

Court has new path for drunk drivers

District judge in Novi to emphasize treatment

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Frustrated by seeing the same drinking drivers return to his courtroom again and again, an Oakland County judge wants to try something new.

It's called drug court, a program of tight oversight and intense drug treatment, which costs more in the short run but ultimately saves money and prevents the mayhem caused by repeat offenders, said Novi's 52-1 District Judge Brian MacKenzie.

The approach, cofounded by U.S. Attorney General Janet Reno when she was a Florida prosecutor, is used in about 700 courts nationwide.

But most programs, including those already used in Wayne and Macomb counties, target nonviolent drug offenders. MacKenzie has aimed at drinking drivers.

"What do I do with people who come into my court and are true alcoholics?"

"I can lock them up, but the truth of the matter is, 90 days in jail doesn't change anything. I see them come back," MacKenzie said.

His proposal for a drug court in Novi is one of a few nationwide to involve Mothers Against Drunk Driving, in planning and, later, in monitoring the program.

MADD's Oakland County chapter has given \$3,000 to send MacKenzie and his two fellow Novi district judges, a MADD activist and a substance-treatment therapist to a drug-court training conference in San Francisco in June. An additional \$10,000 for the training and for planning the project was approved last month by the State Court Administrator's Office.

Novi's plan was one of five Oakland County drug-court projects approved last month for planning grants, said Margie Good, a management analyst in the court administrator's office in Lansing.

The others are located in:

- Waterford, proposed by 51st District Judge Phyllis McMillen.
- Troy, proposed by 52-4 District Judge Dennis Drury.
- Oakland County Circuit Court, proposed by Judge David Breck.
- Oakland County Family Court, a juvenile drug court proposed by Judge Edward Sosnick.

This fall, officials from each court will request start-up funding from federal, state and county agencies, Good said.

Novi's drug court, for example, will need more probation officers -- it now has seven -- to provide intensive supervision, but it may save money by requiring fewer and shorter jail sentences, Mackenzie said.

Operating a drug court costs \$2,000 to \$2,500 annually per defendant, while jailing a defendant for a year costs more than 10 times that, said Susan Weinstein, spokeswoman for the National Association of Drug Court Professionals in Alexandria, Va.

Most funding for drug courts comes from federal grants. Congress appropriated \$40 million for drug courts in 1999 and 2000, and President Bill Clinton has requested \$50 million for 2001, Weinstein said.

A drug court in Charlotte, near Lansing, was one of the first in the nation to focus on drinking drivers, Weinstein said.

In 2 1/2 years, that drug court has seen its recidivism rate drop from nearly 50 percent, "which is fairly close to the national average," to about 10 percent in the last year, said Eaton County District Judge Harvey Hoffman.

"We attack the problem with a lot of incentives and a lot of sanctions. If they show up with a dirty Breathalyzer result, we give them a weekend in jail," Hoffman said.

Michigan also has drug courts in Berrien and Kent counties, a state court official said.

MADD activist David Easterbrook of Troy, whose daughter was killed by a drunken driver in 1997, said learning about drug court helped change his view of how best to punish a drinking driver.

Easterbrook, who will attend the training session with MacKenzie, no longer says all drunken drivers should be locked up for lengthy sentences, he said.

He learned that substance-abuse treatment is essential to keeping drinking drivers from repeating their crimes, he said this week.

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