

# **18<sup>th</sup> District Court Sobriety Court**

## **Welcome To Sobriety Court**

This guide is designed to help you understand your role in the 18<sup>th</sup> District Court Sobriety Court. Take your time and read the guidelines and share it with your family and friends. As a participant entering Sobriety Court you are expected to follow all of the guidelines in this handbook. If there are questions or concerns, you need to address them prior to your entry into the program.

## **Mission Statement**

The 18<sup>th</sup> District Sobriety Court has been established to address and eliminate recurring substance abuse among repeat drinking and driving offenders. It has been determined that the combined efforts of the sobriety court team and a committed participant will allow the cycle of substance abuse to stop.

## **Introduction**

Through a collaborated effort with the 18<sup>th</sup> District Court Judges, City Prosecutors, Defense Counsel, Probation Department, Westland Police Department, and local treatment providers, the 18<sup>th</sup> District Court Sobriety Court has been established to provide an intensive comprehensive supervision program to those defendants who have multiple drinking and driving convictions and have a desire for change. The program will provide the supervision and guidance that will assist you in establishing and maintaining a sober lifestyle.

**As you enter this voluntary program, you must be motivated towards changing your lifestyle and becoming alcohol and drug free.**

You will be required to appear regularly with your Sobriety Court Judge, Probation Officer, and treatment provider and also submit to daily/random alcohol/drug testing. As an incentive, you may reduce/eliminate jail time and become eligible for a restricted license (with ignition interlock). The program consist of several step down phases that must be earned towards graduation.

The Sobriety Court utilizes a combination of positive and negative reinforcements to change behaviors. You must be motivated to make changes and also be honest with yourself and the sobriety court team to achieve advancement through each of the 4 phases of the program.

You will be expected to sign releases of information, authorizing the Sobriety Court Team to communicate with treatment providers, sponsor, recovery coaches, family, employers and any other third party deemed appropriate Failure to do so will result in denial of program enrollment or program removal.

## **Eligibility**

- **Wayne County Resident (Local area required)**
- **Multiple Drinking and Driving Offense**
- **No prior violent felony convictions (see statute)**
- **No current parole status**
- **Desire for substance free lifestyle**
- **Substance Abuse Disorder Diagnosis**

## **Team**

**You:** Eligible for acceptance into the program and a desire for change.

**18<sup>th</sup> District Court Judge:** The Sobriety Court Judge is aware of the significant impact of substance abuse on the court system, the lives of the participants and their families, victims of criminal behavior and the community. They are committed to the Sobriety Court Program concept and will work as a partner to ensure the success of the team. The Judge will preside over team meetings/trainings and evaluate your progress.

**Sobriety Court Coordinator:** The coordinator is the administrator of the Sobriety Court program. The coordinator, in consultation with the team will determine if you are eligible for the program. The coordinator will maintain contact with all members of the team and will attend all team meetings/trainings.

**Prosecutor:** The prosecutor will make referrals to eligible candidates for Sobriety Court. They will attend staffing meetings/ trainings and make recommendations for the implementations of sanctions.

**Defense Attorney:** As a participant of the Sobriety Court Program, you will be represented by the Court Appointed Defense Advocate while in the program. Your defense attorney will advocate for you and protect your rights. The defense attorney will participate in team meetings/trainings.

**Case Manager/Probation Officer:** The case manager is the manager of your case. The case manager will assist you in meeting all of the goals of the program. The case manager will meet with you on a regular basis and assist you in obtaining any necessary ancillary services. The case manager will facilitate all team staffings and attend all meetings/trainings.

**Treatment Provider:** You will be referred to treatment providers at sentencing. You must attend treatment as a condition of your probation and must sign a Release of Information. Your therapist must maintain constant communications with your probation officer and may also be required to attend judicial review hearings to address your progress.

**Certified Peer Recovery Coaches:** If you are identified or express interest in services you will be assigned a peer recovery coach. Peer Recovery Coaches assist clients in identifying and connecting with resources for treatment, recovery work, health care, life skills training, employment, etc. You will be required to meet and maintain open communication between you and your coach. The coaches will participate in team meetings/training.

**Westland Police Department (WLPD) Home Compliance Officer/Evaluator:** You will be held accountable for your actions 24 hours/day. The WLPD/compliance officer will be utilized for the accountability concept of the Sobriety Court Program. The officers will participate in team meetings/trainings as necessary.

## **Program Components**

The Sobriety Court Program will consist of 4 phases that will generally be completed within 15-18 months, but may continue for as long as 24 months for completion. Each phase will provide you with the appropriate structure and monitoring to assist you in advancing through each phase. A progressive requirement of continuous sobriety days will be required for phase advancement through the program. As you progress through the phases you will achieve a reduction in sobriety court contacts as the team will recognize and reward your commitment to a sober lifestyle.

You will be assessed \$900 in Probation fees above fines and cost, work program fee, state mandated cost and restitution.

### **Phase 1**

- **Daily alcohol monitoring -2x day– PBT, alcohol tether, interlock**
- **Submit to random alcohol and drug testing**
- **Weekly meetings with sobriety court case manager**
- **Bi weekly court hearings**
- **Complete substance evaluation and begin IOP treatment program**
- **Attend 2 AA/NA and/or other support meeting per week**
- **Assignment of Peer Recovery Coach**
- **Comply with random home compliance visits**
- **Compliance with any required journaling/goal sheets**
- **Comply with all orders of probation**
- **Minimum payment of \$100 monthly**

**You can advance to Phase 2 in 3 months with full compliance of the above terms and 45 days of continuous documented sobriety.**

**You may obtain a State of Michigan restricted driver's license with the installation of a state approved ignition interlock system with a camera and GPS after 60 days of continuous documented sobriety.**

**You must have an approved ignition interlock device with camera and GPS installed in ALL vehicles registered in your name AND that you operate.**

## **Phase 2**

- **Continued weekly meetings with sobriety court case manager**
- **Continued daily alcohol monitoring – PBT, alcohol tether, interlock**
- **Continued random alcohol and drug testing**
- **Monthly court hearings**
- **Continued compliance with treatment**
- **Continued AA/NA and/or other support meeting attendance**
- **Continued contact with peer recovery coach**
- **You must obtain a sponsor**
- **Comply with random home compliance visits**
- **Schedule and comply with any court ordered work program**
- **Compliance with any required journaling/goal sheets**
- **Minimum payment of \$100 monthly**

**You can advance to Phase 3 in 3 months with full compliance of the above terms and 60 days of continuous documented sobriety.**

## **Phase 3**

- **Bi-Weekly meetings with sobriety court case manager**
- **Attendance at Mothers Against Drunk Driving (MADD) Victim Impact Panel**
- **Continued daily alcohol testing - PBT, alcohol tether, interlock**
- **Continued random alcohol and drug testing**
- **Monthly court hearings**
- **Continued compliance with treatment**
- **Continued AA/NA and/or other support meeting attendance**
- **Comply with random home compliance visits**
- **Completion of any court ordered work program**
- **Compliance with any required journaling/goal sheets**
- **Continued contact with sponsor and/or peer recovery coach**
- **Comply with all orders of probation**
- **Minimum payments of \$100 monthly**
- **Attend Relapse Recovery meeting twice monthly through Hegira**

**You can advance to phase 4 in 3 months with full compliance and 90 days of continuous documented sobriety.**

## **Phase 4**

- **Monthly meeting with sobriety court case manager**
- **Continued daily alcohol testing – PBT, alcohol tether, interlock**
- **Continued random alcohol and drug testing**
- **6 Week court hearings**
- **Continued compliance with treatment if applicable**
- **Continued AA/NA and/or other support meeting attendance**
- **Continued contact with sponsor and/or peer recovery coach**
- **Comply with random home compliance visits**
- **Completion of any required journaling/goal sheets**
- **Comply with all orders of probation**
- **Continued compliance with Relapse Prevention meeting twice per month through Hegira**

**You can graduate from the Sobriety Court program after 6 months of full compliance with phase 4 and 120 days of continuous documented sobriety**

## **Program Guidelines**

**Honesty:** The key components of Sobriety Court are honesty and personal accountability. Dishonesty will only impede the goal of a sober lifestyle and will result in your termination from the program. Dishonesty in any form: lying, adulterated drug screens, fraudulent AA/NA signatures or documents will not be tolerated and will be severely sanctioned in Sobriety Court. **Your honesty is essential for your participation and success in this program.**

### **You must:**

- Answer honestly any questions from the Sobriety Court Team and truthfully report any violation of probation to the Sobriety Court Team within 24 hours
- Provide all current address/phone numbers to the Sobriety Court Team and inform the court of any changes within 24 hours

**Zero Tolerance of Alcohol and Drugs:** You may not use alcohol, marijuana, illegal drugs or prescription drugs not approved while you participate in Sobriety Court. You may not:

- Consume or possess any alcohol, marijuana illegal substances, or prescription medications not previously approved by the Sobriety Court Team
- Be around other persons who are using alcohol/marijuana, or illegal substances
- Allow any alcohol/marijuana or illegal substances in your home, vehicle or property.

**Attendance:** As a member of Sobriety Court, you will be required to attend all judicial review hearings, probation meetings, counseling sessions, support group meetings and any other session deemed essential for your compliance. If you have an emergency that will cause you to miss a scheduled date, you must contact your sobriety court case manager immediately.

**Alcohol/Drug Testing:** You will be tested for alcohol and drugs on a regular basis. You must submit to any test requested by your sobriety court case manager, home compliance officer, Judge or Westland Police Officer. Any attempt at providing a fraudulent sample/test or failure to test will result in immediate severe sanctions and may result in expulsion from the program.

**Random Alcohol/Drug Testing:** You will be required to call the testing hotline daily at 1-800-494-1250, between the hours of 5:00 am and 2:00 pm. You will be assigned a unique code to enter in order to determine if you are scheduled to test for that day. If you are selected you must appear at the courthouse between the hours of 7:30 am – 3:30 pm weekdays and 7:00 am – 9:30 am on weekends.

**Daily Alcohol Testing:** You must test a minimum of twice daily for alcohol either through a PBT, alcohol tether/sober link device or an ignition interlock. Testing must occur prior to 8 AM daily and an evening time will be identified based **on work schedules ONLY**. Additional testing may be ordered by any member of the sobriety court team.

**Positive Drug/Alcohol Test:** In the event of a positive test, you can request a confirmation test through Redwood Toxicology. If the positive test is confirmed you will be charged a \$50 fee for the test.

**Missed or Late Testing:** In the event you fail to appear for a scheduled drug screen or fail to provide your daily PBT during the required times, an immediate sanction will occur which will reset of your continuous sobriety day clock and can significantly delay your phase advancement. An ETG test at a later time WILL NOT negate a missed test.

**Immediate Sanctions:** If violated, you will be seen by the Judge that same day or the next available business day. The Judge may impose a sanction at that time or wait for the formal review hearing. Typically sanctions will be imposed on a progressive based system.

**Creatinine:** All urine test will be tested for creatinine levels. Creatinine is naturally produced in your body and excreted in your urine. Creatinine testing allows the laboratory to monitor dilution or water loading of test samples. The acceptable range of creatinine is 20mg – 400 mg. Any sample that falls out of this range is considered dilute and is therefore unable to be tested for substances. **All dilute test will be considered a positive test and will result in a sanction and reset of your continuous sobriety day clock.** You are advised to not drink any fluids for 1-2 hours prior to testing to avoid any dilution testing issues.

**Medications:** You may not use any opiate, benzodiazepines, amphetamines or other prescription medication without prior approval from the Sobriety Court Team. Any current or future prescriptions must be verified and approved prior to the admittance/continuance in the program. As a participant of sobriety court, you must notify your physician that you are on sobriety court and there must be a signed release of information on file. You should always check with your case manager prior to taking any over the counter medications or supplements.

**You may not use marijuana while in Sobriety Court.**

**You may not obtain employment or volunteer at any business or organization that sells, promotes, processes, transports or is affiliated with marijuana.**



**Home Compliance Visits:** The Home Compliance Officer will make random home visits to ensure compliance. You must read, agree and sign the Home Compliance Visit Guideline contract. You must adhere to the guidelines and any non-compliance will result in a sanctions at your next judicial review hearing

**Employment/Education:** Each participant must either maintain full time employment/education, or the combination of both. If a person is retired they will be expected to find some form of volunteer opportunity. All employment, volunteerism and educational trainings will be routinely verified by your sobriety court case manager. It is recommended that you notify your employer/school of your sobriety court participation and required court/probation dates.

**Journaling/Goal Sheets:** You will be required to complete a journal or goal sheets that the sobriety court team feels will assist you in achieving and maintaining a sober lifestyle. This will provide the team further information to gauge your progress and make any necessary changes to your treatment plan. A goal sheet **must** be submitted prior to all phase advancements.

**Judicial Review Hearings:** You will be required to meet with the sobriety court Judge for a review of your progress. The hearings will be held on a bi weekly basis in phase one, a monthly basis in phase two and three and on a 6 week basis in phase four. The sobriety court team will also be present and will provide information to the Judge to assist them in addressing your progress. You are encouraged to speak freely with the Judge as this is your opportunity to address any issues or concerns about your probation. Failure to appear for the judicial review hearings will result in an immediate sanction.

**Curfew:** The Judge will impose 10:00 pm curfew when you enter Sobriety Court. You will make a weekly schedule with your sobriety court case manager that will allow the adjustment of the curfew based on your employment or special circumstances. If there are any emergencies or events that will result in a curfew violation, you must contact your sobriety court case manager immediately.

**Travel Request:** You may request to travel while in the program if you are in compliance with the program. A travel request form must be completed and submitted at least 2 weeks prior to travel and reviewed for approval by the sobriety court team. You will be required to utilize electronic testing equipment to comply with daily testing and this will be at your expense.

**Treatment:** All participants entering the program will be enrolled into the Hegira Intensive Outpatient Program (IOP). This program consist of 10 group sessions as well as 2 hours of homework for each group. You are responsible for making contact and completing the assessment within one week of sentencing. This will allow for an evaluation to be completed and confirm your eligibility for the program. You must sign a release of information with the therapy agency that will allow constant communication between your sobriety court case manager and your therapist. You must follow your established treatment plan and attend on a regular basis. Treatment plans may be adjusted to meet your needs. Missed treatment appointment will be considered violations and will be addressed at the judicial review hearings. Once IOP is completed you will be transitioned into an individual outpatient treatment program which will typically last through phases two and three. Once completed you will then be required to attend a relapse prevention group a minimum of twice monthly.

**AA/NA/Support Groups:** Your regular attendance at 12 step support groups is essential for your success in this program. You will be given a contact book and verification sheets at the time of sentencing. You will be required to attend a minimum of twice per week up to seven days per week depending on your case status. Verification is required and any falsification will result in an immediate sanction.

**Sponsor:** Through your attendance at AA/NA or other support groups you will come into contact with many other attendees who have been actively involved in the support group setting. Many of these participants have established long term sobriety and will offer their assistance to you in the form of sponsorship. They will provide you with their experience, knowledge and support as you proceed through the program. You will be expected to locate a sponsor by Phase 2 and provide contact information to your sobriety court case manager.

**Certified Peer Recovery Coaches:** These are certified coaches who have successfully maintain sobriety for an extended period of time, and also completed rigorous training to help empower others to make healthier choices. The coaches will assist you in identifying and connecting with resources for treatment, life skills, health care, employment, etc. If identified you will be required to meet with your coach regularly and comply with recommendations provided by the coach. Your coach may continue working with you up to a year after program completion.

**Probation Meetings:** The sobriety court case manager is your guide through the program. You will be required to meet weekly throughout phase one and two and on a step down basis in phases three and four. When meeting with your probation officer you must provide your 12 step group attendance verification sheets and any other requested information. You must inform the case manager of any changes in residence, employment, school, police contacts etc. at each appointment. You must sign the participant consent agreement that will allow contact between the case manager and any other party that the manager feels is necessary to assist them in monitoring your case. If you need to change a scheduled appointment you must call your case manager directly. Failure to appear or make contact will result in an immediate sanction. Honesty and open communication with your case manager is mandatory and will allow you to progress through the 4 phases successfully.

**Driving Privileges:** You may become eligible for a restricted drivers license after 60 days of continuous sobriety and the installation of an ignition interlock on any vehicle that you drive and are registered in your name. You will receive a listing of Secretary of State approved companies and you must choose an interlock with a camera and GPS. You must be in full compliance with your probation to receive this privilege.

**Ignition Interlock:** You must have an ignition interlock with a camera and GPS installed on any vehicle that you drive or is registered in your name. You must provide a copy of the installation certificate to your case manager once installed. You will be expected to test on your device daily as required. You are allowed to have other people operate your vehicle, however, you should be the one testing at your required times. After completion of the program, you are expected to continue with the ignition interlock device in your vehicle until you are informed by the Secretary of State that it can be removed.

**If you are discharged from the Sobriety Court Program, you will no longer be eligible for a restricted license through the Secretary of State Interlock Program. License revocation and immobilization will be reinstated immediately.**

**Sanctions:** Non-compliance with program rules will lead to sanctions imposed by the Court. In the event of a violation you will be seen by a Judge that same day or the following business day and an additional fee of \$35 will be assessed. Possible sanctions will be addressed by the Sobriety Court Team and imposed by the Judge on a progressive based system at the judicial review hearing. Sanctions include but are not limited to:

- Verbal Warning
- Increased alcohol/drug testing
- Increased probation appointments
- Additional assessment of work program days
- Home confinement through tether technology
- Additional fines
- Jail time
- Program termination

**Sanctions work in a progressive nature. For example, in the event you violate by failing to report for a test in Phase 1 you may receive a verbal warning or additional days on the court's work program. However if you are in Phase 3 and a similar violation occurs you can expect increased testing, and/or possible jail depending on how often a similar violation has occurred.**

**Rewards:** You may receive rewards periodically for program compliance and a demonstrated commitment to a sober lifestyle. Rewards may include but are not limited to:

- Praise from Judge
- Applause
- Gift cards
- Phase advancement
- Theater passes
- Certificates of achievement
- Removal of assigned work program days

**Discharge:** You may be discharged from the Sobriety Court Program for a variety of reasons including, but not limited to:

- Conviction of a new criminal offense
- You display inappropriate, disruptive or non-compliant behaviors
- Refusal to participate in program requirements
- Repeated violations of program rules
- Inability to be safely monitored in the community

**If you are discharged from the Sobriety Court Program, you will no longer be eligible for a restricted license through the Secretary of State Interlock Pilot Program. License revocation and immobilization will be reinstated immediately.**

**Graduation:** The program can be completed in 15 months but may last up to 24 months. The program is designed to provide you the supervision necessary to make lifestyle changes. You must have demonstrated compliance with each of the 4 phases and must include 120 days of continuous sobriety in phase four prior to graduation.

**Alumni Program:** This program is open to all Sobriety Court graduates. The group is hosted by prior Sobriety Court graduates and overseen by the Case Manager. The program is designed to offer support and will provide suggestions for successful completion for current participants.

**Contact information:**

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