

# ODCAP UPDATE

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OAKLAND DRUG COURT  
ASSOCIATION OF PROFESSIONALS

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### SPECIAL POINTS OF INTEREST:

- 6<sup>th</sup> Circuit Court Adult Treatment Court is scheduled to graduate 6 participants on November 7.
- Oakland County Family-Focused Juvenile Drug Court to hold a participant photo exhibit and art sale on November 5 at the Susanne Hilberry Gallery in Ferndale, Michigan.
- Farmington Hills Sobriety Court held its first graduation on October 18.
- Next ODCAP Meeting: Friday, November 30, at noon in the 6<sup>th</sup> Circuit Court Judicial Conference Room.

## International Drug Treatment Courts

By Ellen Zehnder  
6<sup>th</sup> Circuit Court  
Adult Treatment Court  
Coordinator

It is really no surprise to learn that therapeutic drug treatment courts have spread around the world. Drug abuse is a worldwide problem, so it was just a matter of time until the concept was implemented in other countries.

The first drug treatment court, developed outside the United States, was in Toronto, Canada in December 1998. Since that time more than 27 drug court programs have been implemented in 10 countries. Other nations are also planning to implement treatment courts.

The IADTC (International Association of Drug Treat-

ment Courts) met in the United States following the implementation of drug courts in Australia and Canada, and has expanded its membership to drug treatment programs in Bermuda, Brazil, Chile, England, Ireland, Jamaica, Norway, and Scotland. At present the Cayman Islands, Israel, Italy, Barbados, St. Lucia and Lithuania are seriously considering opening drug courts in their respective jurisdictions.

The IADTC meets annually in conjunction with NADCP (National Association of Drug Court Professionals), and

will be present at the National Training Conference in St. Louis, Missouri, May 28-31, 2008.\*

\*Information courtesy of NADCP

### Countries and Number of Operational Drug Courts

Australia	5 DTCs
Bermuda	1 DTC, 1 mental health
Brazil	3 pilot projects
Canada	8 DTCs
Chile	3 pilot DTCs
England	1 community court
Ireland	1 DTC
Jamaica	2 DTCs
Norway	2 DTCs
Scotland	2 DTCs

## Treatment Options: Criteria to Consider

By Karen Peterson  
Supervisor  
Community Corrections

It is always a very difficult and frustrating thing for Drug/Sobriety Court teams when trying to determine the best way to treat someone's substance abuse needs. This can occur when they first enter a Sobriety Court or

when they relapse and many of these folks have had more treatment than most people have had in a lifetime.

They have attended support groups off and on for years, been on probation, have been in and out of the jail and prison system and still nothing worked.

It is important to look at a myriad of factors when determining a course of action and individualize as much as possible.

Following, on the next page, is a down and dirty list of things that courts can consider to address a person's treatment needs.

*(continued on page 2)*

## Treatment Options: Criteria to Consider *(continued from page 1)*

### CRITERIA:

First, criteria to consider when determining initial treatment needs:

- Results from an assessment tool to use as a base (DSM-IV, ASAM)
- Treatment history (number of times, success/failure, periods of abstinence)
- Drug(s) of choice, length of use
- Current support system
- Employment (past employment history, skills, education)
- Mental Health (past & present)
- Motivation

For a person who has had a very limited treatment history and recent use prior to induction (30-45 days) traditional residential treatment should be considered. The length of stay for residential treatment should be individualized based on the client's progress/lack of progress, assessment and with input from the treating clinician.\* For a person who has had significant treatment history and/or period of abstinence prior to induction, Community Housing or 3/4 housing should be considered. Community Housing or 3/4 housing should be considered "supportive housing" only and the person should also be enrolled in outpatient counseling (substance abuse and/or mental health - never just one or the other).\*\*

### RELAPSES:

For a person who relapses once in a sobriety court, the following should be considered:

- Opiate Users - Detoxification (if necessary) and Opiate Replacement Therapy plus possible supportive housing
- Residential treatment through PACE or PA511 (felons) or ATI\*\*\* (misdemeanors) - length of stay to be determined based on individual need (see above factors and consult with treating clinician)
- Sobriety tether once released
- Increased testing

Persons completing the above option may return to their own housing or supportive housing (depending on the circumstances) and **must** resume outpatient counseling (frequency & length of stay based on where the person is in their "program" at the time of the relapse).

### TRANSITIONING:

When a participant transitions into a new phase it is a time of new found freedoms and should be a concern on the part of the team. The team should do a gradual transition to ease them into this new phase as this is a prime time for a relapse.

Participants transitioning between "phases" of the drug court program:

- Consider number of probation reports per month based on individual
- Consider number of sobriety court sessions to attend per month based on individual
- Increase drug testing for a while (based on progress, housing situation, etc.)
- Possible increase in outpatient treatment contacts for a while during early part of "transition"

### Drug/Alcohol Testing:

Participants should be on 3x/week random PBT and/or drug testing when:

- They complete residential treatment & return to the community
- They go directly to "supportive housing" upon induction into the program
- As a "sanction" in response to relapse
- Suspicion of relapse

The testing at the programs and probation should be considered "bonuses." Based on a participant's progress in the program the testing can be decreased over time. Just keep in mind how many times drug court participants have said that they should have been tested more than they were.

\*PACE funding or private insurance

\*\*Self pay, Support Centers etc

\*\*\*Contact Community Corrections for ATI information 248-451-2342

## Sobriety Court Pancake Breakfast

By Linda Hardacre  
Chief Probation Officer  
51<sup>st</sup> District Court

As a thank-you to our Sobriety Court clients who participate in our Community Service Program we have a special outing for them and their families each summer.

On Saturday, July 28, 2007, at the Hess Hathaway Farm in Waterford Township, we held our first Sobriety Court Pancake Breakfast and the ninth Annual Softball Game.

Breakfast was served under two tents by Chris Cakes of Clare, Michigan. All you-can-eat pancakes, sausage, juice and coffee. A disc jockey provided suitable music to go along with breakfast.

Activities included a petting farm for the children, tug-of-war, hayrides, horse-shoes and, of course, the annual softball game.

The teams were comprised of Judge McMillen and everyone she sentenced versus Judge Kuhn and his

defendants. Both Judge and I were team captains and the umpiring was done by Chief Probation Officer Hardacre. Judge Kuhn's team won 19 to 9, retaining their title from last year.

At the conclusion of the event both Judges addressed the group of about 135, which included defendant's, their families, Alumni's and treatment providers. We had a raffle, prizes were dispersed and an enjoyable morning was had by all.

## ODCAP Annual Seminar Held

By Ellen Zehnder  
6<sup>th</sup> Circuit Court  
Adult Treatment Court  
Coordinator

ODCAP (Oakland Drug Court Association of Professionals) held its annual seminar on October 5, 2007, at the new Oakland County Executive Office Building Conference Center. Clarkston District Court Judge Dana Fortinberry was the hostess for the event.

The topic of this year's conference was *Driver License Issues and Hearing Procedures in the Driver Assess-*

*ment and Appeal Division.* Speakers Mark Swayze and Ann Corgan from the Office of the Secretary of State, Driver License Appeal Division, gave a Power Point presentation and answered questions regarding policy and procedure for reinstating suspended driver licenses.

Suspended licenses are a major problem among participants of the many drug courts in Oakland County, so the approximately 50 people in attendance came away from the seminar with a better understanding of the appeal procedure, and what the DLAD expects

from a person applying for reinstatement of a license.

Attendees, overall, rated the seminar very good to excellent and found the information very pertinent to their work with drug court participants.

The new, state-of-the-art, Conference Center was very user friendly with its hand held remote control that operated lights, projection screens, microphones, and laptops with the touch of a finger. The center, also, created a comfortable venue for all who attended the seminar.

## Believe it or Not . . .

A defendant tested positive for cocaine and denied use. His explanation was that he was cutting and packaging cocaine so it must have gotten into his system by handling it!

Recently, several staff spent an afternoon and following morning at Circuit Court after being called to testify for a positive drug test. The judge allowed the client's attorney to argue that tonic water can cause a positive result for cocaine. According to "expert" information, from a website of all places, the attorney argued that tonic water contains quinine which can cross react for cocaine. At the defense table, the defendant actually sat with a liter bottle of Canada Dry!



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**About ODCAP . . .**

ODCAP (Oakland Drug Court Association of Professionals) was founded in March 2003 by 6th Circuit Judge Joan Young for the purpose of sharing information and ideas that would benefit all drug courts in Oakland County. It is not mandatory that a court have an operational drug court in order to attend ODCAP meetings. The meetings are open to anyone who is interested in learning about drug court and knowing what the drug courts in Oakland County are doing. The next meeting will be held on **Friday, November 30, at noon** in the 6th Circuit Court Judicial Conference Room.

**Excuses We Have Heard**

Submitted by 6<sup>th</sup> Circuit Court Juvenile Drug Court, Adult Treatment Court,  
 Perfect Solutions, Inc., Community Corrections, and Waterford District Court

- “I ate some fried chicken and because of the fat it caused the marijuana to be ‘re-released’ into my system.”  
 “My dog ate my AA/NA sheet.”  
 “I washed my AA/NA sheet in the laundry.”  
 “I was around people using marijuana but I didn’t smoke.”  
 “I only took one hit and shouldn’t test positive.”  
 “I missed a screen because my mom was sleeping and I didn’t want to wake her up.”  
 “I stayed out too late and I didn’t want to get up to test.” (While on home detention)  
 “I ate poppy seed crackers.”  
 “I took an Advil p.m.” (tested positive for Opiates)  
 “I couldn’t sleep so I smoked Marijuana.”  
 “The car had a flat tire.”  
 “My alarm didn’t go off.”  
 “The JAMS office was closed.”  
 “I hit a train (crossing) on the way to test.”  
 “I never told my parents that I had an individual session and they were not home to take me.”  
 “I took cough medicine.” (Tested positive for alcohol, but bottle they provided says Alcohol Free)  
 “I brushed my teeth and used mouthwash.” (Tested positive for alcohol)  
 “I ate pizza with mushrooms on it” (Tested positive for Opiates)  
 “I used face cleanser in the shower and that must have caused the positive reading (for over 12 hours). Will perfume set it off?”  
 “What does not having a temperature for my urine mean? It is mine.....I’m just cold!”  
 “While using a Wizanator- I missed the cup.” (Pee running down his pants)  
 “I took a pill from a friend and they said that it was aspirin.”  
 “My color wasn’t called.” (For Random testing)  
 (On the weekend) “I thought JAMS was open in the PM.”  
 “I was trying to sell some pills as Tylenol III so I could get money to buy my girlfriend flowers for Valentine’s Day., but they were only allergy pills.”  
 “I quit using Antabuse because it made me fat.”  
 “That rock of crack must have fallen off the arm of the chair I was sitting in and it fell right into my pocket.”  
 “I tested positive for THC because I performed oral sex on my boyfriend, who smokes weed, and I swallowed.”  
 “I ate some poppy seed cake, maybe that’s why I tested positive.”  
 “I was in a room where other people were smoking marijuana, so it was probably secondary smoke inhalation.”  
 “I had sex with a man, and he had been using.”  
 “I was thirsty when I was driving my sister’s car. There was a water bottle full of something that I thought was water, so I drank it, not knowing it was alcohol.”