

# 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 18 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 (1<sup>st</sup> offense or Habitual)

Impaired 2<sup>nd</sup> Offense

OWI 2<sup>nd</sup> Offense

OWI 3<sup>rd</sup> 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, 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)

[hwalth@tuscolacounty.org](mailto:hwalth@tuscolacounty.org)

Program Coordinator will:

- Contact the appropriate Prosecutor's Office to determine legal eligibility
- Schedule an appointment with the defendant to review the TRSC program requirements and complete the General Information Packet, Consent Form, and Impaired Driving Assessment.
- Defendants will complete their clinical assessment with List Psychological Services  
(989) 673-5700  
\*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.

Please contact Program Coordinator, **Heather Walther** at (989) 672-3888, if you have any additional questions.

# TRSC Program Requirements Overview

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

Program Length: minimum of 15 months

## Phase 1 (4 month minimum):

- Check in with case manager - weekly
- Attend court review hearings - 2 times per month (in-person in Caro, MI – 54<sup>th</sup> Circuit Court)
- Attend individual, group, and/or peer support appointments at List Psychological Services
- Enroll on a SCRAM alcohol tether (90 day minimum)
- Submit to random, urine drug/alcohol testing at A Chance to Change (2x/week minimum)
- Complete 90 recovery meetings (AA, NA, Peer360, etc.) in 90 days. (1 meeting every day for 90 days)
- Random home visits

## Phase 2 (4 month minimum):

- Check in with case manager - every other week
- Attend court review hearings - 2 times per month (in-person in Caro, MI – 54<sup>th</sup> Circuit Court)
- Attend individual, group, and/or peer support appointments at List Psychological Services
- Submit to random, urine drug/alcohol testing at A Chance to Change (2x/week minimum)
- Attend at least 3 recovery meetings (AA, NA, Peer360, etc.) per week
- Random home visits
- Complete Relapse Prevention Plan

## Phase 3 (4 month minimum):

- Check in with case manager - 1x/month
- Attend court review hearings - 1 time per month (in-person in Caro, MI – 54<sup>th</sup> Circuit Court)
- Attend individual, group, and/or peer support appointments at List Psychological Services
- Submit to random, urine drug/alcohol testing at A Chance to Change (2x/week minimum)
- Attend at least 1 recovery meetings (AA, NA, Peer360, etc.) per week
- Random home visits
- 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 - 1x/month
- Attend court review hearings - every 4-6 weeks (in-person in Caro, MI – 54<sup>th</sup> Circuit Court)
- Attend individual, group, and/or peer support appointments at List Psychological Services
- Attend Aftercare Group (1x/month - List Psychological Services)
- Submit to random, urine drug/alcohol testing at A Chance to Change (2x/week minimum)
- Random home visits
- 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 certificate/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: \$30/month

### **Ignition Interlock:**

Total Court Services: \$126/month -OR-  
Smart Start: \$148/month

### **Drug/Alcohol Testing:**

TRSC will cover the cost of 4 tests/month at Chance to Change.  
Remaining tests will cost \$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**

Each participant must inform their TRSC case manager of any medications/substances that they are prescribed, and provide proof of prescription. All participants must sign a consent form that allows free and open communication between the prescribing physician and case manager. The physician must sign and return the TRSC Medical Professional Disclosure Form and provide an updated medication list to the case manager. The case manager must be able to have an open discussion with the participant and physician regarding any medications or prescribed substances that may interfere with the participant's recovery.

Do not discontinue any prescribed medications without first consulting with your physician.

Ingesting a prescription medication without a valid prescription will result in a program violation.

It is your responsibility to read the labels of all over-the-counter (OTC) medications in order to ensure that there are no prohibited substances in the medication (e.g., alcohol in cough syrup). Please contact your case manager immediately regarding any OTC medications that you are unsure about, prior to using them.

The use of recreational marijuana, CBD products, Kratom, Ketamine, K2/Spice, Bath Salts, Inhalants, 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  
hwalther@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 representatives, 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/or 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
Kaileigh Melnik	Case Manager
Preston Lockwood	71B District Court Probation
Christine Pettit	Michigan Department of Corrections
Cassandra Lindberg	Michigan Department of Corrections
Mandy Alexander	Michigan Department of Corrections
David Wallace	Huron Co. Chief Assistant Prosecutor
Erica Walle	Tuscola Co. Chief Assistant Prosecutor
Brian Elder	Defense Attorney
Erin Zettle	Defense Attorney
Lt. Brian Harris	Tuscola Co. Jail Administrator
Kim Kern	List Psychological Services
Jamie Foster	Testing Liaison – A Chance to Change
Barton Miller	Veteran Justice Outreach Coordinator
Tracy Madden	Thumb Region & Logistics Coordinator – Peer360 Recovery Alliance