

Friday,
February 21st, 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: February 5, 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: March 10, 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, February 5, 2020

Jury Assembly Room of the Door County Justice Center
1209 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 8 a.m.**
2. **Present:** Judge David L. Weber, Colleen Nordin, Alyssa Liebergen, Steven Seyfer, Tammy Sternard, Tara Teesch, and Kelsey Christensen.
3. **Adopt Agenda for this meeting:** Motion by Judge Weber, second by T. Teesch 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 Judge Weber to approve minutes. Motion carried by unanimous voice vote.
5. **New Business:**
 - a. **Treatment Court program updates:**
K. Christensen reminded committee of the training dates and to inform K. Christensen if able to attend. Judge Weber attending the Judicial Treatment Court conference 2/6/2019.
 - b. **Review of Treatment Court Policies and Procedures Manual:**
Committee reviewed and approved updates from January 29th meeting. Committee completed further updates in the policies and procedures manual to be reviewed and approved at next meeting, February 21st. Updated manual to be attached in February 21st agenda packet.
6. **Matters to be placed on future agenda:** None.
7. **Next Meeting Date:** The next meeting will be February 21st, 2020 at 8 a.m.
8. **Adjourn:** Motion by S. Seyfer, second by Judge Weber to adjourn. Motion carried by unanimous voice vote. Meeting adjourned at 10 a.m.

Respectfully submitted by,
Kelsey Christensen
Court Services Coordinator

DOOR COUNTY ADULT TREATMENT COURT

POLICIES AND PROCEDURES MANUAL
DRAFT 2/5/2020

TABLE OF CONTENTS

INTRODUCTION	3
MISSION STATEMENT	3
GOALS AND OBJECTIVES	4
TREATMENT COURT TEAM MEMBERS	6
STAFFING	6
ROLES AND RESPONSIBILITIES OF TREATMENT COURT TEAM MEMBERS	7
TARGET POPULATION	9
ELIGIBILITY AND DISQUALIFICATION CRITERIA	10
ELIGIBILITY	10
DISQUALIFICATIONS	10
REFERRAL PROCESS	11
SCREENING AND ASSESSMENT PROCESS	11
ADMISSION PROCESS	11
STATUS HEARINGS	12
PHASE STRUCTURE	12
PHASE ONE	13
PHASE TWO	13
PHASE THREE	14
PHASE FOUR	15
PHASE FIVE	15
GRADUATION	16
CONTINUING CARE PHASE	17
INCENTIVES AND VIOLATIONS	17
INCENTIVES	18
SANCTIONS	19
TERMINATIONS	20
SUSPENSIONS	21
VOLUNTARY REMOVAL	21
TREATMENT SERVICES	21
COMMUNITY SUPERVISION	21
DRUG AND ALCOHOL TESTING PROTOCOL	22
PROGRAM FEES	22

PARTICIPANT RIGHTS AND GRIEVANCE PROCEDURE 22
CONFIDENTIALITY 23
TREATMENT COURT STEERING COMMITTEE 25
FORMS 26
 MEMORANDUMS OF UNDERSTANDING 26
 PARTICIPANT CONTRACT 26

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. 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 and must therefore recognize:

Substance abuse users are most vulnerable to successful intervention when in the crisis of initial arrest and incarceration; therefore, 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; therefore, 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 (MRT) – 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~~ The Treatment Court judge 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~~ In these meetings the program evaluator ~~to~~ ensures that the Treatment Court program adheres to best practices, addresses inclusivity, and ~~the Treatment Court~~ is keeping with the Treatment Courts ~~k~~ Key ~~c~~ 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 staffings, meetings, and Treatment Court hearings. It is important that each team member maintains ongoing communication and sharing shares 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 • Coordinate and monitor all Treatment Court drug testing • 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 • Monitor compliance through meetings with collateral contacts • Monitor and encourage participant's compliance with programs • 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 REPRESENTATIVE	<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
TREATMENT PROVIDER	<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
EMPLOYMENT COMMUNITY REPRESENTATIVE	<ul style="list-style-type: none"> • <u>Provide participant educational and vocational resources where necessary</u> • <u>Oversee participant's vocational and educational programming</u> • <u>Serve as liaison between Treatment Court and employment community</u>
RECOVERY COMMUNITY REPRESENTATIVE	<ul style="list-style-type: none"> • <u>Connect participants to recovery-supportive resources that are instrumental to sustaining recovery</u> • <u>Serve as a liaison to formal and informal community supports, resources, and recovery-supporting activities</u>

TARGET POPULATION

The Door County Treatment Court targets high-risk and high-need, non-violent offenders where there is reasonable evidence 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 targets offenders who require more intensive focus on treatment, monitoring, and judicial intervention.

All participants have equitable access, without any prejudices towards 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 the Treatment Court complies with these standards, the program evaluator addresses any team member's concerns, and helps to identify any intrinsic bias. In addition to the evaluator, Treatment Court Team also allows for checks and balances, and 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 Treatment Court programing
- Have a moderate to severe substance use disorder diagnosis and need for treatment
- Substance use cannot be limited to alcohol
- 17 years or older
- Must score medium to high risk on the COMPAS assessment for general recidivism and high criminogenic needs.
- Current felony drug offense or drug-related property offense (e.g. felony theft, forgery)
- Cannot have an offense or history of an offense that would identify them as a commercial drug trafficker.
- Non-violent crime with no history of violence

The Door County Treatment Court Team recognizes 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 who have both substance use disorders and a general mental health disorder are 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
- 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~~The Department of Corrections may also refer regarding an individual who is currently on supervision and who may be facing revocation as a form of an alternative to revocation (ATR). This type of referral should be made prior to the decision to revoke. For this type of case a referral should be made prior to the decision to revoke.

Ideally, a referral ~~would be should~~ received ~~received~~ very early on in the court process and prior to a plea of guilty or no contest 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 is approximately ~~will be~~ 30-60 days from the filing of criminal charges or referral from ~~d~~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 Correctional Offender Management Profiling Alternative to Sanctions (COMPAS) tool. The COMPAS tool addresses individualized information specifically designed to determine -criminogenic risk and needs of the individual referred. The Treatment Court only accepts participants into the Treatment Court program system that score medium to high criminogenic risk with high needs.

The treatment court coordinator also uses the UNCOPE screener tool for additional AODA qualifications. ~~The Treatment Court only accepts participants into the court system that score high criminogenic risk with high needs.~~The UNCOPE screener tool consists of six questions that provide a quick means of identifying risk for abuse and dependence for alcohol and other drugs. The participant must also have a score of 2 or above on the UNCOPE. Two or more positive responses indicates possible abuse or dependence and the need for further assessment. The participant must also have a score of 2 or above on the UNCOPE to be referred to a certified AODA counselor.

~~If the UNCOPE returns a 2 or more then the individual will be referred to a certified~~Once referred to an AODA counselor, the counselor to complete the LOCI Level of Care Inventory (LOCI) to and identify determine readiness for treatment and determine the individual's level of care for their substance use. The AODA counselor also ensures the individual meets the requirement for diagnosis for a moderate to severe substance use disorder.

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 Ttreatment Ccourt Tteam

to ~~vote staff eligibility and appropriateness on the~~ of an individual's ~~potential~~ admission into Treatment Court. The District Attorney's office retains the right to veto individuals from participation.

~~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 is a specialized, separate court, ~~that operating operates~~ on a weekly basis and ~~is~~ dedicated to the assessment, treatment, and supervision of participants. ~~The Treatment Court Judge David Weber~~ presides over all Treatment Court proceedings. Treatment Court ~~shall be~~ held in Branch 2 on Mondays ~~and begins promptly at~~ 1pm. The Treatment Court Team meets prior to court at 12pm ~~(See Staffing) for staffings.~~ During each Treatment Court Hearing, the Treatment Court Judge discusses the case with each Treatment Court participant and any relevant party. Sanctions or interventions 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 are required to stay for the entire court hearing unless given prior approval to leave early ~~or treatment is scheduled for that time.~~ ~~Tardiness to Court is not tolerated and may result in a sanction. Nothing a Treatment Court participant says while in Treatment Court~~ Participants' statements or comments made in Treatment Court may not be used against him/her. Law enforcement is available to take participants into custody if necessary.

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

PHASE STRUCTURE

Each of the 6 phases have requirements necessary to complete prior to advancing to the next phase. In addition to the individualized phase requirements, the following are requirements expected of participants during each phase:

- Remain honest with Treatment Court Team members and service providers
- Maintain strict compliance with random alcohol and drug testing at least twice a week throughout the entirety of the Treatment Court
- Participant and be engaged in recommended treatment plans, as determined by the treatment provider
- Adhere to random home and employment visits as determined by DOC policies and procedures

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">• Attend Treatment Court weekly• Meet weekly face-to-face with Treatment Court Coordinator and Probation Agent• Create a case plan with probation agent to address people, places and things.• Engage with treatment• Address housing issues, if needed• Obtain medical assessment, if needed• Attain of health insurance if lack health insurance• Maintain total abstinence for a minimum of 14 consecutive days at the time of phasing from the use of alcohol, illegal, or non-prescribed drugs (no misses, dilutes, positives, or admissions)• Have no unexcused absences from Treatment Court sessions and scheduled services/appointments for a minimum of 30 consecutive days <p>Application must be made to the court for phase advancement. The Phase I Phase Change Packet must be submitted 2 weeks prior to phasing</p>

PHASE TWO

CHALLENGE: Clinical Stabilization

The minimum requirements for the successful completion of Phase Two include all of the following requirements:

Length of phase:	A minimum of 90 days
Requirements:	<ul style="list-style-type: none">• Attend Treatment Court weekly• Meet weekly face-to-face with Treatment Court Coordinator and Probation Agent• Review case plan with Probation agent• Continue to address people, places and things• Continue addressing medical needs• Identify other needs• Enroll in recommended We Are Hope, Inc. program, if needed• Obtain a budget assessment• Attend a minimum of 1 support group meeting per week.

	<ul style="list-style-type: none"> • Establish a payment plan for court fines and restitution, if any was ordered • Develop housing plan to obtain or maintain housing • Maintain total abstinence for a minimum of 30 consecutive days at the time of phasing from the use of alcohol, illegal, or non-prescribed drugs (no misses, dilutes, positives, or admissions) • Have no unexcused absences from Treatment Court sessions and scheduled services/appointments for a minimum of 45 consecutive days <p>Application must be made to the court for phase advancement. The Phase 2 Phase Change Packet must be submitted 2 weeks prior to phasing.</p>
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PHASE THREE CHOICE: Pro-Social Habilitation <i>The minimum requirements for the successful completion of Phase Three include all of the following requirements:</i>	
Length of phase:	A minimum of 90 days
Requirements:	<ul style="list-style-type: none"> • Attend Treatment Court bi-weekly, unless the team determines more court support is appropriate • Meet bi-weekly face-to-face with court services coordinator and probation agent, or as directed by court services coordinator and probation agent • Review Case Plan with probation agent and establish prosocial activities • Maintain stable housing • Demonstrate healthy people, places and things • Attend a minimum of 1 support group meeting per week • <i>Begin MRT – Criminal Thinking group</i> • Develop Relapse Prevention Plan • Must be employed or in some vocational or educational program • Maintain total abstinence for a minimum of 45 consecutive days at the time of phasing from the use of alcohol, illegal, or non-prescribed drugs (no misses, dilutes, positives, or admissions) • Have no unexcused absences from Treatment Court sessions and scheduled services/appointments for a minimum of 45 consecutive days <p>Application must be made to the court for phase advancement. The Phase 3 Phase Change Packet must be submitted 2 weeks prior to phasing</p>

PHASE FOUR

CHANGE: Adaptive Habilitation

The minimum requirements for the successful completion of Phase Four include all the following requirements:

Length of phase:	A minimum of 90 days
Requirements:	<ul style="list-style-type: none">• Attend Treatment Court monthly, unless the team determines more court support is appropriate• Meet twice per month face-to-face with court services coordinator and probation agent, or as directed by court services coordinator and probation agent• <i>Completion of MRT- Criminal Thinking group</i>• Attend a minimum of 2 support group meetings per week• Obtain Sponsor• Must be employed or in some vocational or educational program• Participate in prosocial activities• Maintain stable housing• Establish payment plan with the Clerk of Court and/or DOC and be paying• Maintain total abstinence for a minimum of 60 consecutive days at the time of phasing from the use of alcohol, illegal, or non-prescribed drugs (no misses, dilutes, positives, or admissions)• Have no unexcused absences from Treatment Court sessions and scheduled services/appointments for a minimum of 60 consecutive days <p>Application must be made to the court for phase advancement. The Phase 4 Phase Change Packet must be submitted 2 weeks prior to phasing</p>

PHASE FIVE

CARE: Maintenance

The minimum requirements for the successful completion of Phase Five include all of the following requirements:

Length of phase:	A minimum of 90 days
Requirements:	<ul style="list-style-type: none">• Attend Treatment Court monthly, unless the team determines more court support is appropriate• Meet once per month face-to-face with court services coordinator and probation agent, or as directed by court services coordinator and probation agent• Develop a continuation care plan with AODA treatment provider• Attend a minimum of 2 support group meeting per week• Maintain employment or enrollment in school• Show ability to remain committed participation in prosocial activities• Make consistent payments of court monetary obligations

	<ul style="list-style-type: none"> • Maintain total abstinence for a minimum of 90 consecutive days at the time of phasing from the use of alcohol, illegal, or non-prescribed drugs (no misses, dilutes, positives, or admissions) • Have no unexcused absences from Treatment Court sessions and scheduled services/appointments for a minimum of 90 consecutive days <p>Application must be made to the court for phase advancement. The Phase 5 Phase Change Packet must be submitted 2 weeks prior to phasing</p>
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<p>PHASE SIX</p> <p><u>COMPLETION: Pre- Graduation</u></p> <p><i>The minimum requirements for the successful completion Phase Six include all of the following requirements:</i></p>	
Length of phase:	A Maximum of 30 days
Requirements:	<ul style="list-style-type: none"> • Attend Treatment Court as directed by court services coordinator • Demonstrate an achieved understanding of personal problems of addiction, criminal behavior, and relapse prevention • Maintain gainful, consistent employment or sufficiently involved in a vocational or educational program • Be able to show improved stable living arrangements and healthy interpersonal relationships as determined by the Treatment Court Team • Maintain total abstinence for a minimum of 90 consecutive days at the time of phasing from the use of alcohol, illegal, or non-prescribed drugs (no misses, dilutes, positives, or admissions) • Have no unexcused absences from Treatment Court sessions and scheduled services/appointments for a minimum of 90 consecutive days <p>Graduation application must be completed and approved by the Treatment Court Team within 30 days of starting Phase Six</p>

GRADUATION

Upon successful completion of all ~~three-six~~ 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.~~

- ~~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~~participant's dedication and completion of ~~program requirements, required guidelines.~~ At the ceremony, the ~~J~~judge declares the participant a graduate of the Treatment ~~C~~ourt. Each graduate is presented with a certificate and letter of completion by the Treatment Court Team. Upon graduation, all Treatment Court Program Graduates have the option to will continue in the Continuing Care Phase of the program.

CONTINUING CARE PHASE

The optional Continuing Care Phase is the duration of the graduate's remaining time on probation and for a maximum of a six -months. ~~The purpose of the phase is to assist recent graduates during the transition period in which recent treatment court graduates as they~~ develop healthy practices to in maintaining long-term sobriety. ~~To participate, participants~~In this phase, graduates agree to keep the following commitments:

- Maintain complete sobriety from drugs and alcohol
- Meet at least once per month with ~~your~~the treatment provider, or as recommended by provider
- Attend at least one recovery meeting each week
- Meet with the probation agent as directed by ~~your~~the 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 to~~ 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 as part of ~~with~~ their participant handbook. ~~This provides participants with clear r~~Rules that are consistently and are swiftly enforced with graduated incentives and sanctions ~~allowing to encourage~~ participants positive compliance with the program.

~~The coordinator tracks all incentives and sanctions received for each participant in the Northpointe computer system. The Treatment Court Team collaborates to provide advice on all incentives and sanctions are determined by the Treatment Court Team, but the administered by the Judge makes the final decision concerning imposition of incentives and sanctions. Incentives and sanctions are discussed on an individualized basis during Treatment Court Team staffings. If there are more urgent needs, if an urgent need arises, the coordinator will schedule an emergency team meeting. The coordinator tracks records all incentives and sanctions received for each participant in the Northpointe computer system.~~

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

- ~~Take responsibility~~The individual taking responsibility for ~~your~~ their 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 ~~and complete~~complete other community programming
- On-time ~~and~~ present for all Treatment Court proceedings
- Obtain ~~and~~ maintain employment and residential stability
- ~~Keep all appointments~~No unexcused missed appointments with ~~p~~Probation ~~A~~gent, ~~Case Manager, coordinator, treatment~~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 ~~U~~As~~drug or alcohol screens~~
- No verbally or physically abusive or threatening behavior
- ~~Positive home visit situation (~~Maintain a well-kept home with, no contraband~~)~~
- Maintain clean personal appearance
- 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 ~~and~~ after pictures
- Education about community resources
- Phase acceleration
- ~~Opportunity to mentor a new member~~
- Early termination from probation
- Phone cards
- ~~Ride Share Passes~~ Ride vouchers
- Graduation ceremony
- Gift Certificates
- Fish Bowl drawings for appearance and extra slips

A participant's appearance in Treatment Court qualifies them for one entry into the fish bowl drawing. Each participant has the opportunity to write their name on a slip of paper to be placed in the fish bowl. They may receive additional entries for good behavior as determined by the Treatment Court Team. At the end of each court session, one entry is drawn from the fish bowl to win a gift certificate.

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 drug or alcohol 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 the necessary treatment needs of the participant. Treatment Court participants may be terminated for commission of a violent crime, absconding from the program for more than four weeks, evidence a participant is dealing drugs, evidence 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 meets with the participant to gather further information prior of voting or beginning the motion for termination.

At the formal motion for termination, the team agrees on the recommendation and appropriateness for termination. Termination proceedings may only begin if a majority of the team members consent 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 four 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 probation 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 cannot 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 is based upon their discharge status from the treatment center.

How long do we suspend before we terminate (wait lists for tx?) What happens if they discharge unsuccessfully?

VOLUNTARY REMOVAL

A Treatment Court participant does not have the option to withdraw the Treatment Court Program. Successful completion of or expulsion from the Treatment Court Program are the only acceptable means to leave the Treatment Court Program.

TREATMENT SERVICES

All Treatment Court participants receive individualized assessments, recommendations, and treatment plans. Based on the assessments, the participants are placed in the appropriate level of care. Door County Health and Human Services (DHHS) provides four levels of treatment including; individual counseling, primary treatment group (one time per week), Intensive Outpatient (IOP) (three times per week) and Relapse Prevention Group (one time per week). All DHHS counselors are trained to utilize Motivational Interviewing and Person-Centered therapies. The primary models are Cognitive Behavioral and Rational Emotive Therapies. The Matrix Model is used in the IOP. Do need to explain these?

~~An outside vendor is currently contracted through probation 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 must be 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 policies and procedures and the agent's assessment. The agent also has the ability to utilize drug and/or alcohol screens for participant's necessary per policies and procedures, 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 requires random drug and alcohol testing to determine compliance with the rules of the Treatment Court Program. Tests are random and occur a minimum of two times per week throughout the participant's entire program. In keeping with best standards, testing is done at the Door County Jail and observed by trained jail deputies. Utilizing the Door County Jail for testing allows for complete randomization, including nights and weekend testing times.

Positive tests can be challenged for verification and confirmation at the participant's request. Participants will be required to pay for this additional cost. Notifications informing participants of the time frame in which they are to report for testing that day are sent through text messages. Probation agents and treatment providers may also provide drug and/or alcohol screening as necessary per DOC policies and procedures. 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 drug and/or alcohol testing costs. Participants are 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 DOC policies and procedures. It is also the participant's responsibility to pay for their treatment costs as determined by the treatment provider. The Treatment Court coordinator assists the participant with the application process 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 arrange 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 complete community service hours to assist in payment of program costs as directed by the judge.

How is this process determined? Do we want a set fee or case by case?

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 their 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 within five business days after the incident occurs. 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 five business days following Step 1 and submit the written complaint into the Treatment Court Judge. The Treatment Court Judge will make a formal written decision to the participant within 14 business days. This decision is final and the Court Services Coordinator will also be included in the written response.

What if the complaint is about the coordinator??

CONFIDENTIALITY

Every Treatment Court participant's identity and privacy will be protected and 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 in which Treatment Court practices conflict with confidentiality laws, 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 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. Typically, the Court Services Coordinator obtains signed copies of confidentiality forms and consent to disclose private information forms. The Court Services Coordinator maintains copies of all signed forms in each participant's Treatment Court File.

Regulations require 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:

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 the participant is not suffering from any effects of being under the influence of alcohol,

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, assessments, 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, assessments, 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 Court Services 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

DRAFT