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## Judges argue for drug court

They say it will save time, money and help repeat offenders

By Louise Knott Ahern / The Detroit News

**NOVI** -- Novi's three district court judges handled more than 1,200 drunken driving cases last year, nearly a third of which were committed by repeat offenders.

Circuit Judge David Breck estimates that 90 percent of the criminals who come before his court have drug or alcohol problems.

The numbers are no longer surprising to those in law enforcement and the county's courts. But Oakland County judges hope to finally start doing something about them.

"We lost the war on drugs years ago," said Breck, a 20-year veteran of the bench. "And it's time we save families and save taxpayer money by being realistic about how to stop this kind of behavior."

Breck and other Oakland County judges are putting together proposals to submit to the state Supreme Court to create specialized drug courts that would force defendants to go through intense substance abuse treatment while taking responsibility for their actions.

Similar courts around the state and nation -- including in Kalamazoo, Charlotte and San Diego, Calif. -- report repeat offender rates as low as 5 percent among defendants who complete the program.

The courts are also touted as money-saving measures by eliminating prison, prosecution and trial costs. Breck said the state of Oregon has saved close to \$11 million in prison costs alone.

The Oakland County Board of Commissioners approved Thursday the use of \$30,000 in state grants for the planning needed to put the drug courts in place in the circuit court, juvenile court and the Novi district court. Additional staffing and some operational changes may be needed to make them work.

Drug courts are also in the works for the 52-4 District Court in Troy and the 51st District Court in Waterford.

"It's a very intense net to throw over the defendant," said Novi District Judge Brian MacKenzie, who is tailoring the court there to focus primarily on drunken driving. "This is early intervention into what is clearly addictive behavior."

Here's how they would work:

- \* Rather than take their cases to trial, defendants charged with drug or alcohol related crimes -- or crimes that stemmed from a substance abuse problem -- agree to plead guilty without jail time.

- \* Defendants must agree to intense counseling and substance abuse treatment, as well as weekly or twice-monthly meetings with probation officers.

- \* Once or twice a month until they complete the program, defendants would report their progress back to the judge.

"It's really something to see," said Breck, who has observed a similar court in Kalamazoo as research for his own. "When they finally graduate and have a job and are back with their families, the whole family comes and brings balloons. That's a tear-jerker."

Critics say the courts are an easy way out for people who should be locked up.

But the Oakland County chapter of Mothers Against Drunk Driving -- a traditionally verbal critic of judges who seemingly go too easy on offenders -- has also donated \$3,000 to the planning of Novi's alcohol court.

"I still remain skeptical," said David Easterbrook, vice-president of Oakland's MADD. "I'm willing to listen and learn. I find it interesting they're opening their arms and taking our opinion."

Each court must submit a proposal and plan of operation to the state Supreme Court for approval by Sept. 1. MacKenzie and Breck hope to have their courts up and running by the beginning of next year.