

THUMB REGIONAL SOBRIETY COURT

Policy & Procedure Manual



Mission Statement

The mission of the Thumb Regional Sobriety Court is to serve the communities within Huron, Sanilac, and Tuscola Counties by providing intensive treatment and supervision to individuals that are involved in the criminal justice system due to operating a motor vehicle while under the influence of alcohol and/or drugs. This will aid in improving public safety, reducing recidivism, and minimizing incarceration time and jail expenses within our region. As a result, this will provide an opportunity to positively impact the lives of these participants, their families, and our communities by making long-term life changes toward becoming responsible, law-abiding, productive, healthy, and substance-free citizens.

Target Population

Adults (age 17 and older)

Resident of Huron County, Sanilac County, or Tuscola County

-OR- live in an adjacent county with a pending (OWI) case in Huron, Sanilac, or Tuscola County

Assessed to be Moderate-High Risk (determined by Impaired Driving Assessment)

Clinically diagnosed with a Moderate-Severe Substance Use Disorder (determined by TRSC Clinical Assessment)

Must enter a guilty plea to one of the following alcohol or drug driving-related offenses:

High BAC (1st offense or Habitual)

Impaired 2nd Offense

OWI 2nd Offense

OWI 3rd Offense (Habitual)

Probation Violation while on probation for one of the above offenses.

Eligibility Disqualifiers

Defendants cannot be considered a “violent offender” per MCL 600.1060(g)

Defined as: “an individual who is currently charged with or has pled guilty to an offense involving the death of or serious bodily injury to any individual, whether or not any of the circumstances are an element of the offense, or an offense that is criminal sexual conduct of any degree.”

Defendants cannot have any other pending charges in any other jurisdictions (must be resolved prior to being accepted into TRSC).

If defendants are not considered moderate-high risk or diagnosed with a moderate-severe substance use disorder, they will not meet the eligibility criteria for acceptance into the program.

*Defendants that are unwilling to abstain from using marijuana (including medical marijuana), CBD products, Kratom, and/or other synthetic, illegal, or non-prescribed substances shall reconsider whether or not they would like to apply for the Thumb Regional Sobriety Court, as the use of these substances is *strictly prohibited while participating in TRSC*. (see Medication Policy)

Entry Process

Defendants may be referred as soon as possible after their arrest.

- Send TRSC Referral Form, Complaint & Police Report to TRSC Program Coordinator

Fax: (989) 672-1895 (attn.: Heather/TRSC)

hwalthert@tuscolacounty.org

Program Coordinator will:

- Contact the appropriate Prosecutor's Office to determine legal eligibility
 - Send a General Information Packet, Consent Form, Impaired Driving Assessment (Self-Report), instructions for scheduling a clinical assessment, and information about the program requirements directly to the referral. He/She will need to complete the documents and return them to the program coordinator.
 - Defendants that reside in Huron or Tuscola County will complete their clinical assessment with List Psychological Services (989) 673-5700
 - Defendants that reside in Sanilac County will complete their clinical assessment with the Sanilac County Health Department (810) 648-4172
- *TRSC will cover the cost of the clinical assessment*

The TRSC Team will review the information/assessments at the next scheduled team meeting in order for the Judge to determine whether the defendant is eligible or ineligible to participate in the program.

The defendant must enter a guilty plea and be sentenced to the TRSC as a term of his/her probation, prior to starting the program.

TRSC Program Requirements Overview

**Requirements (virtual/in-person) are subject to change due to COVID*

Program Length: 15-24 months

Phase 1 (4 month minimum):

- Check in with case manager via phone - weekly
- Attend court review hearings - 2 times per month (in-person in Caro or via Zoom)
- Attend individual, group, and/or peer support appointments at List Psychological Services or Sanilac County Health Department (in-person or via Zoom)
- Enroll on a SCRAM alcohol tether (90 day minimum)
- Submit to random, urine drug/alcohol testing at Chance to Change
- Complete 90 recovery meetings (AA, NA, Peer360, etc.) in 90 days. (1 meeting every day for 90 days - may be done in-person or via phone/Zoom due to COVID)
- Random home visits - if possible

Phase 2 (4 month minimum):

- Check in with case manager via phone - every other week
- Attend court review hearings - 2 times per month (in-person in Caro or via Zoom)
- Attend individual, group, and/or peer support appointments at List Psychological Services or Sanilac County Health Department (in-person or via Zoom)
- Submit to random, urine drug/alcohol testing at Chance to Change
- Attend at least 3 recovery meetings (AA, NA, Peer360, etc.) per week
- Random home visits - if possible
- Complete Relapse Prevention Plan

Phase 3 (4 month minimum):

- Check in with case manager via phone - 1x/month
- Attend court review hearings - 1 time per month (in-person in Caro or via Zoom)
- Attend individual, group, and/or peer support appointments at List Psychological Services or Sanilac County Health Department (in-person or via Zoom)
- Submit to random, urine drug/alcohol testing at Chance to Change
- Attend at least 1 recovery meetings (AA, NA, Peer360, etc.) per week
- Random home visits - if possible
- Complete community service work hours (20 hours for District Court Cases, 40 hours for Circuit Court Cases)

Phase 4 (3 month minimum):

- Check in with case manager via phone - 1x/month
- Attend court review hearings - every 4-6 weeks (in-person in Caro or via Zoom)
- Attend individual, group, and/or peer support appointments at List Psychological Services or Sanilac County Health Department (in-person or via Zoom)
- Attend Aftercare Group (1x/month - 1st Tuesday of the month at 5PM - List Psychological Services)
- Submit to random, urine drug/alcohol testing at Chance to Change
- Random home visits - if possible
- Pay TRSC fines/fees
- Complete graduation application and discharge documents

Sobriety Court Restricted License

Obtaining a restricted license from sobriety court is NOT a guarantee. Once the defendant has been sentenced to the program, we can check with Secretary of State to see if they determine if the defendant is ELIGIBLE for a sobriety court restricted license.

- Common disqualifiers:
 - o OWI Occupant less than 16
 - o OWI causing death and/or serious bodily injury/harm

If the defendant is eligible, Judge Gierhart may determine when he/she is approved to get a restricted license - typically 45 days after starting the program as long as he/she has been compliant with all program requirements. After the 45 days, the participant will need to get an ignition interlock installed and provide the installation certificates/documents to his/her case manager to fax to the Michigan Department of State. He/She may not operate the vehicle until he/she has taken all written/road tests (if required) and received a copy of the restricted license document.

TRSC Fees/Costs

Program Fee: \$850 (must be paid prior to graduating)

- May be paid via check/money order to:
TRSC/71B District Court
440 N. State St.
Caro, MI 48723
- or via phone/credit card: (989) 672-3790

SCRAM:

District Court Cases: Enroll at A Chance to Change: \$100 installation fee + \$11/day
Circuit Court Cases: Enroll with MDOC Probation

Ignition Interlock:

Total Court Services: \$125/month -OR-
Smart Start: \$130/month

Drug/Alcohol Testing:

TRSC will cover the cost of 4 tests/month at Chance to Change.
Remaining tests will cost \$8-10 per test.

Treatment:

Depends on health/medical insurance co-pays, deductibles, etc.

Financial assistance may be available if a participant is experiencing financial hardship.

Medication Policy

All medications must be reviewed/approved by the TRSC Program Coordinator or Case Manager prior to use. Consent forms must be signed to allow the case manager to have open communication with any/all physicians in order for medication management/monitoring to occur. The use of narcotics will be evaluated and closely monitored if permitted or determined to be absolutely medically necessary.

The use of marijuana (including medical marijuana), CBD products, Kratom, and/or other synthetic, illegal, or non-prescribed substances is *strictly prohibited*.

Confidentiality

The Thumb Regional Sobriety Court abides by all standards of the Health Insurance Portability and Accountability Act (HIPAA), 42 CFR Regulations, in regards to managing records, re-disclosure of information, and staff training.

All TRSC files are confidential. Confidential records are kept in a secure room. Access to confidential records is limited to authorized individuals, such as the treatment court staff. A release of information/consent to disclose confidential information must be signed by the client, prior to any confidential information being released to any outside parties.

Confidential written and electronic records are protected after consent is revoked or expired.

TRSC Confidentiality Compliance Officer:

Heather Walther
Program Coordinator/Case Manager
P: (989) 672-3888
F: (989) 672-1895
hwalth@tuscolacounty.org

Thumb Regional Sobriety Court Team

The Thumb Regional Sobriety Court Team is a dedicated, multi-disciplinary team of professionals that consists of (but not limited to), a judge, program coordinator, case manager(s), probation officer(s), prosecutor(s), defense counsel representative, treatment representative(s), law enforcement representative(s), and drug testing representative.

Team members consistently attend staff meetings and judicial review hearings to review new referral eligibility, participant progress, and help determine appropriate actions to improve outcomes. In addition to monitoring current participants, the TRSC staff also monitors graduates by checking recidivism at 3, 6, 9, 12, and 24 months post-program.

Team members are expected to pursue trainings and educational opportunities in order to advance their knowledge of treatment court best practices. It is highly encouraged that all team members, especially new team members, attend conferences such as the Michigan Association of Treatment Court Professionals conference, as well as trainings through the State Court Administrative Office. New team members will complete an orientation checklist as well as meet with the judge and program coordinator, in order to review TRSC policies and treatment court standards/best practices.

Current Team Members:

Judge Amy Grace Gierhart	TRSC Judge
Heather Walther	Program Coordinator/Case Manager
Linda Sirianni	Case Manager
Elizabeth Shook	Data Entry Clerk
Douglas Osier	District Court Probation
Jerry Andrews/Cassandra Lindberg	MDOC
Erica Walle	Tuscola Co. Assistant Prosecutor
David Wallace	Huron Co. Assistant Prosecutor
Brian Schrope	Defense Attorney
Lt. Brian Harris	Tuscola Co. Jail Administrator
Lt. John Moody	Sanilac Co. Jail Administrator
Kim Kern	List Psychological Services
Shauna Booms	Sanilac County Health Department
Jamie Foster	Testing Liaison