



MEMORANDUM
OFFICE OF THE
COUNTY EXECUTIVE OFFICER
COUNTY OF PLACER

To: Placer County Board of Supervisors
From: David Boesch, County Executive Officer
By: Bekki Riggan, Principal Management Analyst
Date: February 24, 2015
Subject: Criminal Justice Master Plan Recommendations

Action Requested

1. Receive an update on the Criminal Justice Master Plan Recommendations;
2. Receive a presentation by the Sacramento County Office of Education (SCOE) on proposed re-entry counseling and educational services at Santucci Center; and
3. Approve the award of Competitive Request for Proposal (RFP) No. 10352 for Counseling and Educational services with SCOE for sixteen months (March 1, 2015 - June 30, 2016), in the amount of \$1,314,603, and authorize the Purchasing Manager to sign a contract and amendments including two, 2-year renewals, and limited to a 10% overall increase, subject to Risk Management and County Counsel review and approval.

Background

Public Safety Realignment

In 2011, amidst concerns surrounding prison overcrowding, recidivism rates, rising incarceration costs, state budget deficits and a U.S. Supreme Court decision (*Brown v. Plata*) ordering California to reduce its prison population by 25% within two years, Governor Brown signed AB 109, Public Safety Realignment into law. With this landmark legislation, transferring responsibility from the state to the counties for tens of thousands of offenders, California has undertaken the largest prison downsizing of its kind.

AB109, and subsequent related legislation, impacts nearly every stage of local criminal justice systems from arrest through sentencing and release from custody. While felons convicted of serious, violent and aggravated sex offenses continue to serve their time in the state system, sentences for hundreds of lower-level felonies are being served locally in county jails or under Probation supervision. Counties are now required to handle virtually all drug and property crime sentences, representing just over half of all adults convicted in the year preceding passage of Realignment.

Arguably, county jails have been the most significantly impacted components of local criminal justice systems, particularly those where overcrowded conditions or court-ordered population caps existed prior to Realignment. The number, lengths of stay and risk profiles of individuals held in custody are changing along with expectations from inmates and advocacy groups for programs and services that are provided in prison settings.

The Legislature made clear that Realignment was not solely a mechanism to gain compliance with the Plata mandate to reduce prison overcrowding. With its focus on locally designed rehabilitative services, it was intended to be a comprehensive strategy aimed at the source of the overcrowding problem – the perpetual recycling of lower level felony offenders through the correctional system and

a 3-year post-release failure rate of 67 percent. If the burden for tens of thousands of diverted prisoners and parolees merely shifts to California's counties, the healthcare and overcrowding issues that led to *Brown v. Plata* will simply devolve into county-level versions of the state's problems adding tremendous strain to local health care, social services and incarceration resources.

Realignment recognized that California needed to invest its criminal justice resources into cost-effective, evidence-based correctional and community-based programs that improve public safety outcomes among adult offenders and facilitate their reintegration back into society.

Criminal Justice Master Plan 2015-Adopted Recommendations

To ensure continued success in implementing Realignment, Placer County public safety officials, in collaboration with the Superior Court, have conducted a comprehensive, data-driven, inter-agency planning process. The anticipated results of the project were as follows:

- Ensure a full continuum exists so that system responses can be based on what is needed to protect the public and reduce recidivism;
- Develop an offender management plan that reduces the need for early releases from jail;
- Reduce system delays, redundancies and inefficiencies that impact court calendars, staff workload and corrections and community resources;
- Develop an on-going data collection process to inform and guide future policy and funding decisions.

Following an initial system wide data-collection and review process, three workgroups were established with representatives from the Superior Court, Sheriff's Office, District Attorney's Office, Probation Department, Health and Human Services, Public Defense contract offices, local law enforcement, and the County Executive Office. Members of the Superior Court facilitated workgroup discussions and court and county staff compiled preliminary recommendations from workgroup sessions. Draft versions of the recommendations were reviewed and augmented by both the Criminal Justice Policy Committee (CJPC) and Community Corrections Partnership (CCP) committees.

The attached memo (Attachment 1) authored by the Co-Chairs of the Criminal Justice Policy Committee, District I Supervisor Jack Duran, and Hon. Alan V. Pineschi, Presiding Judge of the Superior Court of Placer County, lists the 21 priorities identified by the workgroups through the planning and review process. The recommendations are subject to further review by respective governance and funding bodies; however, they will serve as a roadmap from which we can collectively focus our efforts in the months and years ahead.

Re-entry Counseling and Educational Services, Sacramento County Office of Education (SCOE) Proposed Contract

Offenders face numerous challenges related to employment and housing, estranged families, substance dependence and poor living skills that create obstacles to successful community reintegration when returning from incarceration. Lacking effective skills, offenders often return to their prior criminal behavior. Re-entry services can provide access to community resources that assist offenders in helping themselves become contributing members of the community, and have been proven to be highly effective in reducing recidivism and improving public safety.

The initial assessment by Criminal Justice System Master Plan consultant, David Bennett, identified the absence of re-entry services as a significant system and services gap in Placer County. Your Board took early action on this recommendation and authorized the Probation department to develop a re-entry center at the Santucci Justice Center.

The Probation Department requires a firm with a proven track record in providing evidence-based intervention services and in working with offenders, both in and out of custody, on changing their criminal thinking and behavior. These interventions include cognitive behavioral thinking classes, substance abuse education, treatment referrals, job training, mentorship and employment placement, education and G.E.D. preparation, life skills, and anger management along with relational and family skill development.

These services will be deployed at 3 sites: In-custody services will be provided at the South Placer Adult Correctional Facility and Auburn Adult Correctional Facility; and at the PREP (Placer Re-Entry Program) Center in the Santucci Justice complex for offenders leaving custody serving the remainder of their sentences on Probation supervision. The PREP Center site will also provide re-entry services to offenders in the Tahoe region via Skype or other electronic communication services.

The Procurement Services Division developed Request for Proposal (RFP) No. 10352 to solicit competitive proposals for the required services and released the proposal on August 6, 2014. Seventy-six firms were notified of the RFP, 39 firms accessed the RFP documents and formal responses were received from four firms. An evaluation panel rated the responses in accordance with the evaluation criteria published in the RFP as follows:

- Experience and qualifications of firm (25 points max.)
- Experience and qualifications of proposed staff (30 points max.)
- Understanding of the project – proposed project plan (25 points max.)
- Demonstration of Implementation, integration and success of evidence based programming (20 points max.)

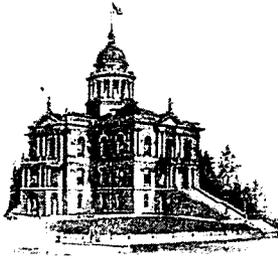
The evaluation panel unanimously determined that Sacramento County Office of Education (SCOE) submitted the proposal which best meets the County's requirements.

On January 6, 2015, your Board authorized the Placer County Facility Services Department to proceed with tenant improvements to vacant office space in Building B at the Santucci Justice complex. Your Board's approval is being sought for this contract with SCOE in the amount of \$1,314,603 for a period of sixteen months from March 1, 2015 through June 30, 2016, along with authorization for the Purchasing Manager to sign this and two subsequent 2-year renewals with a capped 10% overall increase.

Fiscal Impact

There are no fiscal impacts associated with the presentation of the Criminal Justice Master Plan. Recommendations will be subject to further review and approval by various governance and funding bodies within their respective budget cycles.

The Probation Department is requesting to award a contract in the amount of \$1,314,603. Upon your Board's approval the new contract will be issued for the period March 1, 2015 to June 30, 2016. There is sufficient funding in the department's current fiscal year, FY 2014-15, to fund services as described. Funds required to address FY 2015-16 costs of \$977,699 are currently available in Public Safety Fund reserves; however, will be considered as a supplemental request funded with available and on-going operating revenues with development of the FY 2015-16 operating budget.



*Criminal Justice Policy Committee
of Placer County*



February 10, 2015

To: Members, Criminal Justice Policy Committee

From: Supervisor Jack Duran, Placer County Board of Supervisors, Co-Chair
Hon. Alan V. Pineschi, Presiding Judge of the Superior Court of Placer County, Co-Chair
Criminal Justice Policy Committee

Re: Criminal Justice Master Plan 2015 – Adopted Recommendations

Attached please find the final Criminal Justice Master Plan 2015 – Adopted Recommendations. The attached document is the result of significant input and effort by each of you, as well as staff from your organizations. The compiled list of 21 recommendations set out a short list of activities on which we can collectively focus our efforts in the months and years ahead. We would like to thank you and your organizations for their input, appropriate and necessary advocacy for their role in the system, and commitment to improving the criminal justice system to better our community.

The recommendations have been revised and augmented from their draft version to incorporate your comments and input received during a presentation of the draft to the Community Corrections Partnership meeting on January 28, 2015. The CCP meeting included a period of public comment which has been incorporated as appropriate. Some revisions have been made to recommendation statements and background to clarify the intent of the recommendation. No substantive changes have been made to the recommendations since our last meeting and discussion.

These recommendations are still subject to approval by the various governance and funding bodies to which we all belong, take direction, and/or receive funding allocations. We look forward to the hard work ahead, for all of us, that will be necessary to move these complex, but necessary, efforts forward.

Sincerely,

Hon. Alan V. Pineschi, Presiding Judge
Superior Court of Placer County

Supervisor Jack Duran
Placer County Board of Supervisors

**Placer County Criminal Justice Policy Committee
Criminal Justice Master Planning Project
Objectives and Recommendations
FINAL - February 10, 2015**

Objective #	Objective	Benefit of Objective	Rec'd #	Recommendation - Short Text	Recommendation - Background	Recommendation Area	Timeline to Initiate Effort	Estimated Time to Complete Effort	Estimated Level of Effort Required for Implementation	Estimated Hard Dollar Costs [1]
1	<i>Reduce the Elapsed Time From Arrest to Case Disposition</i>	Shorter times from arrest to case disposition help to reduce system cost, create a closer link between behavior and outcome, speed the delivery of services (where appropriate), and reduce uncertainty for victims.	1.1	Complete construction of a courtroom for arraignments, in-custody hearings, and other criminal matters inside the South Placer Adult Correctional Facility to enable the court and other justice partners to improve security, reduce travel and transport time, and consolidate functions.	The completion of the interior of the courtroom shell attached to the South Placer Adult Correctional facility would result in significant system improvements for the County criminal justice agencies and the Superior Court. These include: -Supporting criminal justice system efficiency through the consolidation of locations. -Enhance public safety and reduce county costs by reducing the need and frequency of in-custody transportation for hearings between Auburn and Roseville. -Improve access to justice by locating hearings closer to the main population center of the County.	General Case Processing	Immediate (0-6 months)	Medium (1-2 Years)	High	High (>\$2 Million)
			1.2	Continue to explore opportunity to implement the State funded restoration of competency program at the Placer County adult correctional facilities.	The State Department of Mental Health is looking to expand their successful Restoration of Competency Program beyond the initial pilot locations. Under this program, the State provides funding for the beds and provides staffing to treat defendants who have been declared incompetent to stand trial in the local jail while they are waiting for a bed in the State Hospital. The pilot programs have been able to significantly reduce the time to restore individuals to competency. The program does require a minimum number of participants and could require the Sheriff's Office to receive defendants from other Counties to meet the required population. The Subgroups suggests that if the program ultimately requires the housing inmates from other counties, it should be implemented in a way that does not reduce bed space available for Placer County defendants and/or inmates.		Short (0-12 months)	Medium (1-2 Years)	High	Undetermined (Could result in net revenue to County, be cost neutral, or increase some incarceration-related expenses)
			1.3	Expedite efforts to establish a Placer County crime laboratory and, in the interim, allocate resources needed to reduce current delays in obtaining laboratory test results.	A significant contributor to case processing delays is the return of test results from the District Attorney's current provider. Exploration of a County run crime lab, and in the interim a focus on alternatives to the existing provider, is paramount to reduce these unnecessary delays.		Immediate (0-6 months)	Long (2+ Years)	High	High (>\$2 Million)
			1.4	Increase access to attorney visits and inmate rehabilitation programs at the Placer County adult correctional facilities.	It is imperative that attorneys have access to their in-custody clients to discuss cases, allow for the participation of the defendant in his/her defense, and relay any plea negotiations prior to court hearings. Without sufficient staffing to allow for defendant movement within the correctional facilities, the time for interviews is currently limited. This results in the need for attorneys to discuss items with their clients at court hearings, resulting in court delays, and at times, additional continuances. Inmate rehabilitation programs also require space to effectively operate and any related staffing within the correctional facility to enable inmate movement and participation.		Immediate (0-6 months)	Short (0-12 months)	Medium	Medium (\$250,000-\$2 million)

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2	<i>Reduce "FedCap" releases of defendants and sentenced inmates.</i>	Early release of individuals from custody reduces the effectiveness of sentences and the integrity of court orders and can negatively public safety.	2.1	Expand the operational capacity of the South Placer Adult Correctional Facility to enable utilization of additional bed space and allow for bookings at that location while maintaining booking options in Auburn.	The South Placer Adult Correctional Facility was constructed to increase the overall bed capacity for Placer County to address the growing population in the past two decades. While the partial opening has provided some relief, additional bed space is needed in the near term to ensure system integrity and improve public safety. Other key features of the facility, including bookings and inmate services, are not yet fully operational. These additional elements reduce costs for south placer law enforcement at the time of booking while also increasing the system's ability to offer evidence based services to inmates serving a sentence in the facility.	General Case Processing	Immediate (0-6 months)	Medium (1-2 Years)	High	High (>\$2 Million)
			2.2	Increase pre-trial release options to allow for additional supervision options for persons being released from jail.	Recent changes to Penal Code § 1203.018 have increased options available to the Probation Department for use in pretrial release programs. The Subgroup recommends that this expanded option be considered as part of the overall pre trial release programs.		Immediate (0-6 months)	Short (0-12 months)	Medium	Medium (\$250,000-\$2 million)
3	<i>Reduce failure to appear rates at court hearings.</i>	Failure to appear increases system costs due to the need for additional enforcement action and court proceedings.	3.1	Explore options for a telephone or electronic reminder system for court hearings.	Studies in other states have found that reminders, whether by mail or telephone, help to reduce failure to appear rates at court hearings. The subgroup recommends exploration of a telephone, text message, or email based reminder system and/or procedures to be operated by defense counsel or the probation department, potentially supported by data from the Courts. An initial six month pilot period is recommended to evaluate the success of the program before substantial funds are expended.	General Case Processing	Short (0-12 months)	Medium (1-2 Years)	Medium	Low (<\$250,000)
			3.2	Identify additional and alternative transportation options for defendants appearing at court hearings.	A major barrier for some defendants is the lack of adequate transportation to court facilities. While each facility is served by local transit, this can be difficult to navigate depending on the defendant's residence and the court facility (for example, those living in Auburn using transit to the Roseville courthouse). Local community groups have expressed interest in supporting those in the criminal justice system and transportation would provide an immediate benefit to those involved.		Short (0-12 months)	Short (0-12 months)	Low	None
4	<i>Reduce delays in collaborative court case processing</i>	Identifying and providing services earlier in the process can reduce overall costs to the system for adjudication and ensure treatment and recovery begins as early as possible and appropriate.	4.1	Develop protocols for early assessment of eligibility and suitability for alleged drug offenders for various probation/treatment options including participation in drug court, Prop 36, or any other drug court program.	It is important that cases eligible for collaborative courts be identified early in the process to more rapidly move the offender into treatment, when appropriate and in a way that respects the rights of the defendant. Early assessments can be considered by the court at the initial hearing and could be useful as part of consideration for pretrial release and supervision by the probation department.	Collaborative Case Processing	Short (0-12 months)	Short (0-12 months)	Low	Low (<\$250,000)
			4.2	Expedite Laboratory process for analysis and test results for the presence of controlled substances in blood and/or suspected controlled substances.	Delays in laboratory processing can hinder the early identification of cases eligibility for the collaborative courts and can undermine the ability for these courts to implement timely sanctions. An expedited process for results in collaborative court cases should significantly improve the effectiveness of the existing programs while also ensuring more rapid access to services for eligible defendants.		Short (0-12 months)	Medium (1-2 Years)	Medium	None to Low (<\$250,000)

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5	<i>Institutionalize Coordination of Existing Collaborative Court Programs</i>	Collaborative courts require involvement from myriad entities and buy-in and agreement on key principles is vital to their success.	5.1	The Criminal Justice Policy Committee should establish a subcommittee with policy level representatives from Court, Probation, DA, PD, Defense bar, ASOC, and Law Enforcement tasked with developing guidelines addressing issues related to collaborative courts.	Collaborative courts are most effective when established through agreement with all system partners. This requires frequent communication and dialogue to ensure all perspectives are considered when developing a collaborative/treatment model. An ongoing committee should be established to facilitate this process and address the following topics: a. Eligibility and suitability assessment protocols for collaborative treatment court programs b. Terms and conditions for collaborative drug court programs c. Defining desirable outcomes and establishing performance standards d. Defining recidivism and developing processes for documenting recidivism e. Communicating with their respective agencies re: best practices and policy agreements. f. Developing options for expediting drug and alcohol test results g. Establishing protocols for the use of presumptive test results h. Advocate for sustainability of drug court programs. i. Explore increased participation of local law enforcement agencies in collaborative courts. j. Consider appropriate services and personnel to insure adequate supervision for offenders and their families k. Explore creation of a local data base (digital dashboard) that could be accessed by local justice partners for purposes of tracking defendant's compliance and communicating re: progress and criminogenic needs.	Collaborative Case Processing	Immediate (0-6 months)	Immediate (0-6 months)	Low	None
			5.2	Criminal Justice Agencies should adopt the "Ten Key Components" and "Best Practices" of Collaborative Courts to guide the implementation and ongoing practice of any collaborative treatment court.	Recognizing a common set of components for collaborative treatment courts will assist in ongoing dialogue related to these programs. Attachment A and B provide the full text of both the "Ten Key Components" and "Best Practices."		Immediate (0-6 months)	Immediate (0-6 months)	Low	None
			5.3	Provide adequate funding for technical and information services as recommended by the sub-committee.	The Subcommittee recommended in 5.1 will likely recommend improvements to tracking systems and data collection efforts. Sufficient funding will be necessary to support and implement any such recommendations or direction.		Short (0-12 months)	Medium (1-2 Years)	Medium	Undetermined
6	<i>Improve services to collaborative court participants.</i>	Collaborative courts are most effective when participants receive the right services in a timely manner to address the behaviors that can lead to criminal activity.	6.1	Provide adequate funding to the Probation Department and for HHS to adequately staff collaborative courts and adequately supervise participants/probationers in collaborative court programs.	Participants in collaborative courts need access to case managers to support their completion in programs and monitor their compliance with court orders. This can only be accomplished through sufficient funding to the departments responsible for these activities.	Collaborative Case Processing	Short (0-12 months)	Medium (1-2 Years)	Medium	Medium (\$250,000-\$2 million)
			6.2	Provide adequate funding for treatment, rehabilitative efforts, education, and mental health services for offenders.	Timely access to ordered services is vital to ensure offenders are able to both meet the terms of their sentence and benefit from treatment. Many offenders are unable to pay for these services, requiring a greater financial commitment from the criminal justice system to enable participation.		Short (0-12 months)	Medium (1-2 Years)	Medium	Medium (\$250,000-\$2 million)

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7	<i>Improve Access to Services for Offenders</i>	Evidence suggests that applying the correct level of services and supervision based on offender risk and needs results in improved public safety.	7.1	Support opening of a fully functioning South Placer Adult Correctional Facility to enable optimal use of the Probation PREP Center and other transitional services.	Efforts by the Probation Department and Health and Human Services to provide services to offenders following their period of incarceration can be maximized if services can begin while offenders remain in-custody. While the South Placer Adult Correctional Facility may have some available space for these types of functions, the facility was not specifically constructed for service delivery inside the secured areas. Efforts should continue to identify potential areas for this type of use as the phased opening of the jail proceeds.	Assessments and Programs	Immediate (0-6 months)	Medium (1-2 Years)	High	High (>\$2 Million)
			7.2	Streamline the process for Alternative Sentencing.	Further analysis should be conducted related to the Alternative Sentencing Process, specifically to review and update (if necessary) the current criteria, ensure use of appropriate assessment tools, and defining and imposing appropriate sanctions.		Medium (6-18 months)	Medium (1-2 Years)	Medium	None to Low (<\$250,000)
			7.3	Consider appointing a multi-disciplinary team to review the treatment programs utilized as part of a criminal sentence.	Many offenders will require a broad range of services to assist them in addressing their criminogenic behaviors. Because these services are often offered by multiple organizations and disciplines, it can become difficult to ensure the offender is able to access all services ordered as part of their sentence and that the services are consistent. A multi-disciplinary team could help to resolve these disconnects and assist the offender in locating appropriate services to both comply with their sentence and receive assistance in reducing their likelihood of recidivating. The multi-disciplinary team could also be tasked with reviewing the treatment options and other services available to offenders with the objective of assessing their quality, consistency and overall content.		Medium (6-18 months)	Medium (1-2 Years)	Medium	None to Low (<\$250,000)
			7.4	Address financial barriers preventing participants from completing the required courses.	Financial barriers should be identified as soon as feasible following the sentence or release from custody to minimize any gaps in services and enable the offender to begin addressing their sentence and needs immediately. Initially, this can be improved by having Revenue Services perform their financial assessment for ability to pay for programming, fines, and fees immediately after sentencing. Additional consideration should also be given for funding to support individuals who are unable to pay for programs included in their sentence.		Medium (6-18 months)	Medium (1-2 Years)	Medium	Medium (\$250,000-\$2 million)
8	<i>Improved Use of Assessment Tools</i>	Reliable and validating risk and need assessment tools help to ensure the correct services are offered and provided to the offender.	8.1	Expand coordination and integration of assessment tools being used in and between various agencies.	Assessment tools are already in use throughout the Placer County criminal justice system. These tools are used by the Sheriff's Office to make determinations for release from the correctional facilities, by the Probation Department to assess pretrial release options with a separate tool in use to identify appropriate programs post-sentence, and by Health and Human Services to determine additional treatment needs. Enhanced coordination among and between these agencies to improve communication, reduce redundancy, and ensure alignment between the various tools would improve overall system effectiveness and support greater offender accountability and treatment.	Assessments and Programs	Short (0-12 months)	Short (0-12 months)	Medium	Low (<\$250,000)
9	<i>Improve Ability to Assess Programs and Outcomes</i>	<i>Data analysis and review helps ensure valuable resources are directed to programs that work.</i>	9.1	Develop a mechanism for data collection and analysis regarding offender risk analysis, program participation, program effectiveness, and recidivism for use by the court and county in selecting and supervising programs.	Ongoing review of programs, risk analysis tools, and overall system efforts is important to ensure scarce taxpayers dollars are being spent effectively and supporting reductions in recidivism and increasing public safety. Due to the disparate systems used by the various entities, additional work will be needed to identify to define required data and to establish mechanisms to collect and report on data collection and analysis efforts.	Assessments and Programs	Medium (6-18 months)	Medium (1-2 Years)	Medium	Undetermined

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ATTACHMENT A: Ten Key Components of Collaborative Case Processing

1. Drug Court integrates alcohol and other drug treatment services with justice system case processing.
 - a. Probation
 - b. DA & Defense Counsel
 - c. Community based treatment providers
 - d. Law enforcement
 - e. Public and faith based programs
2. Using a non adversarial approach, prosecution and defense counsel promote public safety while protecting participant's due process rights
 - a. Assigned attorneys from DA and PD that specialize in assignment
 - b. Attorneys participate in discussions to develop individual plans that promote safety and due process for drug court participants.
3. Eligible participants are identified early and promptly placed in drug court program
 - a. The court refers defendants to Adult Services for screening and assessment
 - b. Defendants are placed early in outpatient or residential treatment based on treatment needs
 - c. Ideally within twenty days of arrest
4. Drug court provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services
 - a. Participants provided with a spectrum of services
5. Abstinence is monitored by frequent alcohol and other drug testing
 - a. Random and frequent testing.
 - b. Phase one testing - Two or more times per week
 - c. Drug Test Results within 48 hours
 - d. Progress reports to the court
6. A coordinated strategy governs drug court responses to participants' compliance
 - a. Written rules
 - b. Prompt response
 - c. Positive performance results in rewards/incentives
 - d. Sanctions for violations – immediately after non-compliant behavior
 - e. Appropriate sanctions
7. Ongoing judicial interaction with each drug court participant is essential
 - a. Open court proceedings
 - b. Peer to Peer observation
8. Monitoring and evaluation measure the achievement of program goals and gauge effectiveness
9. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations
10. Forging partnerships among drug court, public agencies, and community based organizations generates local support and enhances drug court program effectiveness

ATTACHMENT B: Best Practice Standards for Collaborative Case Processing

1. Target Population
 - a. Objective Eligibility and Exclusion Criteria – defined objectively and in writing.
 - b. High Risk and High Need Participants –addicted to illicit drugs or alcohol and at substantial risk of re-offending. Otherwise have different tracks. Don't mix tracks in court or treatment.
 - c. Validated Eligibility Assessments – use validated risk assessment and clinical assessment tools. Evaluators trained and proficient in administration and interpretation of tools.
 - d. Criminal History Disqualification - exclude only those for which empirical evidence demonstrates the offenders cannot be managed safely or effectively.
 - e. Clinical Disqualifications – if adequate treatment is available don't disqualify just because of co-occurring mental health or medical conditions for which candidate is legally prescribed psychotropic or addiction medicine.

2. Historically Disadvantaged Groups
 - a. Equivalent Access
 - b. Equivalent Retention
 - c. Equivalent Treatment
 - d. Equivalent Incentives and Sanctions
 - e. Equivalent Dispositions
 - f. Team Training

3. Role and Responsibilities of the Judge
 - a. Professional Training
 - b. Length of Term – two years or more
 - c. Consistent Docket
 - d. Participate in Pre-Court Staff Meetings
 - e. Frequency of Status Hearings: Phase 1 no less than every 2 weeks; no less than every 4 weeks until in final phase.
 - f. Length of Court Interactions – 3 minutes minimum per participant
 - g. Judicial Demeanor – supportive, consistent
 - h. Judicial Decision Making – after consideration of input from treatment professionals, participant and counsel, the judge is the final decision maker.

4. Incentives, Sanctions and Therapeutic Adjustments
 - a. Advance Notice – policies and procedures written and provided
 - b. Opportunity to be Heard – decisions explained
 - c. Equivalent Consequences – everyone gets same unless extraordinary need to protect

- d. Professional Demeanor – no anger or ridicule
- e. Progressive Sanctions – different progression for easy v. difficult goals
- f. Licit Addictive or Intoxicating Substances: consequences imposed for nonmedically indicated use of intoxicating or addictive substances including alcohol, cannabis, and prescription meds. Get expert medical input.
- g. Therapeutic Adjustments: if otherwise compliant and not responding to treatment interventions – reassess treatment plan not punitive sanctions.
- h. Incentivizing Productivity – phase advancement and graduation include objective evidence engaged in productive activities
- i. Phase Promotion: based on realistic and defined behavioral objectives.
- j. Jail Sanctions – imposed judiciously and sparingly. If less severe sanctions have been ineffective – jail is employed usually 3-5 day increments.
- k. Termination – if can't be managed safely in community or fail repeatedly to comply. If otherwise compliant, don't terminate for continued substance use unless not amenable to available treatment. If terminated because appropriate treatment not available – don't get an augmented sentenced.
- l. Consequence of Graduation and Termination: Participants needs to be invested. Do best when program has leverage – can avoid a serious consequence if complete the program. If only minimal consequence of withdrawing or failing – results poorer.

5. Substance Abuse Treatment

- a. Continuum of Care – detox, residential, sober living, day treatment, intensive outpatient, and outpatient treatment.
- b. In-Custody Treatment – incarceration not used for detox or treatment
- c. Team Representation – ideally 1 or 2 treatment agencies responsible for delivery of services and attend drug court team meetings and status hearings.
- d. Treatment Dosage and Duration – six to ten hours per week/ 200 hours over 9 to 12 month program.
- e. Treatment Modalities: Individual and Group. Group no more than 12 and 2 facilitators.
- f. Evidence-based Treatments: well documented treatment, proficient providers.
- g. Medications: prescribed based on medical necessity by MD with expertise
- h. Provider Training and Credentials : licensed and certified; supervised
- i. Peer Support Groups: regular participation in self-help groups.
- j. Continuing Care: relapse prevention. 90 day post-completion contact.

