



2021

Annual Report

of the

State Drug Treatment Court

Advisory Committee

Submitted to the

Michigan Legislature and the Michigan Supreme Court

Pursuant to MCL 600.1082, Public Act 224 of 2004.

For the period

January 1, 2021 through December 31, 2021

State of Michigan

The Honorable Amy Ronayne Krause, Chair

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INTRODUCTION

This report of the State Drug Treatment Court Advisory Committee (SDTCAC) activities during the period of January 1, 2021 to December 31, 2021 is submitted in compliance with MCL 600.1082 (Public Act 224 of 2004).

OVERVIEW

MISSION STATEMENT

The mission of the State Drug Treatment Court Advisory Committee is to monitor and advocate for the effectiveness of drug treatment courts in Michigan.

ORIGIN AND SCOPE

Public Act 224 of 2004 created the State Drug Treatment Court Advisory Committee within the Legislative Council. In October 2012, the Legislature enacted Public Act 334 of 2012 which added a veterans' treatment court representative. The advisory committee consists of the State Court Administrator, or his or her designee, plus 17 members appointed jointly by the Senate Majority Leader and the Speaker of the House, as follows:

- A circuit court judge who has presided for at least 2 years over a drug treatment court.
- A district court judge who has presided for at least 2 years over a drug treatment court.
- A judge of the family division of circuit court who has presided for at least 2 years over a juvenile drug treatment court program.
- A circuit or district court judge who has presided for at least 2 years over an alcohol treatment court.
- A circuit or district court judge who has presided over a veterans' treatment court.
- A court administrator who has worked for at least 2 years with a drug or alcohol treatment court.
- A prosecuting attorney who has worked for at least 2 years with a drug or alcohol treatment court.
- An individual representing law enforcement in a jurisdiction that has had a drug or alcohol treatment court for at least 2 years.
- An individual representing drug treatment providers who has worked at least 2 years with a drug or alcohol treatment court.
- An individual representing defense attorneys who has worked for at least 2 years with drug or alcohol treatment courts.
- An individual who has successfully completed a drug treatment court program.
- An individual who has successfully completed a juvenile drug treatment court program.
- An individual who is an advocate for the rights of crime victims.
- An individual representing the Michigan Association of Drug Court Professionals.
- An individual who is a probation officer and has worked for at least 2 years for a drug or alcohol treatment court.
- An individual representing a substance use disorder services section of a Pre-Paid Inpatient Health Plan (previously known as a substance abuse coordinating agency).



- An individual representing domestic violence service provider programs that receive funding from the state domestic violence prevention and treatment board.

The SDTCAC members serve without compensation but may be reimbursed for their actual and necessary expenses incurred in the performance of their duties. Members of the advisory committee serve for terms of 4 years each.

The SDTCAC is charged with the responsibility of monitoring the effectiveness of drug treatment courts and veterans' treatment courts and the availability of funding for them. The Committee is required to present to the Michigan Legislature and the Michigan Supreme Court annual recommendations of proposed statutory changes regarding drug treatment courts and veterans' treatment courts. In addition, statute requires that the Committee meet at least quarterly, or more frequently at the call of the chairperson or if requested by 9 or more members. The business that the advisory committee performs is conducted at a public meeting held in compliance with the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275, and any writing prepared, owned, used, in the possession of, or retained by the advisory committee in the performance of an official function is subject to the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246.

2021 COMMITTEE MEMBERS

Andrew Smith - The state court administrator, or his or her designee. Mr. Smith, SCAO Problem-Solving Courts Manager, was designated and began serving as the SCAO designee in July 2018.

Members appointed jointly by the Speaker and the Senate Majority Leader:

The Honorable Amy Ronayne Krause (*Chair*) – An individual representing domestic violence service provider programs that receive funding from the State Domestic Violence Prevention and Treatment Board. Judge Ronayne Krause of the 4th District Court of Appeals was appointed to the Committee on March 18, 2011 and is currently serving her fourth term that expires on June 13, 2023. Judge Ronayne Krause has served as Chair since May 28, 2013.

The Honorable Raymond P. Voet (*Vice Chair*) – A circuit or district court judge who has presided over a veterans' treatment court. Judge Raymond P. Voet of the Ionia County 64-A District Court was appointed to this position on September 19, 2013 and is currently serving his third term that expires on September 18, 2025. Judge Voet was unanimously elected to serve as Vice Chair of the Committee at the July 18, 2017 SDTCAC meeting.

Ms. Heidi Cannon - An individual who is a probation officer and has worked for at least 2 years for a drug or alcohol treatment court. Ms. Cannon was appointed to the Committee on July 13, 2016 to fill the remainder of a four-year term that expires on August 4, 2019. Ms. Cannon is currently the Sobriety Court Probation Officer for the 2A District Court in Adrian. Ms. Cannon has served on the Committee since July 13, 2016 and was reappointed in 2019 to a second term that expires August 4, 2023.

The Honorable Susan L. Dobrich – An individual representing the Michigan Association of Drug Court Professionals. Judge Dobrich of the Cass County Probate Court was appointed to the Committee on February 18, 2015 and was reappointed to a third term that expires on June 13, 2023.

The Honorable Joshua M. Farrell – A district court judge who has presided at least 2 years over a drug treatment court. Judge Farrell was appointed to the Committee on October 13, 2021 to serve the remainder of a 4-year term that expires on September 18, 2025. Judge Farrell is of the 80th District Court.



The Honorable Shannon A. Holmes – A circuit or district court judge who has presided at least 2 years over an alcohol treatment court. Judge Holmes was appointed to the Committee on September 29, 2021 to serve the remainder of a 4-year term that expires on June 13, 2025. Judge Holmes is of the 36th District Court.

Mr. Andrew Konwiak – An individual representing drug treatment providers who has worked at least 2 years with a drug or alcohol treatment court. Mr. Konwiak is with the Sacred Heart Rehabilitation Center. Mr. Konwiak has served on the Committee since June 13, 2005 and was reappointed in 2020 to a fifth 4-year term that expires on July 17, 2024.

The Honorable Mark W. Latchana – A circuit court judge who has presided at least 2 years over a drug treatment court. Judge Latchana is the 67th District Court Judge but has been assigned by the State Court Administrative Office to serve as the judge of the 7th Circuit Court. Judge Latchana was appointed to the Committee on September 7, 2017 to fill the remainder of a 4-year term that expired on November 6, 2017 and for a succeeding 4-year term that expires on November 6, 2021. He was reappointed to a third 4-year term that expires on November 6, 2025.

Mr. Douglas R. Lloyd – A prosecuting attorney who has worked for at least 2 years with a drug or alcohol treatment court. Prosecutor Lloyd of Eaton County was appointed on September 19, 2013 and was reappointed in 2020 to a third 4-year term that expires on September 18, 2024.

Sheriff Michael Main – An individual representing law enforcement in a jurisdiction that has had a drug or alcohol treatment court for at least 2 years. Sheriff Main of Isabella County was appointed on July 18, 2016 and was reappointed in 2020 to a second 4-year term that expires on July 17, 2024.

Ms. Christina Nicholas, LMSW – A representative of substance use disorder services section of a Pre- Paid Inpatient Health Plan. Ms. Nicholas serves as the Director of Substance Use Disorder Prevention and Treatment Services with the Oakland Community Health Network and is the current chair of the ten pre-paid inpatient health plans Substance Use Director workgroup in Michigan. Ms. Nicholas was appointed to the Committee on December 7, 2017 and was reappointed to a second term that expires June 13, 2023.

The Honorable Julia B. Owdziej – A judge of the family division of circuit court who has presided for at least 2 years over a juvenile drug treatment court program. Judge Owdziej currently is the presiding judge of the Washtenaw County Juvenile Court Delinquency Division. She was appointed to the Committee on September 7, 2017 to fill the remainder of a four-year term that expires on June 13, 2021 and reappointed in 2021 to a full four-year term that expires on June 13, 2025.

Mr. Mark Risk – An individual representing defense attorneys who has worked for at least 2 years with drug or alcohol treatment courts. Mr. Risk of Traverse City was appointed to the Committee on September 3, 2012 and reappointed in 2020 to a third term that expires on September 3, 2024.

Ms. Stacy Salon – An individual who has successfully completed an adult drug treatment court program. Ms. Salon of Traverse City has served on the Committee since September 4, 2012 and was reappointed in 2020 to a third term that expires on September 3, 2024.

Ms. Ines Straube – A court administrator who has worked for at least 2 years with a drug or alcohol treatment court. Ms. Straube is the Trial Court Administrator for the Barry County Trial Court and was appointed to the Committee on September 4, 2020. Her first term expires on September 3, 2024.

Ms. Alma Valenzuela – An individual who is an advocate for the rights of crime victims. Ms. Valenzuela is the Director of Ottawa County Probation and Community Corrections. She was appointed to the Committee on June 14, 2019 to serve a four-year term that expires June 13, 2023.



Mr. Kyle Sofia-- An individual who has successfully completed a juvenile drug treatment court program. Mr. Sofia was appointed to the Committee on October 13, 2021 to fill the remainder of a four-year term that expires on June 13, 2023.

2021 COMMITTEE MEETINGS

The State Drug Treatment Court Advisory Committee held three (4) full committee meetings in 2021:

January 12, 2021
April 20, 2021
July 13, 2021
October 19, 2021

2021 STUDY SUBCOMMITTEES

In 2021, eight (8) subcommittees examined various subjects under review by the State Drug Treatment Court Advisory Committee.

Affordable Health Care Act Impact Subcommittee

Members: Christina Nicholas (Chair), Andrew Konwiak, Mark Risk

This subcommittee was initiated in November 2012 to monitor the impact of the Affordable Care Act (ACA) and its specific application to treatment court participants who now may have increased access to other public funding for their care.

In 2021, due to the continued impact of the COVID-19 virus, telehealth continued to be an approved form of treatment for people with Medicaid and Healthy Michigan Medicaid. On the federal level, legislation was introduced proposing Medicaid to be reinstated for incarcerated individuals one month prior to release. If passed, this would allow increased access to medical and behavioral health treatment during incarceration. Although the bill did not pass in 2021, it is likely this will remain an issue of consideration in 2022. As heavy emphasis and focus remained on mitigating the COVID 19 virus, no other significant changes occurred.

Defense Attorney Participation Subcommittee

Members: Mark Risk (Chair)

This subcommittee was created at the January 23, 2007 meeting to examine the defense attorney's role in the drug court process and funding for defense counsel involvement. Several issues were raised and studied by the subcommittee in 2020, including an issue dealing with drug court participants who commit another felony and are expelled from their current drug court program. In conjunction with SCAO and the Michigan Association of Treatment Court Professionals (MATCP), recommendations to amend the statute to allow more discretion and to take into consideration these high risk/high need individuals will continue to be explored by the SDTCAC's Legislative Subcommittee. In 2020, the Defense Attorney Participation Subcommittee also looked into the issue of shortened driver license suspensions for drunk driving offenses if an interlock device is installed. Large numbers of unlicensed drivers with a history of alcohol related offenses drive anyway. Part of the problem is due to unlicensed drivers to get a hearing with the SOS and be granted an interlock device. It is believed public safety would be better served if licenses were granted with an interlock device installed, rather having unlicensed drivers drive with no interlock. Lastly there is a critical lack of supervised transition housing for those in treatment courts. This often leads to longer incarcerations until a treatment or transition bed is available. Additionally, while in jail participants receive no or little treatment. Review of these issues will also continue.



Family Dependency Court Subcommittee

Members: The Honorable Susan Dobrich (Chair), Mark Risk

The Family Dependency Court Subcommittee collaborated with SCAO and MATCP on several projects. Most of the work of 2021 was in preparation for matters that will be accomplished in 2022. SCAO Problem Solving Division will be presenting four trainings in partnership with the Center for Children and Family Futures about the Best Practices Standards for FTC courts. The trainings will begin in March of 2022. Teams attending the training will learn the best practice standards and the importance of taking a family centered approach. Teams will learn the rationale of the various best practices and work in breakout rooms to discuss strategies of incorporating the practices in their team. MATCP also collaborated with Children and Families Futures to provide 5 training sessions at the MATCP conference scheduled for March 31 and April 1. The conference also will focus on trauma which is critical to understand in operating an FTC. Finally, the committee focused on in collaboration with SCAO Problem Solving Division legislation that will more effectively match the FTC model. The legislation incorporated the best practices for Family Courts. A sponsor of the bill was found with hopes that in 2022 the legislation will be proposed and adopted.

Juvenile Issues Subcommittee

Members: The Honorable Julia B. Owdziej (Chair), Jodi Latuszek, Mark Risk

Created at the September 26, 2006 meeting, this subcommittee is charged with reviewing the differences inherent to juvenile drug court and family court. The objectives of the subcommittee include examination of the current drug court legislation and how the legislation differs from juvenile court procedures and promotion of juvenile drug courts as unique, adolescent-specific therapeutic jurisprudence interventions.

The 5-year process of evaluating juvenile drug courts continued in 2022. This plan was put in place when juvenile drug court statistics were not showing outcomes as good the adults courts were showing. Recommendations were made to individual counties, new procedures put in place, and a 2d evaluation is pending but was stalled by covid.

Legislative Subcommittee

Members: Heidi Cannon (Chair), The Honorable Harvey Hoffman, The Honorable Amy Ronayne Krause, The Honorable Raymond Voet

This subcommittee was created at the July 23, 2010 Strategic Planning Session to monitor legislative activities. At the January 8, 2019 SDTCAC meeting, the Honorable Raymond Voet's role on the subcommittee was transitioned to a regular member and Ms. Heidi Cannon was appointed Chair of the Legislative Subcommittee. The goal of the subcommittee is to monitor legislation that impacts or could impact treatment courts in Michigan. In early 2021 the jail reform package passed with overwhelming support during the prior legislative session and went into effect on April 1st of 2021. MATCP was heavily involved in the crafting of House Bill 5854 which took away mandatory minimums for people who are in treatment courts. In addition, MATCP will be working with the State Court Administrative Office (SCAO) to amend 600.1084 that deals with ignition interlock to include mental health courts. The Governor signed Senate Bill 438 (Public Act 29 of 2021) which amends the Code of Criminal Procedure to exempt operating while intoxicated (OWI) offenses from the requirement to issue an appearance ticket and release a person from custody for certain misdemeanor offenses, causing a decrease in Treatment Court participation throughout the State. HB 5512 regarding the use of medical marijuana in Treatment Courts while remaining compliant with MMMA became a major talking point for the remainder of the year. A Legislative Reception was held on October 27th to answer questions and promote support from Legislators for HB 5512. The reception was well attended, and feedback was given to assist in the future support of the bill. Additional bills discussed this year for the Legislative Committee HB 5482, 5483, 5484, and SB81.



Program Standardization and Funding Alternatives Subcommittee

Members: Ms. Alma Valenzuela (Chair), Dawn Monk

Created in 2007, this subcommittee continued to review program standardization funding alternatives for drug treatment courts in Michigan. At the July 26, 2016 SDTCAC meeting, the subcommittee accepted the additional responsibility of reviewing efforts to develop program standardization and best practices among specialty courts. The subcommittee continued to provide input and closely monitor issues in 2021 but did not identify any specific areas that require change or improvement at this time.

Veterans' Treatment Court Subcommittee

Members: The Honorable Raymond Voet (Chair), Mark Risk

Created at the May 24, 2011 meeting, this ad hoc committee was instrumental in the enactment of two pieces of legislation in 2012. The Veterans' Treatment Court Ad Hoc Committee was changed to subcommittee status by action taken at the April 22, 2014 SDTCAC meeting. Public Act 335 of 2012 authorized the establishment of veterans' treatment courts and provided direction for the development of treatment programs for veterans who are substance abusers or mentally ill. Public Act 334 of 2012 added a veterans' treatment court judicial representative to the State Drug Treatment Court Advisory Committee and included veterans' treatment courts under the types of courts the SDTCAC is to monitor. Both public acts went into effect on October 16, 2012. The subcommittee continued to provide input and closely monitor veterans' treatment court issues in 2021 but did not identify any specific areas that require change or improvement at this time.

Vision Subcommittee

Members: Douglas Lloyd (Chair)

This subcommittee was created at the January 22, 2008 meeting to monitor and provide long-range goals for the State Drug Court Treatment Advisory Committee. In 2021, the Vision Subcommittee observed that due to the pandemic, numerous specialty courts had gone virtual, and either were continuing virtual or in some cases were participating in a hybrid manner (both in person and virtual). Going virtual provided the specialty courts the opportunity to continue their good work (staffing, court interaction with participants) while allowing individuals to remain safely distanced. The vision committee continues to believe that further research should be completed to determine if by going virtual or in some hybrid fashion more communities and courts can create and continue specialty courts. The question for the committee is whether allowing a virtual or hybrid court to function allows more participation of defendants without the need to travel great distances to be a part of the specialty court. The Vision Subcommittee will continue to monitor the courts as well as other groups and organizations as a guide for future input as to whether virtual or hybrid courts would be wise to continue.

CURRENT AND POTENTIAL SOURCES AND LEVELS OF FUNDING

The Committee is charged with the responsibility of monitoring the effectiveness of drug treatment courts and the availability of funding for them. According to the State Court Administrative Office (SCAO), There are currently 84 drug treatment courts in Michigan, consisting of 32 adult drug courts, 23 DWI courts, 15 juvenile drug courts, 11 family dependency courts, and 3 tribal healing-to-wellness courts. Michigan's drug treatment courts operate in 40 counties; however, the three tribal drug courts have special jurisdictions. The amount of state and federal funds available to those courts was discussed and current funding sources were identified.

Current and potential sources of funding for drug treatment courts were identified as follows: (Information provided by the State Court Administrative Office)



STATE ADMINISTERED FUNDING PROGRAMS

State Court Administrative Office

Michigan Drug Court Grant Program (MDCGP)

The State Court Administrative Office administers a program that provides funding assistance for drug courts through its Michigan Drug Court Grant Program. Funding must be appropriated annually by the Legislature. SCAO has awarded more than \$16.7 million in grants for Fiscal Year 2022, drug and sobriety, mental health, and veterans treatment courts.

The Michigan Drug Court Grant Program is modeled after the federal Drug Court Grant Program and requires compliance with the 10 Key Components of Drug Courts as outlined in the federal guidelines. Adult Drug Court programs, Juvenile Drug Court programs, Family Dependency Drug Court programs, DWI Sobriety Court programs (focused on drunk driving cases), Regional DWI/Hybrid programs, and Hybrid Drug/DWI Court programs are eligible to receive funding from the Michigan Drug Court Grant Program. Information on the availability of grant funding and the grant deadlines are announced in the spring of each year.

State Court Administrative Office

Office of Highway Safety Planning Grant (Federal Funds)

Administered by SCAO from funds received from the Michigan State Police, Office of Highway Safety Planning (OHSP), the SCAO OHSP grant program is funded by the National Highway Traffic Safety Administration (NHTSA) Catalog of Federal Domestic Assistance (CFDA) 20.601 and provides funding for planning and implementation grants for new or expanding driving while intoxicated (DWI) treatment courts. Programs must ensure compliance with the statutory requirements of [MCL 600.1060 through MCL 600.1084](#). Grantees may apply for SCAO OHSP funding for up to three years; programs that have received three years of funding are eligible to apply for one year of step-down funding. In the step-down funding year, programs may request up to fifty percent of the award amount that the program received in its third year.

State Court Administrative Office

Edward Byrne Memorial Justice Assistance Grant (Byrne JAG) (Federal Funds)

The Byrne JAG grant funds come to SCAO through the MSP's Grants Management Section. The MSP is responsible for administering federal criminal justice grants in the state of Michigan. These federal funds come to the MSP from the Department of Justice (DOJ). The DOJ provides funding to states for the use of drug treatment programs that provide alternatives to prison for persons who pose no danger to the community.

FEDERALLY ADMINISTERED FUNDING PROGRAMS

Bureau of Justice Assistance

Drug Court Planning Initiative

<https://www.ndci.org/resource/training/foundational-training/design-a-drug-court/>

The Drug Court Planning Initiative (DCPI) is a training initiative that helps communities develop effective adult, veterans, and tribal drug court programs. Communities interested in planning a drug court program are encouraged to register for DCPI training.

Bureau of Justice Assistance

Adult Drug Court and Veterans Treatment Court Discretionary Grant Program

Adult Drug Court Implementation Grants

Adult Drug Court Enhancement Grants

Statewide Drug Court Enhancement Grants

<https://bj.a.ojp.gov/funding/opportunities/bja-2020-17098>



This program provides financial and technical assistance to states, state courts, local courts, units of local government, and federally recognized Indian tribal governments to implement and enhance the operations of adult drug courts and veterans' treatment courts. These courts effectively integrate evidence-based substance abuse treatment, random drug testing, equitable sanctions and incentives, and transitional services in judicially supervised court settings with jurisdiction over offenders to reduce recidivism, substance abuse, and prevent overdoses.

Bureau of Justice Assistance
Drug Court Discretionary Grants
Office of Juvenile Justice and Dependency Prevention (OJJDP)
Juvenile Drug Treatment Court Program
Family Drug Court Program
Tribal Juvenile Healing to Wellness Court Program
<https://ojjdp.ojp.gov/programs/drug-courts>

The Juvenile Drug Treatment Court Program supports treatment and services for youth with substance abuse problems. The courts work to strengthen family engagement, address the root problems that may cause substance use and addiction, and empower young people to lead drug-free and crime-free lives.

The Family Drug Court Program serves parents and guardians who require treatment for a substance abuse disorder and who are involved with the child welfare system because of child abuse or neglect. Family drug courts provide intensive judicial monitoring and interventions using a multidisciplinary approach to treat parents' substance use and/or co-occurring mental health disorders. Program goals are to ensure that children have safe, nurturing, and permanent homes; family members receive the needed supports and services; and parents achieve stable recovery.

The Tribal Juvenile Healing to Wellness Court Program enhances the capacity of tribal courts to respond to the substance use challenges of court-involved youth. The courts employ cultural informed approaches to promote accountability, healing, and tribal identity in youth younger than 21.

OTHER POTENTIAL SOURCES OF FUNDING FOR DRUG TREATMENT COURTS

National Association of Drug Court Professionals

www.nadcp.org

The association provides training and technical assistance for drug courts and is a resource for training and funding opportunities.

Foundation Funding

Kellogg Foundation

<http://www.wkkf.org>

Skillman Foundation

<http://www.skillman.org>

Local Charities and Foundations



SUMMARY

The global Coronavirus pandemic presented many unique challenges in 2021, but thanks to the flexibility of our members, our Committee carried on our work, albeit by remote conferencing, and continued to fulfill our monitoring role for the Michigan Legislature. Throughout 2021, the members of the State Drug Treatment Court Advisory Committee actively participated in a number of drug treatment court issues. We hope our activities over this past year, as outlined in this report, show our continued dedication and enthusiasm for the drug court movement. We will remain vigilant in our efforts to champion the effectiveness and long-term future of drugs courts here in Michigan and look forward to continuing our service to the Michigan Legislature in the coming year.

