST) are administered prior to the interview, and the assessor utilizes DSM-IV diagnostic criteria and basing level of care recommendations on ASAM guidelines. The assessments are accepted for authorization for treatment funding by our local substance abuse coordinating agency, the Mid-State Health Network.

Participants may be linked to treatment providers by the pretrial services officer prior to sentencing, by the judge at sentencing, or by the probation officer when reviewing results of the substance abuse assessment and/or signing the Order of Probation. Providers are chosen individually for each participant, based on appropriate level of care, insurance coverage/ability to pay, geography and provider participation in our Sobriety Court program.

There are a significant number of agencies in our jurisdiction offering a wide range of services from education to outpatient counseling to methadone maintenance, medically supervised detoxification, and longer term residential treatment centers for both men and women. Currently, we primarily utilize Cognitive Consultants, Cristo Rey Counseling Center, National Council on Alcoholism, Prevention & Training Services and Reality Counseling Services for outpatient and intensive outpatient counseling. When residential treatment is necessary, men are primarily placed in Holden House or House of Commons and women in Glass House.

The 55th District Court Sobriety Court program can be completed in a minimum of 48 weeks. The maximum program length, however, is determined by type of charge; the maximum on a misdemeanor charge is 24 months and the maximum on a felony is 36 months. Participants are required to complete a minimum of twelve weeks in each of the four phases, the length of which was derived from evidence from the National Drug Court Institute training, reviews of other operational drug courts and logical expectations for the time required to complete the requirements of each phase.

Participants are scheduled for review hearings biweekly in Phase I, monthly in Phase II, every six weeks in Phase III, and at least once prior to the end of Phase IV. If a violation occurs, participants are scheduled for the next possible review hearing, regardless of their next scheduled hearing. Participants struggling in the program are also often directed to appear for additional review hearings to receive judicial support.

Throughout program involvement, participants may receive incentives and sanctions relative to their behaviors. Examples of potential incentives are judicial praise, motivational cards signed by all team members, keepsake collector coins with a recovery message inscribed, inspirational wall hangings, water bottles, coffee cups, gift cards for gas and/or food items, and bus passes. Typically, these symbolic and celebratory incentive items are offered at all phase transitions and at the probation officers' discretion throughout program participation to reward individually-defined signs of success including, but not limited to, documentation of sustained sobriety, positive life choices, or particularly significant journaling efforts. Other incentives may include wallet calendars and planners. These types of items are awarded more often to participants who are struggling with transportation or organizational issues but are not in violation status. The ability to assist these participants is often a multifaceted incentive, as they receive the tangible reward of the item and the intangible feeling of recognizing the caring and assistance from the Sobriety Court staff.

Sanctions may include phase demotion, additional journal assignments, community service work, increased testing frequency, increased level of care in substance abuse treatment, imposition of electronic monitoring, delayed graduation, and jail. Typically, less severe violations receive less severe sanctions. If a participant fails to attend 12-step meetings/counseling sessions or to complete community service work, this is more likely to result in lesser sanctions such as increased 12-step meeting attendance orders, additional journal assignments or alternative community service work orders. However, violations including positive testing in program, commission of a new criminal offense, failure to report truthfully and/or submission of forged documentation are more likely to result in jail, delayed graduation and/or other lesser sanctions. Failure to appear for a review hearing usually results in the issuance of a bench warrant and our staff works in conjunction with local law enforcement to aid in swift apprehension of the participant. Sanctions such as increased testing and/or support group attendance may be imposed by the supervising probation officer upon discovery of a lesser violation, which usually occurs during a report date. More severe sanctions, such as jail terms, are usually discussed by the staffing team prior to review hearings and are administered by the judge during the course of the hearing.

Graduation from our program requires the successful completion at least 12 weeks in Phases I-IV. Potential graduates remain on Phase IV supervision until the next graduation ceremony, which are held at least three times annually. At the graduation ceremony, participants receive a signed copy of the Motion and Order for Discharge from Probation and are subsequently free from court jurisdiction.

For additional eligibility information, please contact Sobriety Court Pretrial Services/Probation Officer Jesse Besonen at (517) 676-8425 or [jbesonen@ingham.org](mailto:jbesonen@ingham.org).