

**State Court Administrative Office
Trial Court Services
Problem-Solving Courts**



Michigan's Problem-Solving Courts

**The House Appropriations
Subcommittee**

March 19, 2019



Structure of a Problem-Solving Court



- Alternative to jail/prison for individuals with a substance use disorder and/or mental illness in need of treatment
- Guilty plea/found responsible
- Team of professionals (judge, treatment, probation, law enforcement, prosecutor, defense attorney, evaluator)
- Staffing meetings



Structure of a Problem-Solving Court



- Intensive supervision
 - Frequent hearings
 - Treatment
 - Random and frequent drug and alcohol testing
 - Probation appointments
 - Home checks
 - Community service
- Phases
- Incentives/sanctions based on behavior
- Legal incentive for successful completion





Drug Courts

Includes adult drug courts, sobriety courts, Drug/DWI hybrid courts, family dependency courts and juvenile drug courts



What is Unique about Drug Courts?



- 10 Key Components
- Substance use disorder
- Restricted driver's license for repeat drunk drivers who install an ignition interlock device
- Common charges
 - Controlled substance use or possession
 - DWI
 - Controlled substance manufacturing or distribution
 - Property offenses



Research Update on Adult Drug Courts

By Douglas B. Marlowe, J.D., Ph.D.
Chief of Science, Law & Policy
December 2010

The effectiveness of adult Drug Courts is not a matter of conjecture. It is the product of more than two decades of exhaustive scientific research. From their inception,

The effectiveness of Drug Courts is not a matter of conjecture. It is the product of more than two decades of exhaustive scientific research.

Drug Courts embraced science like no other criminal justice program. They endorsed best practices and evidence-based practices; invited evaluators to measure their outcomes; and encouraged federal

Effectiveness

More research has been published on the effects of adult Drug Courts than virtually all other criminal justice programs combined. By 2006, the scientific

agencies like NIDA, BJA, NIJ and CSAT, as well as a myriad of state agencies, to issue calls to the scientific community to closely examine the model and learn what makes it tick and how it might be improved. The result? We know beyond a reasonable doubt that Drug Courts significantly reduce drug use and crime and do so with substantial cost savings.

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Drug Courts over randomized or matched comparison samples of drug offenders who were on probation or undergoing traditional criminal



Drug Court Caseload



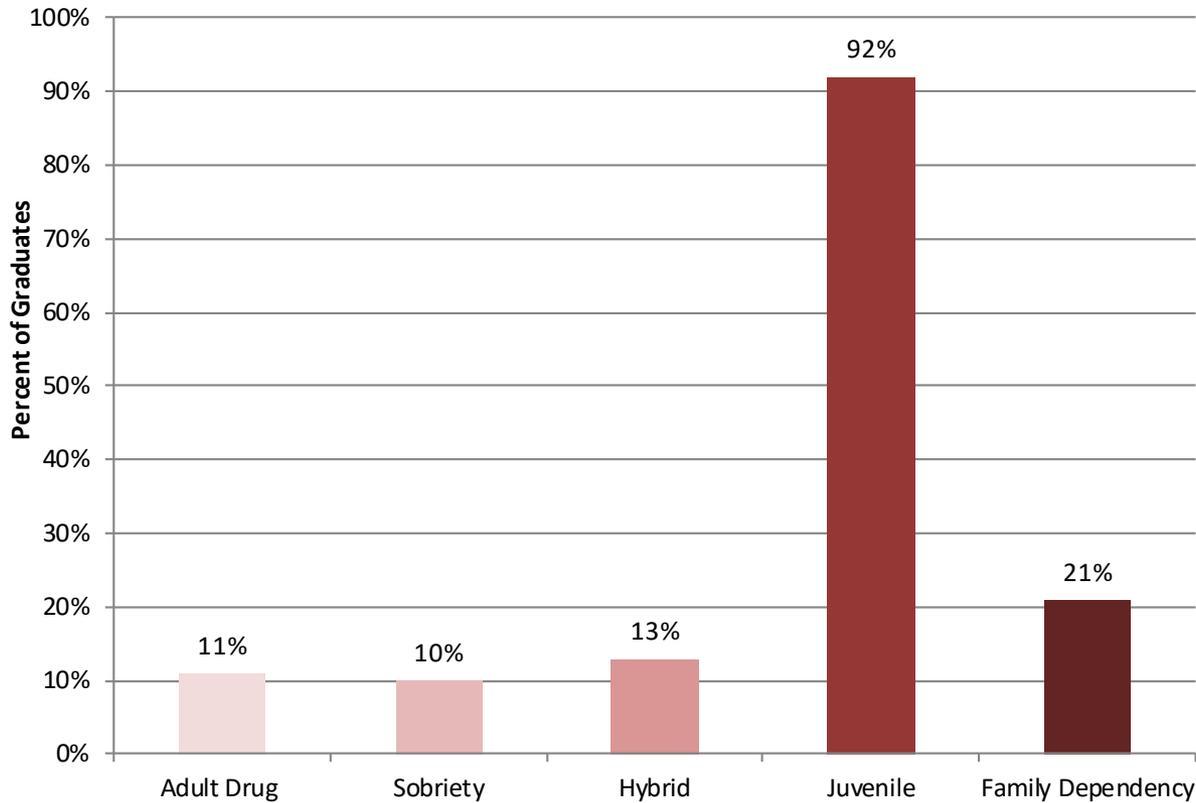
- 119 programs + 9 Tribal Healing to Wellness Courts
- During fiscal year 2018
 - Screened 4,365 potential participants
 - Admitted 2,992 offenders into a program
 - Discharged 2,984 participants
 - 6,669 active participants
 - Hybrid programs totaled 4,160 participants (62%)
 - Sobriety programs totaled 1,698 participants (26%)
 - Adult drug programs totaled 384 participants (6%)
 - Juvenile drug programs totaled 248 participants (4%)
 - Family dependency programs totaled 179 participants (3%)



Improved Education



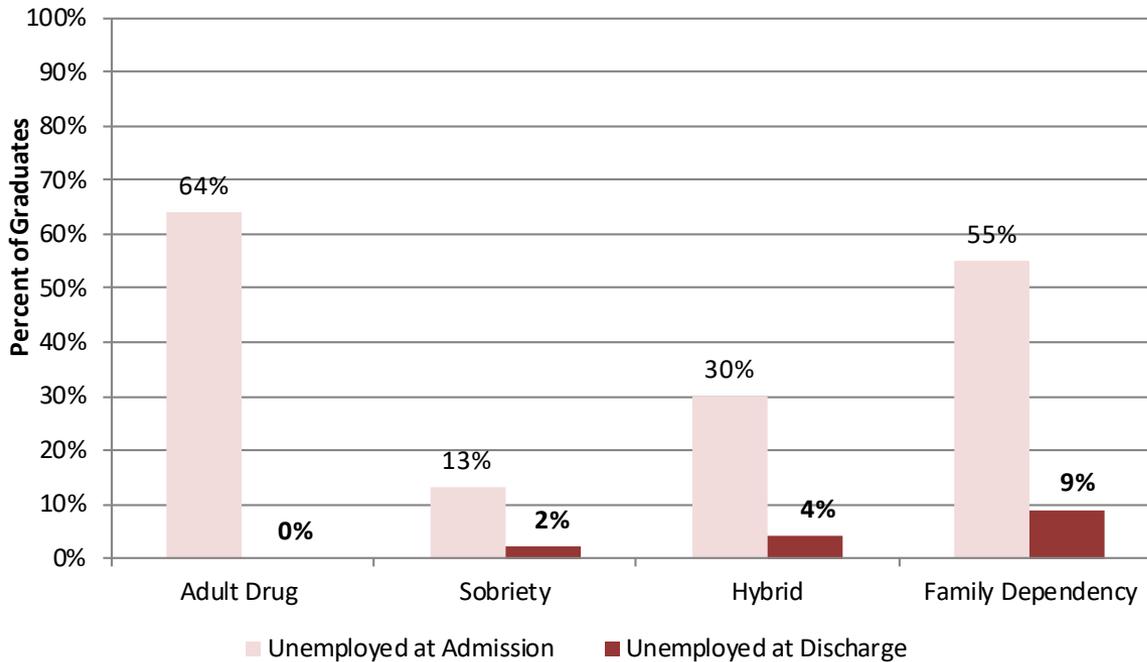
Improved Education Level by Program Type



Improved Employment



Employment Status by Program Type*



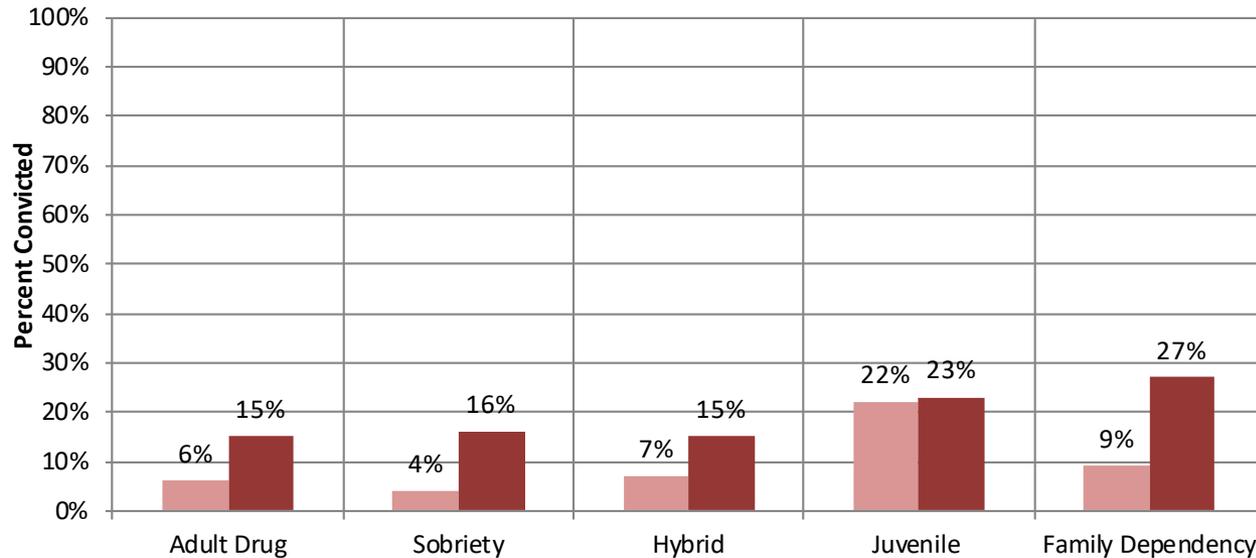
*Juvenile drug court offenders were not included as their main goal while in a program is to improve their education level.



Recidivism



Graduates
Alcohol or Drug Conviction Within Three Years of Admission



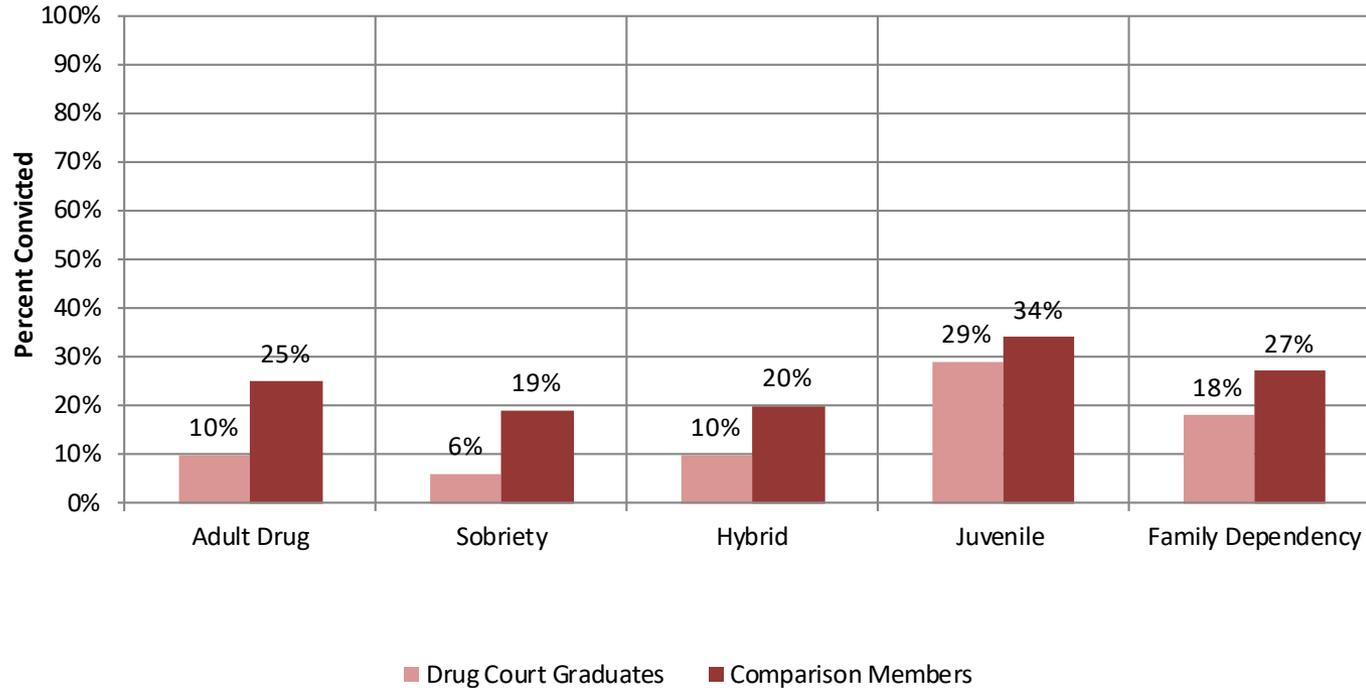
■ Drug Court Graduates ■ Comparison Members



Recidivism



Graduates
Any New Conviction Within Three Years of Admission





Mental Health Courts

Includes adult circuit courts, adult district courts and juvenile mental health courts



What is Unique about Mental Health Court?



- 10 Essential Elements
- Serious mental illness, serious emotional disturbance, or a developmental disability (as defined by mental health code)
 - Schizophrenia
 - Bipolar disorder
 - Psychotic disorder
- May be found guilty/responsible rather than pleading guilty
- Partnership with Community Mental Health
- Focus on medication and treatment compliance
- Drug and alcohol testing may be less frequent



Mental Health Court Caseload



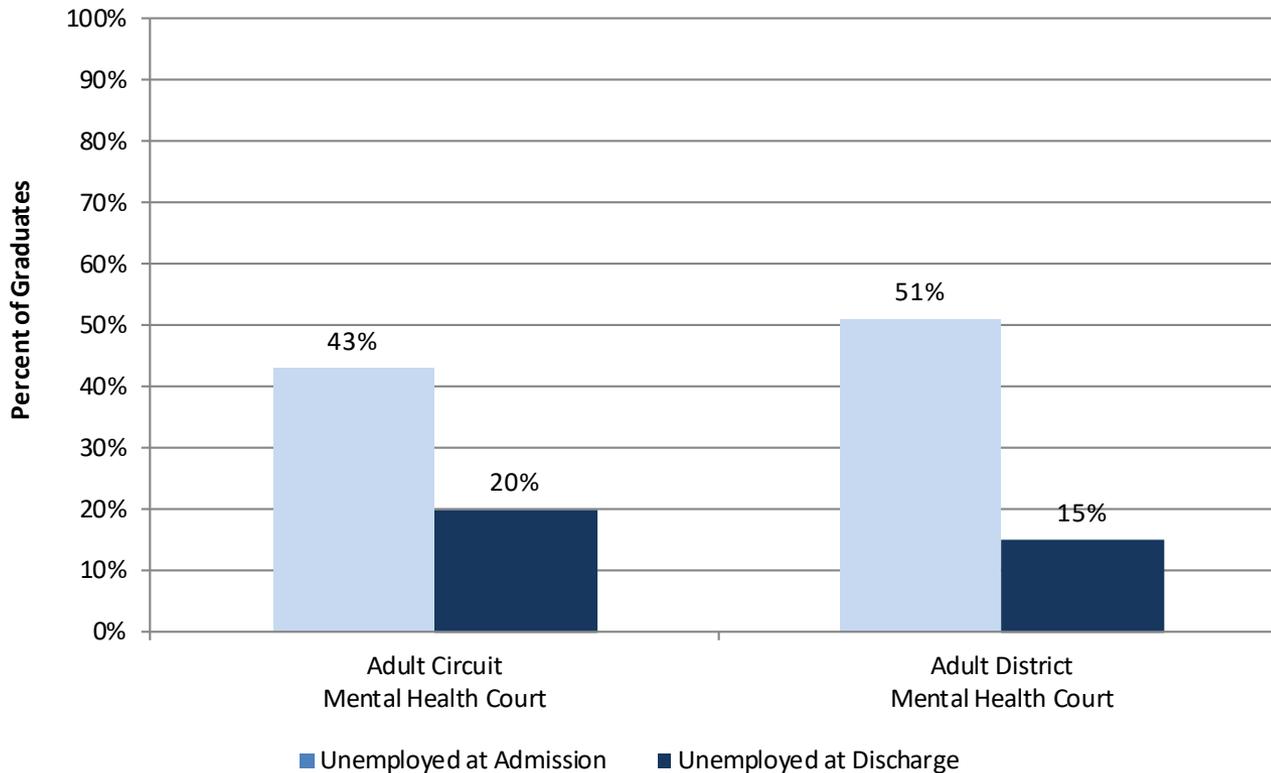
- 33 programs
- During fiscal year 2018
 - Screened 1,467 participants
 - Admitted 737
 - Discharged 625
 - 1,414 active participants
 - Adult district court = 723 participants (51%)
 - Adult circuit court = 567 participants (40%)
 - Juvenile mental health court = 124 participants (9%)



Improved Employment



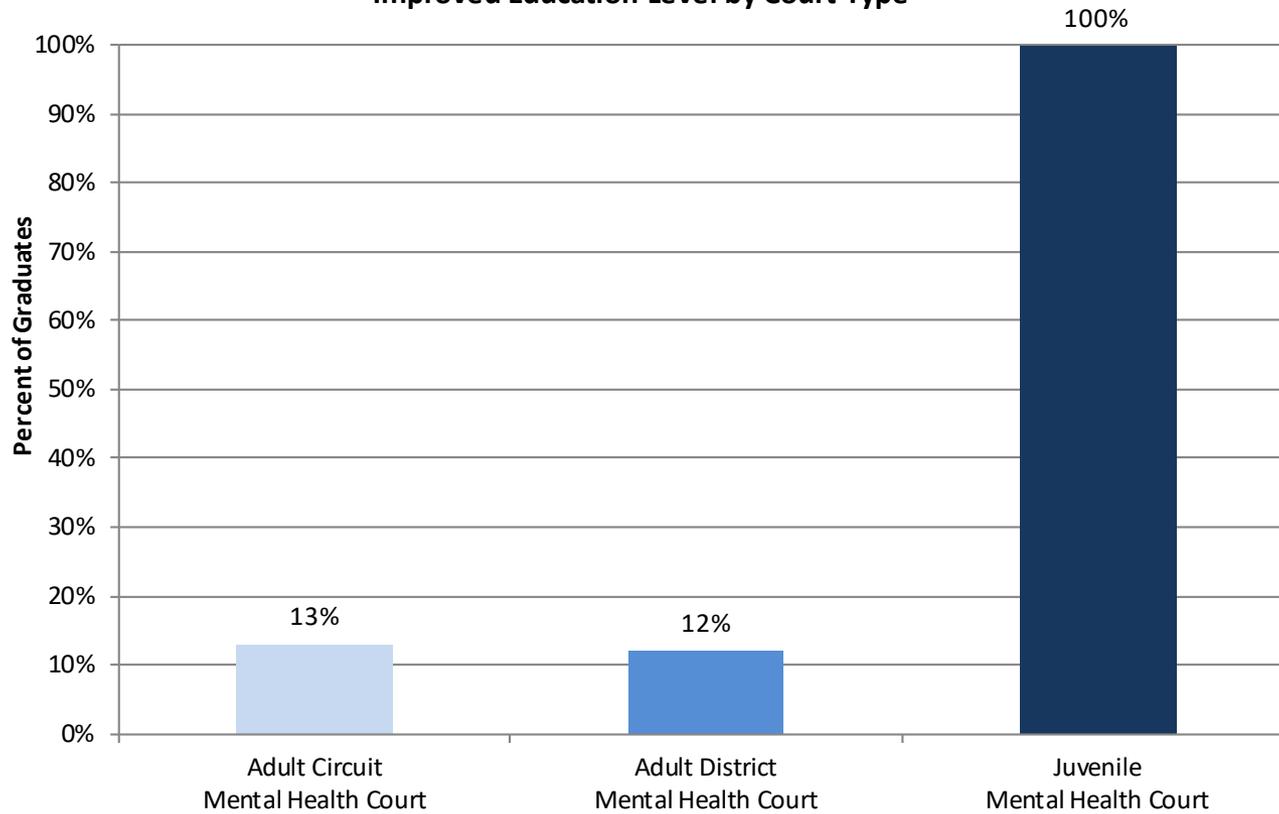
Unemployment at Admission and Discharge by Court Type



Improved Education



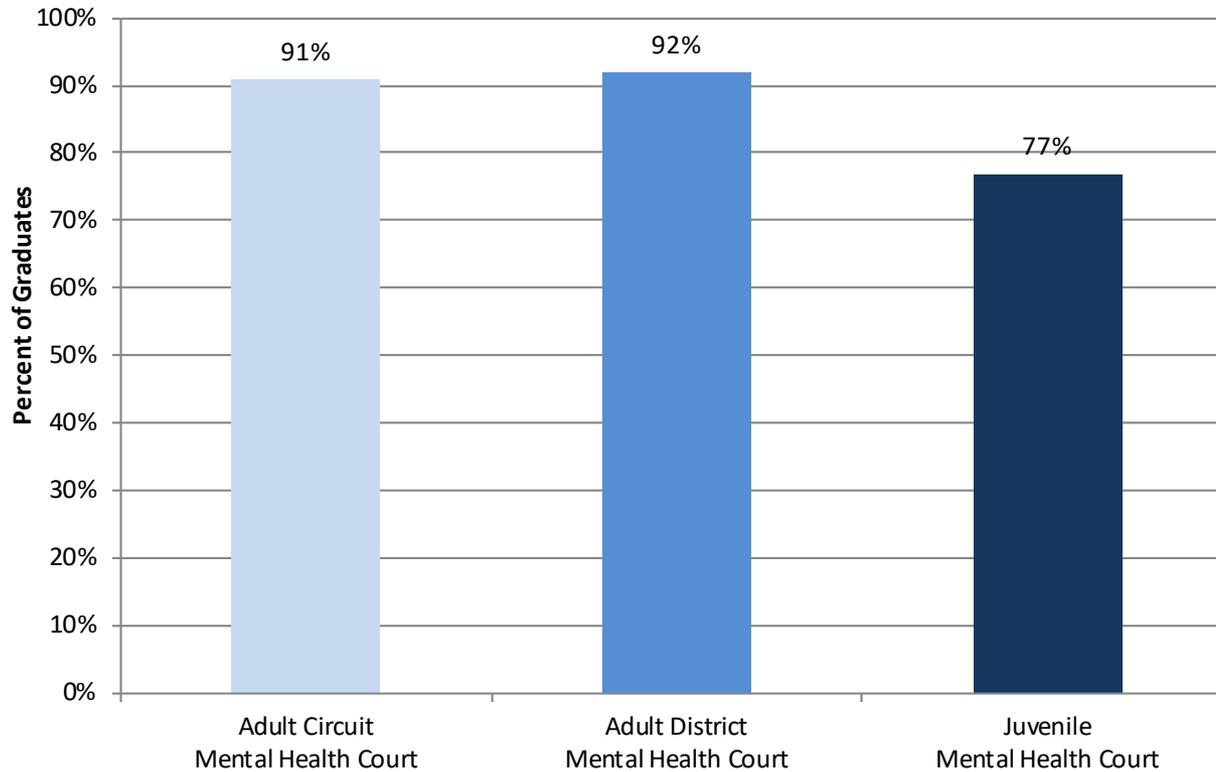
Improved Education Level by Court Type



Medication Compliance



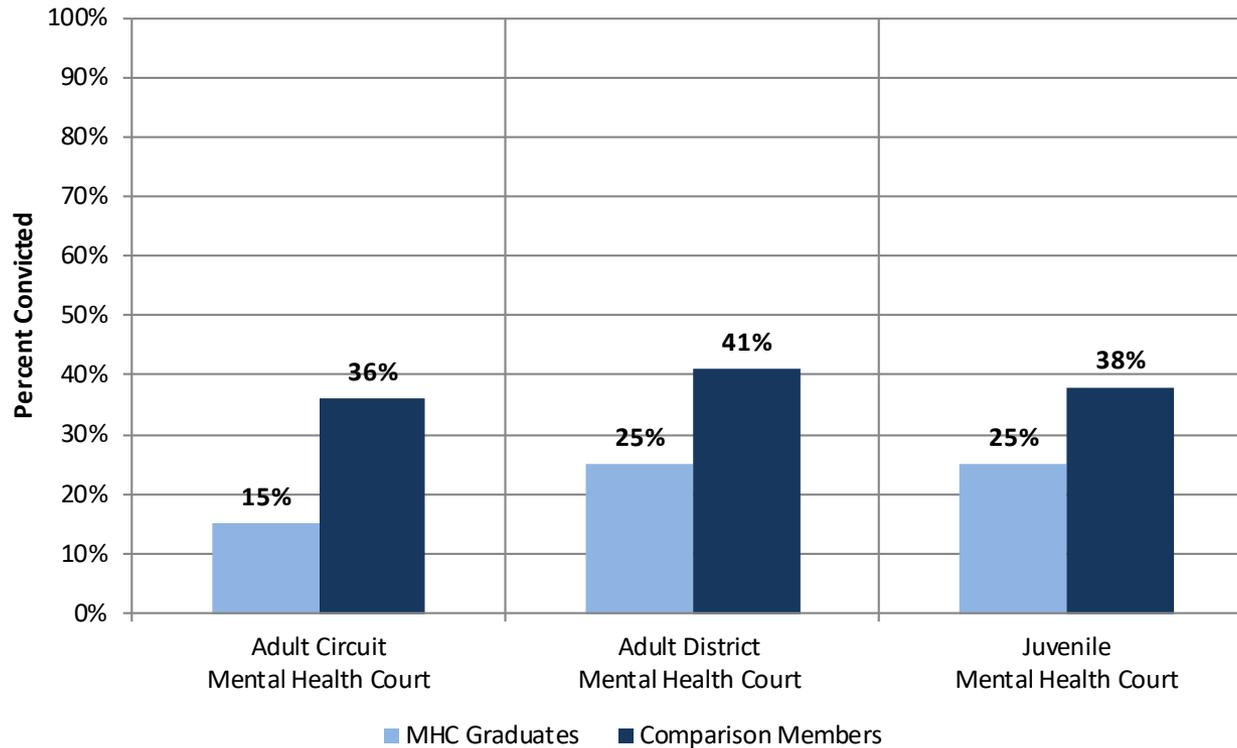
Full Compliance With Medication by Court Type



Recidivism



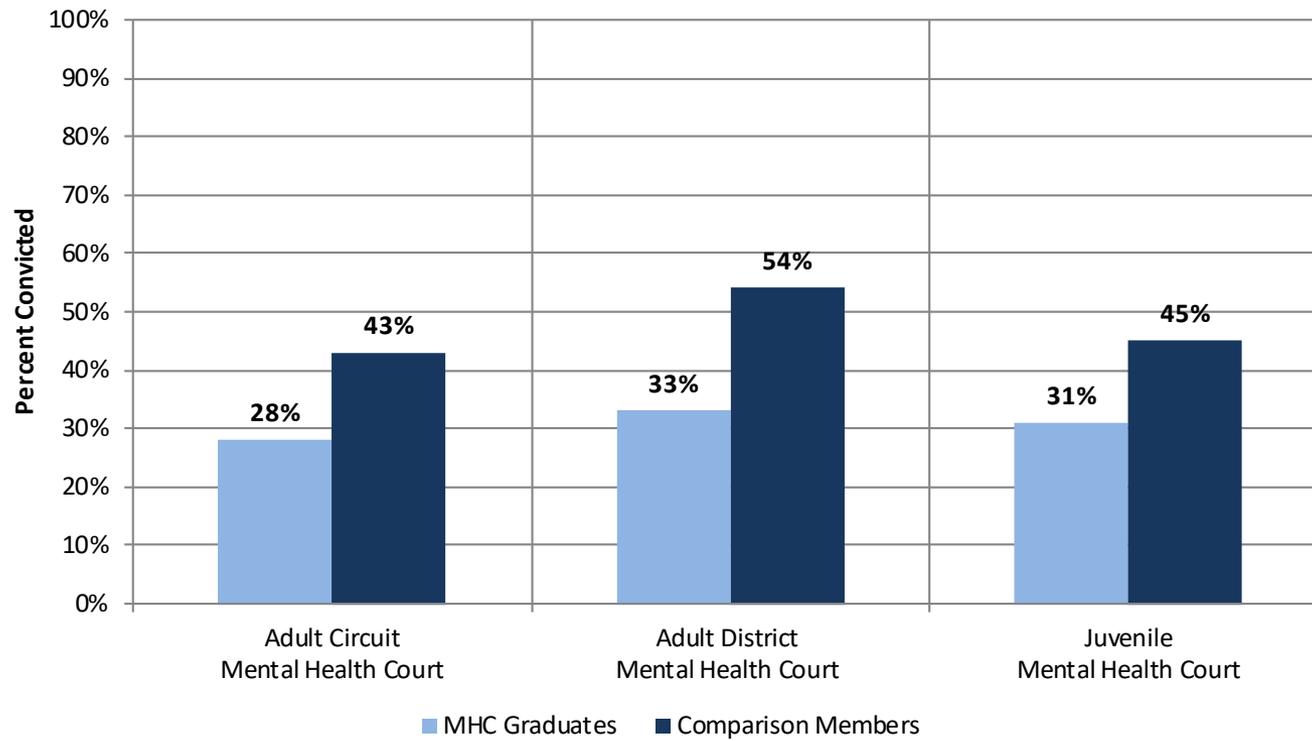
Graduates
New Conviction Within Three Years of Admission



Recidivism



Graduates
New Conviction Within Five Years of Admission





Veterans Treatment Courts



What is Unique about Veterans Treatment Court?



- 10 Key Components
- Veterans treatment court uses a hybrid integration of drug court and mental health court principles
- Coordinate with Department of Veterans Affairs healthcare networks, Veterans Benefits Administration, state Departments of Veterans Affairs, volunteer mentors, and organizations that support veterans and veterans' families
- Serve veterans struggling with addiction, serious mental illness, and co-occurring disorders



What is Unique about Veterans Treatment Court?



- Veteran Mentors
 - Pair each participant to a veteran of the same branch of service
 - Mentor helps them navigate benefits systems and serves as a confidant



What is Unique about Veterans Treatment Court?



- Common offenses
 - DWI first offense
 - Civil ordinance violations and “other”
 - Domestic violence
 - Controlled substance use or possession



Veterans Treatment Court Caseload



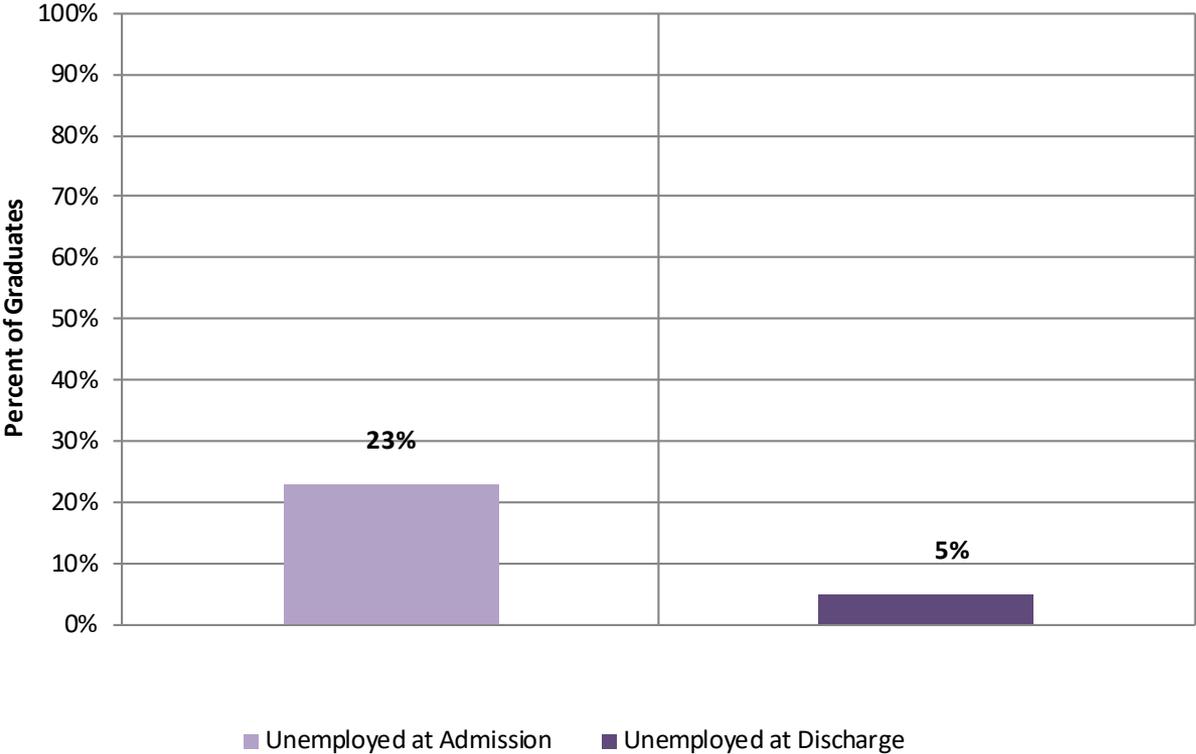
- 27 programs
- During fiscal year 2018
 - Screened 350
 - Admitted 266
 - Discharged 241
 - 596 active participants



Outcomes



Unemployment at Admission and Discharge



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Michigan's Swift and Sure Sanctions Probation Program

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What is Swift and Sure?



- Alternative to jail and prison
- Different than drug court — it's more like regular felony probation
- High-risk felony probationers
 - High risk — yes; high need — not necessarily
- Behavior modification
 - Fairness and perceived fairness
 - Certainty in sanctioning (“sure”)
 - Sanction after every violation of probation
 - Immediate sanction (“swift”)



Structure of a Swift and Sure Court



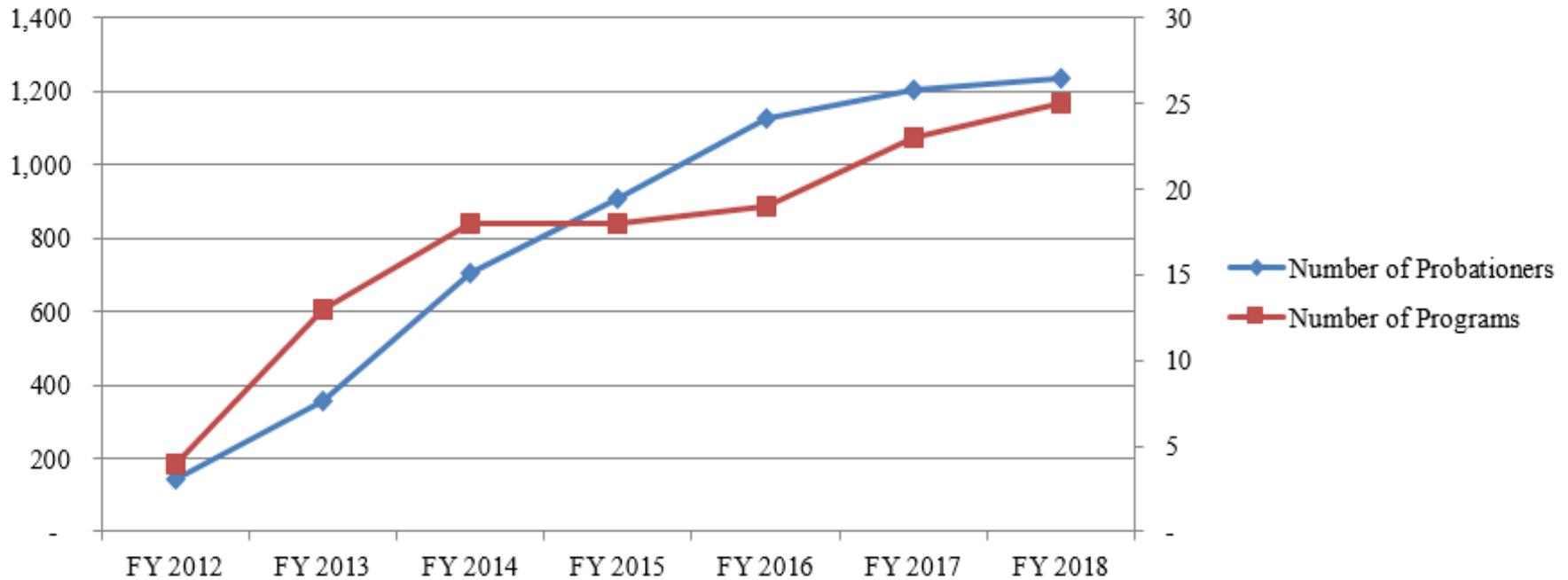
- Orientation hearing
- Violation hearing
- Probation appointments
- Random and frequent drug and alcohol testing
- SU and MH treatment, if needed
- Home and employment checks
- Immediate sanction for every violation



Continued Growth



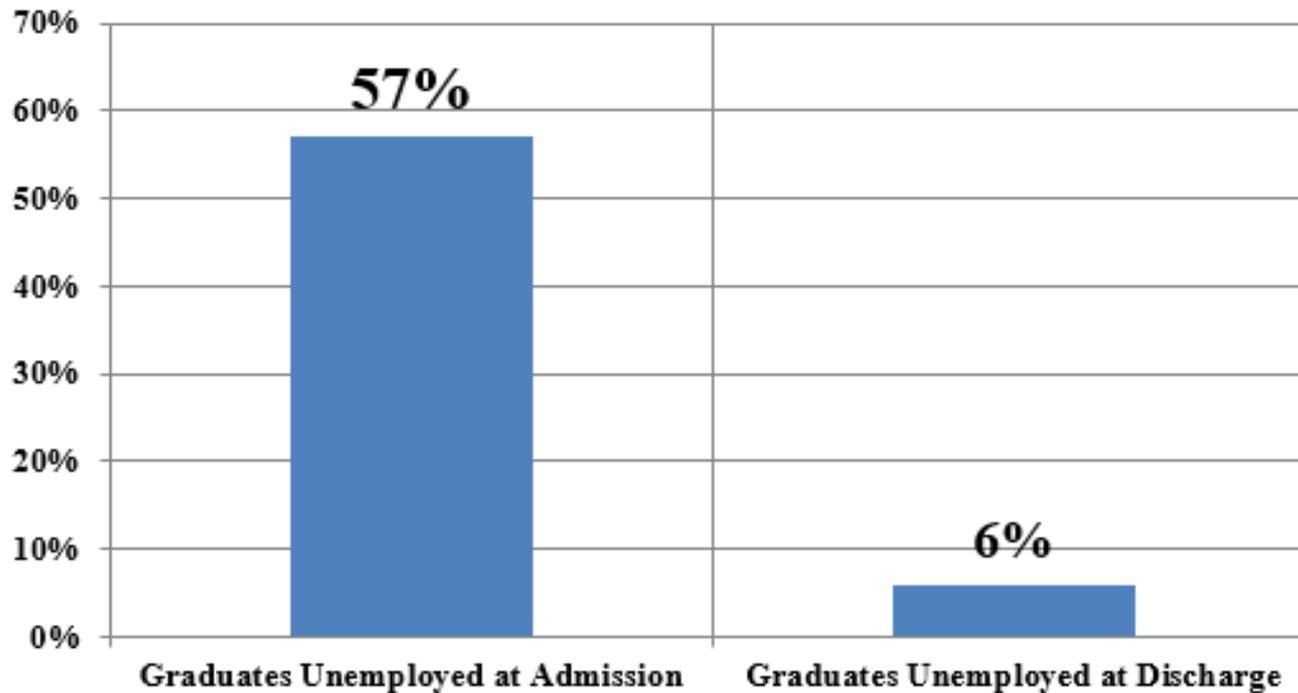
Number of Probationers and Programs



Improved Employment



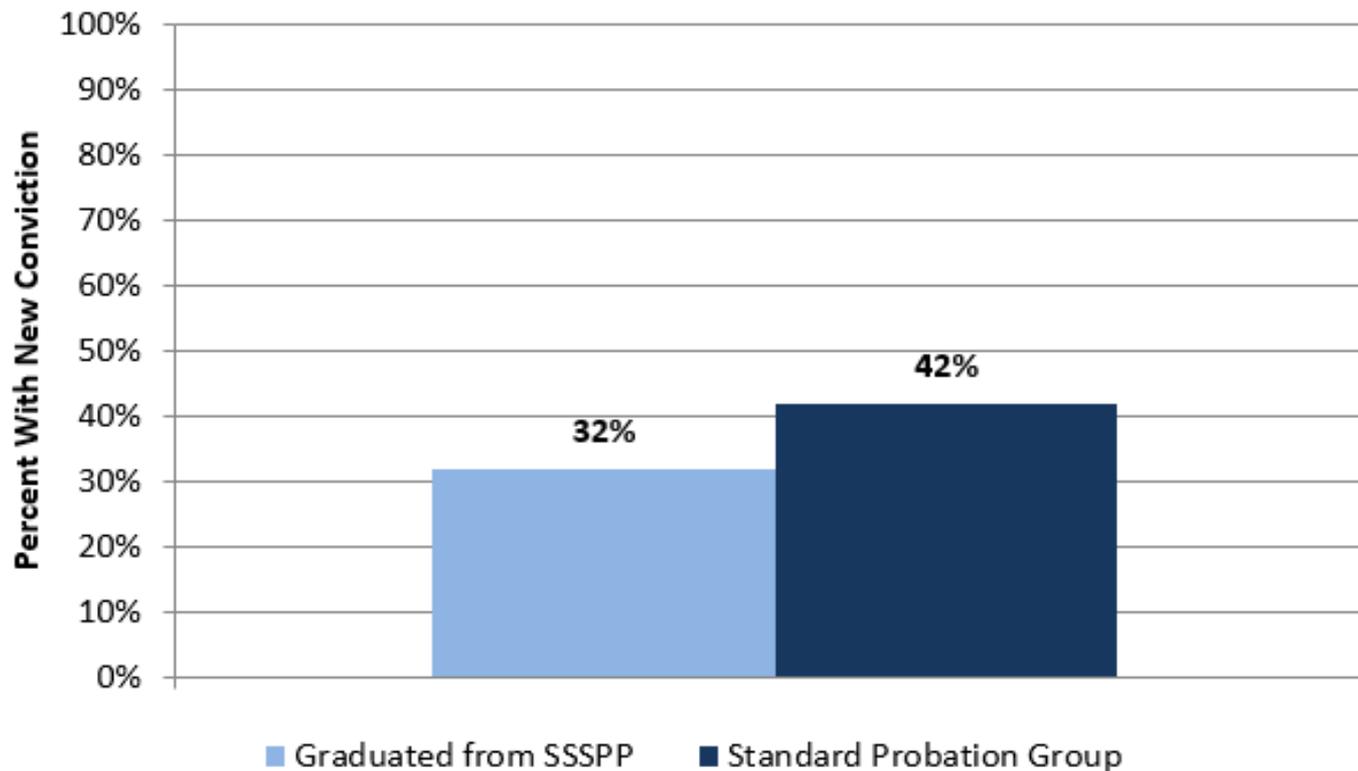
Unemployment at Admission and Discharge



Less Crime



New Convictions Within Three Years of Admission



Questions



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