

Wednesday,
February 5, 2020

at 8AM

TREATMENT COURT STEERING COMMITTEE

*A SUBCOMMITTEE OF THE CRIMINAL JUSTICE
COLLABORATING COUNCIL COMMITTEE*

Door County Justice
Center

Jury Assembly Room
1209 S. Duluth Avenue
Sturgeon Bay, WI 54235

AGENDA:

1. Call Meeting to Order
2. Roll Call
3. Adopt Agenda
4. Approve Minutes from last Meeting: January 29, 2020 Treatment Court Steering Committee
5. New Business:
 - a. Treatment Court program updates
 - b. Review of Treatment Court Policies and Procedures Manual
6. Matters to be placed on a future agenda or to be referred to a Committee, Official or Employee
7. Next meeting date: February 21, 2020 at 8:00am
8. Adjourn

Deviation from the order shown may occur

In compliance with Disabilities Act, any person needing assistance to participate in this meeting, should contact the Office of County Clerk at 920-746-2200. Notification 48 hours prior to a meeting will enable the County to make reasonable arrangements to ensure accessibility to that meeting.

AGENDA Posted: _____, 2020 by _____

Door County Treatment Court Steering Committee Minutes

(A Subcommittee of the Criminal Justice Collaborating Council Committee)

Meeting held Wednesday, January 29, 2020

Jury Assembly Room of the Door County Justice Center

1201 South Duluth Avenue, Sturgeon Bay, WI

Note: These minutes are subject to review and approval of the Treatment Court Steering Committee

1. **Kelsey Christensen called the meeting to order at 2:30 p.m.**
2. **Present:** Judge David L. Weber, Colleen Nordin, Alyssa Liebergen, Joe Krebsbach, Donna Altepeter, Steven Seyfer, Tammy Sternard, Tara Teesch, and Kelsey Christensen.
3. **Adopt Agenda for this meeting:** Motion by Judge Weber, second by S. Seyfer to adopt the agenda. Motion carried by unanimous voice vote.
4. **Approve Minutes from Last meeting: January 9th, 2020**
Motion by S. Seyfer, second by J. Krebsbach to approve minutes. Motion carried by unanimous voice vote.
5. **Old Business:**
 - a. **Treatment Court Steering Committee Scheduled Meeting Time:**
Committee determined that starting in April, regular meeting times will be the first Wednesday of the month at noon.
 - b. **Treatment Court Team Staffing and Court Status Hearings Day and Time:**
Committee determined Treatment Court would be held every Monday at 1pm. Team staffing to take place one hour prior to court.
6. **New Business:**
 - a. **Treatment Court program updates:**
K. Christensen informed committee of updated training dates for Treatment Court. Once registration is open, K. Christensen will register the Treatment Court team members. Judge to attend a conference February 6th for Treatment Court Judges. Will update committee on conference during the February 21st meeting. J. Krebsbach updated committee that still no hire for the Diversion Case Manager or AODA Counselor.
 - b. **Review of Treatment Court Policies and Procedures Manual:**

Committee reviewed and approved updates from January 9th meeting. Committee completed further updates in the policies and procedures manual to be reviewed and approved at next meeting, February 5th. See attached manual in agenda packet for details.

7. **Matters to be placed on future agenda:** None.
8. **Next Meeting Date:** The next meeting will be February 5, 2020 at 8 a.m.
9. **Adjourn:** Motion by Judge Weber, second by C. Nordin to adjourn. Motion carried by unanimous voice vote. Meeting adjourned at 4:30 p.m.

Respectfully submitted by,
Kelsey Christensen
Court Services Coordinator

DOOR COUNTY ADULT TREATMENT COURT

POLICIES AND PROCEDURES MANUAL
DRAFT 1/29/2019

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DRAFT

INTRODUCTION

Treatment Courts are built upon a unique partnership between the criminal justice system and the Alcohol Other Drug Abuse (AODA) treatment community, one which structures treatment intervention around the authority and personal involvement of a single Treatment Court Judge. Treatment Courts are also dependent upon the creation of a non-adversarial courtroom atmosphere where a single Judge and a dedicated treatment court team of court officers and staff work together toward a common goal of breaking the cycle of drug abuse and criminal behavior. ~~It should be noted that Treatment Courts are fair, but participants are treated on an individual basis.~~

Because of the unique problems and opportunities that present themselves in working with drug-involved criminal offenders, treatment and rehabilitation strategies must be ~~evidence based~~“~~reality-based~~” and must therefore recognize:

Substance abuse users are most vulnerable to successful intervention when they are in the crisis of initial arrest and incarceration, so intervention must be immediate and up-front.

Preventing gaps in communication and ensuring offender accountability are critically important. Therefore, court supervision must be highly coordinated and very comprehensive.

Substance use disorders are longstanding, debilitating, and insidious conditions, so treatment must be long-term and comprehensive.

Substance use disorders seldom exist in isolation from other serious problems that undermine rehabilitation, so treatment must include integration of other available services and resources such as educational and vocational assessment.

Relapse and intermittent advancement are part of the recovery process so progressive sanctions and incentives must be integral to the Treatment Court strategy.

MISSION STATEMENT

The mission of the Door County Treatment Court is to use an evidence-based judicial process to enhance public safety and restore sober, productive and law-abiding citizens to the community.

GOALS AND OBJECTIVES

Goals	Objectives	Activities	Measures of Impact/Outcome
<p><i>What are the long-term goals of the program/court?</i></p>	<p><i>What are the steps or intermediate goals that will support achievement of the long-term goals?</i></p>	<p><i>What is the program doing or what services are being delivered to help meet the program goals and objectives?</i></p>	<p><i>What measures will be used to determine whether or not the program is meeting the goals and objectives?</i></p>
<p>1. To reduce recidivism rates for nonviolent offenders and increase public safety.</p>	<p>A. Complete development and begin implementation of the Treatment Court program.</p>	<p>Hire Coordinator by January</p> <p>Consistent meetings of Treatment team to work on procedural processes.</p>	<p>Finalize Policy and Procedure Manuals by April of 2020</p> <p>Complete MOUs and have all parties sign by April 2020</p> <p>Coordinator to be trained in use of COMPAS by March 28th, 2020.</p>
	<p>B. Identify 10-15 participants during the first year to screen and accept into the program.</p>	<p>Referrals made to program by DA and PD</p> <p>Completion of COMPAS for each eligible individual referred</p> <p>Individualized assessment for Tx needs and readiness</p> <p>Review of each case by the treatment team and determination of acceptance/rejection based on established criteria.</p>	<p>Accept 10 – 15 individuals into the program by Dec. 2020.</p> <p>75% of all COMPAS assessments completed within 10 business days from date of referral</p> <p>90% of AODA assessments within 10 business days of referral from Coordinator.</p> <p>100% of assesses individuals reviewed by the full team.</p>
	<p>C. Have accepted participants begin the treatment court program.</p>	<p>Plead guilty or no-contest to charges and accept conditions of treatment court</p>	<p>70% of eligible and referred individuals join the program.</p>

<p>2. To reduce prison and jail populations.</p>	<p>A. To provide eligible participants a treatment court option as an initial alternative to a sentence in jail or prison or as an alternative to revocation of probation.</p>	<p>Provide individualized treatment for participants.</p> <p>Completion of Moral Recognition Therapy – behavioral treatment curriculum.</p> <p>Random Drug Screening as per policy.</p>	<p>40% decrease in re-offenses as compared to the three previous years CCAP convictions of each participant.</p> <p>50% reduction of jail days served as compared to others with similar charges not participating in the program.</p>
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<p>3. Identify Door County revenue sources and/or cost saving that could account for program sustainability.</p>	<p>A. Determine the number of reduced jail bed days by participants.</p>	<p>Track the number of jail bed days stayed by all participants who enter the program.</p> <p>Determine potential income available for renting out DC jail beds days based on the days calculated.</p>	<p>Each January, the coordinator will tabulate the bed days that were ordered but not serviced by participant in the previous year.</p> <p>Calculate a cost savings based on Sheriffs rate per day.</p>
	<p>B. Track other areas of impact on County budget, such as child placement costs avoided, decrease in police contact, and avoided DA involvement.</p>	<p>Identify have a clear case that would involve an out of home placement of a child either in Kinship or Foster Care placement</p> <p>Review contact by police in the 12 months prior to arrest and time in program.</p>	<p>At the end of each year, determine the cost savings in other areas by multiplying the number of days stayed by the costs of care per day following the participants completion of the program.</p> <p>Calculate decreased number of contacts by all treatment court participants for each year.</p>
	<p>C. Expansion of participant/ treatment options to include a Mental Health and/or OWI Court.</p>	<p>After twelve months of operation, explore alternative court options based on case data. Determine if and what type of court expansion would best serve Door County.</p>	
	<p>D. Explore alternative options for Treatment Court revenues.</p>	<p>Treatment Court Team will do marketing and outreach to make community members aware of the program and the benefits.</p>	<p>Receive any additional support from entities outside of county government</p>

TREATMENT COURT TEAM MEMBERS

The Door County Adult Treatment Court team, also known as the Treatment Court Team, shall consist of the following:

- A Circuit Court Judge
- A Treatment Court Coordinator
- A Probation and Parole Agent
- A representative from the District Attorney's Office
- A representative from the Public Defender's Office/Defense Attorney
- Treatment Personnel
- An Evaluator
- A representative from Law Enforcement
- A representative from the employment community
- A representative from the recovery community

Current Treatment Court Team members include:

David Weber, Judge, Branch 2 Circuit Court, Door County
Colleen Nordin, District Attorney, Door County District Attorney's Office
Tara Teesch, Public Defender, State Public Defender's Office
Alyssa Liebergen, Corrections Field Supervisor, Wisconsin Department of Corrections
Kim Bridenhagen, Agent, Probations and Parole, Wisconsin Dept. of Corrections
Sara Siefert, Agent, Probations and Parole, Wisconsin Dept. of Corrections
Tammy Sternard, Sheriff, Door County Sheriff's Office
Joe Krebsbach, Director, Door County Health and Human Services
Donna Altepeter, Behavior Health Manager, Door County Health and Human Services
Kelsey Christensen, Court Services Coordinator, Door County Adult Drug Treatment Court
Stephen Seyfer, Program Evaluator, Retired School Superintendent

STAFFING

Treatment Court is held weekly on [Mondays at 1pm](#). Judge David Weber presides over all Treatment Court proceedings, except as ordered by the Court.

A closed staffing of the Treatment Court Team shall occur for the one hour immediately preceding Treatment Court. At the staffing, the Treatment Court Team advises the Treatment Court Judge of the progress or any violation of each Treatment Court participant.

During the first year the team also meets once a month to discuss program development. These meetings will include the program evaluator to ensure that the Treatment Court program adheres to best practices, addresses inclusivity, and the Treatment Court is keeping with the Treatment Courts Key Components. For additional oversight on program standards, the Treatment Court team also meets with the Treatment Court Steering Committee every other month.

ROLES AND RESPONSIBILITIES OF TREATMENT COURT TEAM MEMBERS

Each team member has a responsibility to attend all Treatment Court Team staffing, meetings and Treatment Court hearings. It is important that each team member maintain ongoing communication and sharing of information and participant progress with all Treatment Court Team members in a timely fashion. During each staffing each team member recommends appropriate sanctions and incentives. In keeping with best practice, team members are also expected to work together to achieve Treatment Court goals, comply with grant and state regulations, and maintain confidentiality protection for each participant in the Treatment Court.

ROLE TITLE	RESPONSIBILITIES
COORDINATOR	<ul style="list-style-type: none"> • Evaluate potential participants for eligibility • Conduct assessments and intake • Make referrals for programming as needed • Verify & monitor participant compliance with program and treatment requirements • Collect all relevant information and distribute at Treatment Court team meetings • <u>Coordinate and monitor all Treatment Court drug testing</u> • Gather and input data for evaluator • Monitor data management system • Supervise day-to-day operations • Maintain a confidential file on each participant • Monitor budget and financial management • Review policies and practices and monitor need for changes • Facilitate team/staff meetings • Set agenda for meetings • Act as community liaison • Help coordinate funding sources/Grant Writing/Grant Management
DEPARTMENT OF CORRECTIONS	<ul style="list-style-type: none"> • Provide community supervision of each participant • Complete COMPAS assessment if not already completed • Make referrals to community resources • Carry out drug testing per standard DOC policy • Perform home/school/employment visits • <u>Monitor compliance through meetings with collateral contacts</u> • Monitor and encourage participant's compliance with program • Impose sanctions and rewards • Work with DA's office and Defense Attorney to identify potential participants for Alternatives to Revocation • Gather data for the evaluator

DISTRICT ATTORNEY'S OFFICE	<ul style="list-style-type: none"> • Review potential participants for eligibility • Make referrals to Treatment Court • Maintain a non-adversarial role during Treatment Court proceedings • Ensure compliance with State law • Negotiate and complete plea agreements on behalf of the State • Educate peer professionals on effectiveness of program and changes in state law that affect the program • Act as community advocate for effectiveness of program • Make recommendations for charging and/or sentencing after revocation if the participant is terminated from the program • Work with Defense Attorney and DOC to identify potential participants
EVALUATOR	<ul style="list-style-type: none"> • Evaluate process and outcomes • Give information to help improve the Treatment Court and make it more successful • Help facilitate team understanding of areas needing improvement • Set up evaluation process – what and how information will be collected and maintained, how analyzed, etc.
JUDGE	<ul style="list-style-type: none"> • Preside over courtroom proceedings • Explain legal rights, options, and program requirements at orientation and confirm them with each participant as they enter the program • Impose appropriate incentives and sanctions • Review treatment progress and address it directly with the participant in Court, considering the recommendations of the Treatment Court Team • Supervise Treatment Court administration • Ensure compliance with Treatment Court program rules by participants • Provide final decision in outcome of participant's progress or termination
LAW ENFORCEMENT	<ul style="list-style-type: none"> • Assist Probation & Parole in home visits and checks on participants • Allow for incarcerated participants to attend treatment and jail services as requested by the participant and the Treatment Court Team • Facilitate Treatment Court attendance and supervision for incarcerated participants
PUBLIC DEFENDER'S OFFICE/DEFENSE ATTORNEY	<ul style="list-style-type: none"> • Discuss pros and cons with potential participant before entering Treatment Court • Review cases for potential legal issues • Discuss resolution of case with District Attorney before entering Treatment Court • Remain accessible to participant • Advocate for fair process

	<ul style="list-style-type: none"> • Be prepared to practice a different kind of law in non-adversarial manner • Facilitate representation for the participant in termination proceedings if eligible • Work with DA's Office and DOC to identify potential participants
<p>TREATMENT PROVIDER</p>	<ul style="list-style-type: none"> • Provide treatment using evidenced based practices • Conduct and verify assessments and referrals as needed • Monitor progress of participant through Stages of Change • Establish rapport with participant • Ensure signing of all confidential releases required for communication with Treatment Court Team • Coordinate/Advocate for pro-social activities

TARGET POPULATION

The Door County Treatment Court targets high-risk and high-need, non-violent offenders where there is reasonable evidence that the offender's criminal activity is connected directly to the ongoing, habitual abuse of substances. Due to the nature of the substance abuse, and participants' past criminal history, the Treatment Court ~~will~~ targets offenders who require more intensive focus on treatment, monitoring, and judicial intervention.

All participants ~~will~~ have equitable access, without any prejudices against a person's race, socioeconomic standing, ethnic origins, gender, sexual orientation, physical ability, any other protected class, and inability to pay restitution or programs fees or inability to perform community service. To ensure that the Treatment Court is keeping with these standards, a program evaluator ~~will~~ sits on the program team. As part of the role of the program evaluator, the evaluator ~~will be able to address~~ es any team member's concerns, and helps identify any intrinsic bias. The multi-disciplinary team ~~will~~ also allows for checks and balances, and the team ~~will be~~ is encouraged to hold each other accountable.

ELIGIBILITY AND DISQUALIFICATION CRITERIA

ELIGIBILITY

In order to qualify offenders must meet the following criteria:

- Must be a resident of Door County and remain a resident throughout their programming
- Moderate to severe substance use disorder diagnosis and need for treatment
- Substance use cannot be limited to alcohol
- ~~18 years and~~ 17 years or older
- COMPAS assessment score of general recidivism risk of high and COMPAS assessment score of criminogenic need scales of medium to high.

- Current felony drug offense or drug-related property offense (e.g. felony theft, forgery)
- The offense or basis for alternative to revocation for which the individual is being considered is not drug trafficking.
- Non-violent crime with no history of violence

The Door County Treatment Court Team recognizes that substance use disorders contribute to a wide variety of criminal acts. As a result, the program will focus on substance use related offenses not only drug offenses. Individuals that have both substance use disorders and a general mental health disorder will be eligible. Adult offenders assessed as high risk and high need, with a substance use disorder are eligible for the program.

DISQUALIFICATIONS

Potential candidates meeting the following criteria will be ineligible for admission to the Door County Adult Treatment Court Program:

- Nonresident of Door County
- 17 years or 16 years or younger
- Mild Substance Abuse Disorder diagnosis
- Serious debilitating mental illness diagnosis
- COMPAS assessment score of general recidivism risk of low and COMPAS assessment score of criminogenic need scales of low
- The individual has one or more prior convictions for a felony involving the use or attempted use of force against another person with the intent to cause death or serious bodily harm
- The individual has been charged with or convicted of an offense in a pending case, and during the course of the offense, the person carried, possessed, or used a dangerous weapon, the person used force against another person, or a person died or suffered serious bodily harm
- The individual is a registered sex offender or has any pending charges related in nature

REFERRAL PROCESS

Referrals to the Door County Treatment Court can be made by either the assigned prosecutor, the defense attorney, or the defendant (if unrepresented by counsel). A referral is made after the criminal charges are issued, but before the defendant has entered a plea of guilty or no contest.

Another referral source could be Department of Corrections regarding an individual who is currently on supervision who may be facing revocation. For this type of case a referral should be made prior to the decision to revoke.

Ideally, a referral would be received very early on in the court process so that if the defendant is accepted into treatment court, the individual may begin the program as soon as possible. It is anticipated that the average wait from referral to admission will be 30-60 days from the filing of criminal charges or referral from department of corrections.

SCREENING AND ASSESSMENT PROCESS

Once a referral is made to the Door County Treatment Court, the treatment court coordinator conducts a risk-based assessment utilizing the COMPAS tool. The COMPAS tool addresses criminogenic risk and needs of the individual referred. The treatment court coordinator also uses the UNCOPE screener tool for additional AODA qualification. The Treatment Court only accepts participants into the court system that score high criminogenic risk with high needs. The participant must also have a score of 2 or above on the UNCOPE.

If the UNCOPE returns a 2 or more then the individual will be referred to a certified AODA counselor to complete the LOCI and determine readiness for treatment.

ADMISSION PROCESS

As the program is seen as voluntary, once an individual has expressed interest and the above assessment process is complete, the coordinator brings the information to the treatment court team to vote on the individual's potential admission into Treatment Court.

By using our clearly defined admission criteria and a team process, the treatment court team remains objective and fair during the admission process. The treatment court also utilizes the program evaluator to assist in monitoring the admission process.

Only the representative from the District Attorney's office has the ability to veto individuals from participation. The District Attorney's Office may be aware of information regarding other investigations or pending charges that the rest of the treatment court team may not be privy to.

STATUS HEARINGS

The Treatment Court calendar is a priority and ~~will be~~ is a specialized, separate court, operating on a weekly basis and dedicated to the assessment, treatment, and supervision of eligible candidates. Judge David Weber presides over all Treatment Court proceedings, ~~except as ordered by the Court~~. Treatment Court shall be held in Branch 2 on ~~_____~~ Mondays at 1pm. The ~~treatment team~~ Treatment Court Team ~~will meet~~ s prior to court at ~~_____~~ (12pm) (See Staffing). During each Treatment Court Hearing, the Treatment Court Judge ~~will discuss~~ es the case with each Treatment Court participant and any relevant party. Sanctions or interventions ~~will be imposed~~ are imposed for any violations.

All Treatment Court participants must attend scheduled times, unless otherwise excused by the Treatment Court Judge or Treatment Court Coordinator. Participants ~~will be~~ are required to stay for the entire court hearing unless given prior approval to leave early or treatment is scheduled for that time. Nothing a Treatment Court participant says while in Treatment Court may be used against him/her.

Family members are welcome to attend ~~Drug Court~~ Treatment Court meetings ~~hearings~~, however the doors to the Courtroom ~~will be~~ are closed in ~~a timely manner~~ promptly at 1pm. No minors ~~will be~~ are allowed in Court. Officers or others ~~will be~~ are available to take participants into custody if necessary.

PHASE STRUCTURE

PHASE ONE CHANCE: Acute Stabilization The minimum requirements for the successful completion of Phase One are as follows:	
Length of phase:	A minimum of 60 days
Requirements:	<ul style="list-style-type: none"> • Be honest • Weekly appearances before the Treatment Court Judge and Team • Weekly face-to-face meetings with Treatment Court Coordinator and Probation Agent • Random home visits by the Probation Agent monthly • Employment visits as determined by the Probation Agent • Creation of case plan with Probation to address people, places and things. Avoidance of any premises where the major source of income is alcohol sales • Strict compliance with random alcohol and drug testing at least twice a week – no tampering! • Obtain an assessment with Treatment Provider for AODA and any required assessments for co-occurring problems • Address housing issues, if needed • Obtain medical assessment, if needed • Pursuit of health insurance if the participant lacks health insurance • A minimum of 14 consecutive days of total abstinence at the time of phasing from the use of alcohol, illegal, or non-prescribed drugs (no misses, dilutes, positives, or admissions) • No unexcused absences from treatment court sessions and scheduled services/appointments for a minimum of 30 consecutive days • Application must be made to the court for phase advancement. The Phase I Phase Change Packet must be submitted 2 weeks prior to phasing

PHASE TWO

CHALLENGE: Clinical Stabilization

The minimum requirements for the successful completion of Phase Two include all of the above requirements for Phase One and the following additional requirements:

Length of phase:	A minimum of 90 days
Requirements:	<ul style="list-style-type: none"> • Be honest • Weekly appearances before the Treatment Court Judge and Team • Weekly face-to-face meetings with Treatment Court Coordinator and Probation Agent • Random home visits by the Probation/Parole Agent monthly • Review case plan with Probation agent • Continue to address people, places and things • Identify other needs and begin to address (vocational, educational, etc.). • Enroll in GED classes if the participant does not have a high school diploma • Obtain a budget assessment • Establish a payment plan for court fines and restitution, if any was ordered • Engage in job searches and training programs to obtain employment, if needed • Develop housing plan to obtain or maintain housing • Engage with treatment • Strict compliance with the recommended AODA treatment plan, as determined by the AODA provider. • Compliance with recommended action for co-occurring problems • Strict compliance with random alcohol and drug testing at least twice a week – no tampering! • A minimum of 30 consecutive days of total abstinence from the use of alcohol, illegal or non-prescription drugs • A minimum of 30 consecutive days of total abstinence at the time of phasing from the use of alcohol, illegal, or non-prescribed drugs (no misses, dilutes, positives, or admissions). • No unexcused absences from treatment court sessions and scheduled services/appointments for a minimum of 45 consecutive days. • In person participation in support groups. A minimum of 1 support group meeting is required per week. Meeting slips are to be turned in to the Treatment Court Coordinator during the Treatment Court sessions. • Continue addressing medical needs. • Application must be made to the court for phase advancement. The Phase 2 Phase Change Packet must be submitted 2 weeks prior to phasing.

PHASE THREE

CHOICE: Pro-Social Habilitation

The minimum requirements for the successful completion of Phase Three include all of the above requirements for Phase Two and the following additional requirements:

Length of phase:	A minimum of 90 days
Requirements:	<ul style="list-style-type: none"> • Be honest • Bi-weekly appearances before the Treatment Court Judge and Team, unless the team determines more court support is appropriate • Strict compliance with the recommended AODA treatment plan, as determined by the AODA provider • Bi-weekly face-to-face meetings with Treatment Court Coordinator and Probation Agent • Random Home visits / employment visits monthly by Probation Agent • Review Case Plan with Probation Agent. Establish prosocial activities, such as participation in activities that involve sports (individual or team), reading (book club), crafts, music, dance, and/or theater. Participation in a church group, community club such as the or Lions', and/or in a community special event are considered prosocial activities • Maintain stable housing • Demonstrate healthy people, places and things • Strict compliance with random alcohol and drug testing at least twice a week – no tampering! • In person participation in support groups. A minimum of 1 support group meeting is required per week. Meeting slips are to be turned in to the Treatment Court Coordinator during the Drug Court sessions • Continue to remain engaged in treatment • Begin MRT – Criminal Thinking group • Develop Relapse Prevention Plan • Employed, pursuing school or GED, or in some vocational or educational program • A minimum of 45 consecutive days of total abstinence at the time of phasing from the use of alcohol, illegal, or non-prescribed drugs (no misses, dilutes, positives, or admissions). • No unexcused absences from treatment court sessions and scheduled services/appointments for a minimum of 45 consecutive days • Application must be made to the court for phase advancement. The Phase 3 Phase Change Packet must be submitted 2 weeks prior to phasing

PHASE FOUR

CHANGE: Adaptive Habilitation

The minimum requirements for the successful completion of Phase Four include all of the above requirements for Phase Three and the following additional requirements:

Length of phase:	A minimum of 90 days
Requirements:	<ul style="list-style-type: none">• Be honest• Monthly appearances before the Treatment Court Judge and Team, unless the team determines more court support is appropriate• Strict compliance with the recommended AODA treatment plan, as determined by the AODA provider• Completion of MRT- Criminal Thinking group• Twice per month face-to-face meeting with Treatment Court Coordinator and Probation Agent, or as directed• Random Home visits / employment visits monthly by Probation Agent• Strict compliance with random alcohol and drug testing at least twice a week – no tampering!• In person participation in support groups. A minimum of 2 support group meeting is required per week. Meeting slips are to be turned in to the Treatment Court Coordinator during the Treatment Court sessions• Obtain Sponsor• Employed, pursuing school or GED, or in some vocational or educational program• Participate in prosocial activities (see examples listed above).• Maintain stable housing• Establish payment plan with the Clerk of Court or Department of Corrections and be paying.• A minimum of 60 consecutive days of total abstinence at the time of phasing from the use of alcohol, illegal, or non-prescribed drugs (no misses, dilutes, positives, or admissions).• No unexcused absences from treatment court sessions and scheduled services/appointments for a minimum of 45 consecutive days• Application must be made to the court for phase advancement. The Phase 4 Phase Change Packet must be submitted 2 weeks prior to phasing

PHASE FIVE

CARE: Maintenance

The minimum requirements for the successful completion of Phase Five include all of the above requirements for Phase Four and the following additional requirements:

Length of phase:	A minimum of 90 days
Requirements:	<ul style="list-style-type: none"> • Be Honest • Monthly appearances before the Treatment Court Judge and Team, unless the team determines more court support is appropriate • Strict compliance with the recommended AODA treatment plan, as determined by the AODA provider • Development of continuation care plan with AODA treatment provider • Once per month face-to-face meeting with Treatment Court Coordinator and Probation Agent, or as directed • Random home visits / employment visits monthly by Probation Agent • Home visits as determined by the DOC Probation and Parole agent • Strict compliance with random alcohol and drug testing at least twice a week – no tampering! • In person participation in support groups. A minimum of 2 support group meeting is required per week. Meeting slips are to be turned in to the Treatment Court Coordinator during the Treatment Court sessions • Maintain employment or enrollment in school • Committed participation in prosocial activities (see examples listed above) • Payment of court monetary obligations • A minimum of 90 consecutive days of total abstinence at the time of phasing from the use of alcohol, illegal, or non-prescribed drugs (no misses, dilutes, positives, or admissions) • No unexcused absences from treatment court sessions and scheduled services/appointments for a minimum of 90 consecutive days • The Phase 5 Phase Change Packet must be submitted 2 weeks prior to phasing to Graduation

GRADUATION

Upon successful completion of all three phases, including the payment of all assessed fees, completion of community service hours, and upon recommendation of the Treatment Court Team, the Treatment Court Team shall declare the Treatment Court Participant a graduate of the Door County Adult Treatment Court. The graduation ceremony is a celebration honoring the completion of all established graduates. Graduates participate in Continuing Care Phase for six months.

A participant can graduate from Treatment Court when the following requirements are met:

- Successful completion of all five stages.
- Graduation Application completed within 30 days, including a definitive aftercare plan which may include self-help meetings and out-patient counseling.
- Recommendation of the Team.
- Absolute sobriety (to include no positive drug tests, including missed or tampered tests, for a minimum of 90 consecutive days).
- Obtained gainful, consistent employment or sufficiently involved in a vocational/educational training program as determined by the drug court team.
- No unexcused absences from scheduled services for 90 consecutive days.
- Have improved stable living arrangements and healthy interpersonal relationships as determined by the drug court team.
- Achieved an understanding of personal problems of addiction, criminal behavior, and relapse prevention as demonstrated through a written graduation application.

A graduation ceremony is held to celebrate the participants dedication and completion of required guidelines. At the ceremony the Judge declares the participant a graduate of the Treatment court. Each graduate is presented with a certificate and letter of completion by the Treatment Court Team. Upon graduation, all Treatment Court Program Graduates will continue in the Continuing Care Phase of the program.

CONTINUING CARE PHASE

The Continuing Care Phase is a six-month transition period in which recent treatment court graduates develop healthy practices in maintaining long-term sobriety. To participate, participants agree to keep the following commitments:

- Maintain complete sobriety from drugs and alcohol
- Meet at least once per month with your treatment provider, or as recommended by provider
- Attend at least one recovery meeting each week
- Meet with the probation agent as directed by your agent
- Maintain stable housing
- Maintain a weekly work/school schedule
- Meet with the Treatment Court Coordinator once per month
- Complete no more than one UA per month (optional)

INCENTIVES AND VIOLATIONS

The Door County Treatment Court utilizes positive reinforcements to assist participants in learning new skills and make positive behavioral changes. Incentives for positive behavior changes are used to promote sustained behavior changes. Participants receive program rules and expectations with their participant handbook. This provides participants with clear rules that are consistently and swiftly

enforced with graduated incentives and sanctions allowing participants positive compliance with the program.

The coordinator tracks all incentives and sanctions received for each participant in the Northpointe computer system. All incentives and sanctions are determined by the Treatment Court Team, but administered by the Judge. If there are more urgent needs, the coordinator will schedule an emergency team meeting.

While Treatment Court Participants complete the program, certain behaviors are expected of each participant. These behaviors increase the likelihood for successful completion from the Treatment Court program. They include:

- Take responsibility for your own behavior (both good and bad)
- No Probation rule violations
- No new arrests or criminal charges
- Attend AA/Relapse Prevention Groups and complete a 12-Step Program
- Attend & complete other programming
- On-time & present for all Drug Court proceedings
- Obtain & maintain employment and residential stability
- Keep all appointments with Probation Agent, Case Manager, TX providers
- Positive reports from collateral sources (spouse, parent, employer, etc...)
- If applicable, attend school and obtain HSED/GED
- Pay financial obligations as directed and in full
- No missed or positive UAs
- No verbally or physically abusive or threatening behavior
- Positive home visit situation (well-kept home, no contraband)
- Maintain clean personal appearance
- Follow curfew
- Promotion to next phase
- Completion of community service hours
- If applicable, take all prescribed medications
- Obtain Driver's License
- Identify self as a Treatment Court Participant to Police if stopped for any reason
- Identify self as a Treatment Court Participant to all health care providers

INCENTIVES

One regular incentive for participants is to participate in the weekly fish bowl drawings during each court session. Each participant has the opportunity to write their name on a slip of paper to be placed in the fish bowl. Participants receive a slip with their name on it for appearance and may receive extra slips for good behavior. At the end of each court session, one slip is drawn from the fish bowl to win a gift certificate.

Incentives for maintaining sobriety and abiding by the conditions of the Treatment Court Program and Probation may include, but are not limited to, the following:

- Having a treatment team invested in the participant's success
- Positive feedback/praise from the Judge, TX team member, or family member
- Early Up in Court
- Applause in Court
- Special acknowledgement for maintaining sobriety & other accomplishments
- Increase in privileges
- Lowered reporting standards with the Coordinator and Probation Agent
- Reduced testing
- Before & after pictures
- Education about community resources
- Phase acceleration
- Opportunity to mentor a new member
- Early termination from probation
- Phone cards
- Ride Share Passes
- Graduation ceremony
- Gift Certificates
- Fish Bowl drawings for appearance and extra slips

SANCTIONS

Any Violations of the rules of the Treatment Court results in the immediate imposition of sanctions, as determined by the Treatment Court Team and imposed by the Judge. The Treatment Court Team may individualize sanctions as deemed appropriate. Sanctions may include, but are not limited to, the following:

- Verbal warning
- Admonishment by the Judge or a Treatment Team member
- Letter of apology
- Curfew
- Limitation or decrease in privileges
- Essays
- Journaling
- Peer review
- Community service hours
- Take away driving privileges
- Electronic Monitoring (EMP)
- Increased supervision and/or UA/BA testing
- Repeat a program phase
- Disciplinary custody
- Imposition of Jail Time
- Increased group or treatment participation
- Inpatient treatment placement
- Termination from the program
- Extension of or Revocation of probation

TERMINATIONS

The Door County Treatment Court shall make termination decisions in accordance with best practice standards. Such decisions may result from a public safety concern, repeated non-compliance with program requirements or an inability of the courts to provide treatment which the participant is responsive or which the participant needs. Treatment court participants may be terminated for commission of a violent crime, absconding from the program for more than 4 weeks, clear evidence that a participant is dealing drugs, clear evidence that a participant has been involved in threatening, abusive or violent verbal/ physical behavior towards anyone, or any other grounds seen fit from the treatment court team.

Any Door County treatment court team member may make an oral motion to begin the termination process. Once the oral motion has been made, the treatment court team will agree to have the participant meet with the team to gather further information prior of voting or beginning the motion for termination.

At the formal motion for termination the team votes on recommendation for termination. Termination proceedings may only begin if majority of the team members present vote in favor of termination. Following the vote in favor of termination, a written motion to terminate is filed with the Treatment Court Judge by the District Attorney's Office. In most cases, a hearing is conducted to ensure the participant's due process rights are protected.

A participant may be terminated immediately without notice or the right to be heard if the motion for termination is based on a participant absconding for two (4) or more consecutive weeks, probation revocation, or the inability to physically participate in treatment court due to incarceration in another jurisdiction. In such cases, the treatment court judge shall sign an Order Granting Motion to Terminate and transfer the case to Branch One Circuit Court for sentencing. A participant shall be considered an absconder when his or her activities and whereabouts are unknown to the treatment court coordinator, and supervising Department of Corrections (DOC) agent.

A participant may choose to not contest termination. If the participant waives the right to be heard, the judge shall sign an Order Granting Motion to Terminate and transfer the case to Branch One Circuit Court without further proceedings.

SUSPENSIONS

A treatment court participant may be suspended from treatment court due to continued relapse or new legal charges. If the treatment court team recommends a participant be suspended for new legal charges, the treatment court participant can not attend treatment court, until their legal charges are resolved. If the treatment court participant is referred to a residential treatment facility by the treatment team, their progress or lack of progress is monitored by the treatment provider. Their return to treatment court will be based upon their discharge status from the treatment center.

VOLUNTARY REMOVAL

A Treatment Court participant will **not** have the option to quit the Treatment Court Program. Successful completion of or expulsion from the Treatment Court Program are the only two acceptable ways to leave the Treatment Court Program.

TREATMENT SERVICES

All treatment court participants will receive an individualized assessment, recommendations and an individualized treatment plan. Based on the assessments, the participants are placed in the appropriate level of care. DHHS provides four levels of treatment including; individual counseling, primary treatment group (1 time per week), Intensive Outpatient (3 times per week) and relapse prevention group. All of our counselors are trained in and use Motivational Interviewing, and Person-Centered therapies. The primary models are Cognitive Behavioral and Rational Emotive Therapies. The Matrix Model is used in the IOP.

An outside vendor is currently contracted with the state to provide services to those on parole. This organization is providing both Thinking for Change and CBISA Cognitive Behavioral Interventions for Substance Abuse, both evidence-based curriculum.

COMMUNITY SUPERVISION

All participants in the Door County Treatment Court are on community supervision with the Department of Corrections (DOC). The DOC agent engages in the DOC standard service for case management for each participant based off of the DOC's guidelines and the agent's assessment. The agent also has the ability to drug test their participant as the agent see fit, in addition to the random testing done through the Treatment Court. The DOC agents participate at each Treatment Court team meeting and status hearing.

DRUG AND ALCOHOL TESTING PROTOCOL

Door County Treatment Court participation ~~will~~ requires random ~~U~~Aurine drug and breathalyzer testing to determine compliance with the rules of the Treatment Court Program. ~~UAs Tests will be~~are done randomly, a minimum of two times per week throughout the participant's entire program. In keeping with best standards, testing ~~will be~~is done at the Door County Jail with trained jail deputies directly observing the individual. Utilizing the Door County Jail for testing allows for complete randomization, including nights and weekend testing times.

Tests ~~will~~ assess for drug and alcohol as well as all other controlled and mood-altering substances. Positive tests can be challenged for verification and confirmation at the participant's request. Testing notifications ~~will be done utilizing a color calendar. Participants will be required to call in daily to see if their color has been selected for testing that day. The recorded message will also notify participants of the time frame in which they are to report for testing, are sent to participants through text message informing participants of time frame in which they are to report for testing that day.~~ Probation agents

and treatment providers may also provide UA testing when they feel necessary. Participants may also be required to utilize monitoring devices where necessary. Use of monitoring devices will be based on participants alcohol and drug use history.

PROGRAM FEES

Treatment Court participants are charged with a fee that includes costs associated with assessments, fine and court fees, and some drug-testing costs. The participant is also be responsible for restitution if applicable. If the participant is required to have any monitoring equipment, that is an additional fee. Participants on probation are required to pay normal supervision fees as determined by their agent. It is also the participant's responsibility to pay for their treatment costs, which is determined and paid to the treatment provider. The treatment court coordinator assists participant with application to health insurance to assist with treatment costs.

During the participant's time in treatment court the participant is required to work with the coordinator to set up a payment schedule. Establishing a payment schedule happens during Phase Two. If at any point a participant is facing financial hardship, the coordinator works with the participant to suspend fees or set up a minimal fee schedule until the participant is in a better financial situation. Participants are also given the opportunity to do community service projects to assist with their payment of program costs.

PARTICIPANT RIGHTS AND GRIEVANCE PROCEDURE

Every Treatment Court participant has a right to utilize the Grievance Policy should a participant have a complaint or feel that his/her rights were violated. The Grievance Procedure is as follows:

Step 1 - Verbal Discussion

The participant must request a meeting to discuss the matter with the Court Services Coordinator as soon as possible after the incident occurs (within 5 days). If the participant is not satisfied with the decision or solution of the Court Services Coordinator, the participant may proceed to Step 2.

Step 2 - Written Complaint

If the participant did not achieve a resolution in Step 1, the participant must put the complaint in writing within 5 days following Step 1 and turn the written complaint into the Treatment Court Judge. The Treatment Court Judge will make a formal written decision within 14 business days and send it to the participant. This decision is final and the Court Services Coordinator will also be included in the written response.

CONFIDENTIALITY

Every Treatment Court participant's identity and privacy will be protected consistent with federal confidentiality laws (42 United States Code (USC) Section 2990dd-2, and the regulations implementing these laws at 42 Code of Federal Regulations (CFS), Part) and Wisconsin Law. Treatment Courts and confidentiality laws are designed to achieve the shared goal of encouraging those with addictions to

alcohol and/or drugs to obtain and remain in treatment. The Door County Adult Treatment Court can only function if information is shared among team members.

If a situation exists where Treatment Court practice conflicts with confidentiality laws, then the law prevails. Treatment Court will eliminate any unnecessary conflict by obtaining the participant's consent for information disclosure. The participant will be asked to sign a waiver authorizing the transfer of information among all participating agencies.

Valid consent from a participant allows the use of information in a matter that would otherwise violate federal regulations regarding confidentiality. Individuals referred to alcohol and/or drug treatment programs by the criminal justice system do not have a right to revoke their consent until successful completion of the program. Participants must be informed that their consent is irrevocable but not permanent.

The participants should have an opportunity to consult with a lawyer before signing the form.

Whoever presents the form should thoroughly review it with the participant. If the participant cannot understand or read English, a translator will assist the person reviewing the form. Typically, the Treatment Court Coordinator will be the person obtaining signed copies of confidentiality forms and consent to disclose private information form. The Treatment Court Coordinator will maintain copies of all signed forms in each participant's Treatment Court File.

Regulations require that the participant be advised, orally and in writing, that federal law protects the confidentiality of treatment records. The notice must cite Section 290dd-2 and the implementing regulations (Sections 2.1 through 2.67 of Title 42 of the Code of Federal Regulations) and state that:

1. Treatment information is ordinarily kept confidential;
2. It is a crime to violate this confidentiality requirement, which the participant may report to the authorities;
3. Federal law does not protect information relating to crimes committed on the premises of the program, crimes against program personnel or the abuse or neglect of a child.

The participant may be asked to re-execute the consent. The re-execution should occur as soon as the court is satisfied that the participant is not suffering from any effects of being under the influence of alcohol and other drugs or the withdrawals associated with drug use. Routine re-execution is required when a new entity joins the Treatment Court Team.

Title 42, Section 2.31(a) of the Code of Federal Regulation lists nine elements that must be included in a written consent:

1. The specific name or general designation of the problem or person permitted to make the disclosure
2. The name or title of the individual or the name of the organization to which disclosure is to be made
3. The name of the Door County Adult Treatment Court participant
4. The purpose or need for the disclosure
5. How much and what kind of information is to be disclosed

6. The signature of the patient, or when required for a patient who is incompetent or deceased, the signature of a person authorized to sign under § 2.15 in lieu of the patient
7. The date which the consent was signed
8. A statement that the consent is subject to revocation at any time except to the extent that the program or person which is to make the disclosure had already acted in reliance on it. Acting in reliance includes treatment services in reliance on a valid consent to disclose information to a third party payer
9. The date, event, or condition upon which the consent will expire if not revoked before. This date, event, or condition must insure that the consent will last no longer than reasonably necessary to serve the purpose for which it is given.

NOTE: The eighth element, concerning the revocation of consent, should not be included in consent forms in criminal Treatment Courts but it must be included in juvenile and family drug court waivers. *See 42 C.F.R. § 2.35.*

Federal confidentiality law and regulations protect any information about a client if the client has applied for or received any alcohol or drug related services from a program that is covered under the law. Services applied for or received can include assessment, diagnosis, individual counseling, group counseling, treatment or referral for treatment. The restrictions on disclosure apply to any information that would identify the client as an alcoholic or other drug abuser, either directly or by implication. The general rule applies from the time the client makes an appointment. It applies to clients who are mandated into treatment as well as those who enter treatment voluntarily. It also applies to former clients or patients. The rule applies whether or not the person making an inquiry already has the information, has other ways of getting it, has some form of official status, is authorized by State law, or comes armed with a subpoena or search warrant.

Information that is protected by Federal confidentiality regulations may always be disclosed after the client has signed a proper consent form. The regulations also permit disclosure without the client's consent in several situations, including medical emergencies, program evaluations and communications among program staff. Clients who refuse to sign consent forms permitting essential communications can be excluded from treatment or provided treatment temporarily in the hope that resistance to signing the consent forms will evaporate as treatment proceeds.

All members of the Treatment Court Team must hold information discussed during pretrial interviews, assessment, Treatment Court Treatment Team meetings, Treatment Court status hearings and treatment sessions in confidence.

No test results or statements made by participants during the above mentioned proceedings, other than pleas of guilty or statements made at termination hearings, shall be admissible against participants in any prosecution other than in Treatment Court proceedings to prove a violation of Treatment Court rules, to establish grounds for termination of a defendant from the Treatment Court program, or to prove a violation of probation based upon termination of a defendant from the Treatment Court program. However, evidence which is discovered either routinely in the course of a criminal investigation, shall not be inadmissible because such evidence is also disclosed or discovered during pretrial interviews, assessment, treatment or Treatment Court proceedings.

Evaluations, researchers, personnel from other courts, and other individuals requesting visiting the Treatment Court Team meetings and Treatment Court hearings are to place a request at least one week in advance with the Treatment Court Coordinator for review with the Treatment Court Team. If the individual is approved for visitation the person is required to sign a confidentiality agreement that is kept on file by the Court Services Coordinator.

TREATMENT COURT STEERING COMMITTEE

An important part of the implementation and maintenance of the Door County Treatment Court Program is the creation of a Treatment Court Steering Committee to assist and oversee the process of designing an effective Treatment Court. The Treatment Court Steering Committee is a sub-committee of the Door County Criminal Justice Collaborating Counsel Committee. The Steering Committee will discuss program and policy and address necessary needs such as rewards and sanctions, evaluation, legal issues, public relations, and treatment team needs. Members of the Steering Committee include:

- David L. Weber, Branch 2 Circuit Court Judge, Door County
- Colleen Nordin, District Attorney, Door County District Attorney's Office
- Tara Teesch, Public Defender, State Public Defender's Office
- Alyssa Liebergen, Corrections Field Supervisor, Wisconsin Department of Corrections
- Tammy Sternard, Sheriff, Door County Sheriff's Office
- Joe Krebsbach, Director, Door County Health and Human Services
- Donna Altepeter, Behavior Health Manager, Door County Health and Human Services
- Stephen Seyfer, Retired School Superintendent
- Kelsey Christensen, Court Services Coordinator, Door County Health and Human Services

FORMS
MEMORANDUMS OF UNDERSTANDING
PARTICIPANT CONTRACT