

ADULT DRUG COURT PROGRAM

SITE VISIT CHECKLIST AND BEST PRACTICES

COUNTY/CIRCUIT:

DATE:

PROGRAM TYPE:

PARTICIPANTS:

OBSERVER:

FUNDING:

PROGRAM BEGAN:

10 KEY COMPONENTS

1. INTEGRATION OF ALCOHOL AND OTHER DRUG TREATMENT SERVICES WITH JUSTICE SYSTEM CASE PROCESSING

- Fully Achieved
- Partially Achieved
- Not in Compliance

- Drug courts that required All Team Members to attend staffings had twice the savings.
- “Team Members” = Judge, Prosecutor, Defense Attorney, Treatment Provider, Coordinator, Supervision (PO/JO).

Performance Benchmarks:

- Initial and ongoing planning is represented by all aspects of the criminal justice system, the local treatment delivery system, funding agencies, the local community and other key policymakers.
- The treatment court's mission, goals, eligibility criteria, operating procedures, and performance measures are clearly defined in the policy and procedure manual.
- Abstinence and law-abiding behavior are the goals of the program.
- The court and treatment providers maintain ongoing communication, including frequent exchanges of timely and accurate information about the individual participant’s overall program performance. All communication about an individual’s participation in treatment must be in compliance with the provisions of 42 CFR, Part 2.
- Treatment court team meets outside of regularly scheduled staffing and docket hearings to discuss manuals, policy/procedure and other protocol updates (i.e.: annual retreat, planning meeting, etc.).

Comments:

The OSCA Treatment Court Unit Recommends:

2. USE A NON-ADVERSARIAL APPROACH, PROSECUTION AND DEFENSE COUNSEL PROMOTE PUBLIC SAFETY WHILE PROTECTING PARTICIPANTS' DUE PROCESS RIGHTS

- Fully Achieved
- Partially Achieved
- Not in Compliance

Performance Benchmarks:

- Prosecutors and defense counsel participate in the design of screening, eligibility, and case-processing policies and procedures to guarantee that due process rights and public safety needs are served.
- The prosecutor and defense counsel actively participate in staff meetings, decisions regarding participants and all docket hearings.
- Participant is given a notice of hearing as procedural protections are due under the 5th and 14th Amendments when the defendant will potentially suffer a loss to a recognized liberty or property right, including termination from the drug court program.

Comments:

The OSCA Treatment Court Unit Recommends:

3. ELIGIBLE PARTICIPANTS ARE IDENTIFIED EARLY AND PROMPTLY PLACED INTO THE DRUG COURT PROGRAM

- Fully Achieved
- Partially Achieved
- Not in Compliance

- Initial appearance before the drug court judge should occur within 30 days of arrest if possible and appropriate.

Performance Benchmarks:

- Eligibility screening is based on established written criteria.
- Eligible participants for treatment court are promptly advised about program requirements and the relative merits of participating.

Is incarceration mandated prior to treatment court? Yes No
If yes, do they receive treatment services while incarcerated? Yes No N/A

How are participants referred to the treatment court program?

- | | | |
|--|--|--|
| <input type="checkbox"/> Prosecutor | <input type="checkbox"/> Defense Attorney | <input type="checkbox"/> Law Enforcement |
| <input type="checkbox"/> Judge | <input type="checkbox"/> Probation Officer | <input type="checkbox"/> Juvenile Office |
| <input type="checkbox"/> Children's Division | <input type="checkbox"/> Other | |

Are there any delays between acceptance into the program and first treatment contact? Yes No

If yes, what are the reasons for the delay?

Average number of days to entry: Statewide Average:

RANT Evaluator: When is RANT completed:

Adult Drug Court Best Practice Standards Volume I:

- Target Population**—Eligibility and exclusion criteria for the Drug Court are predicated on empirical evidence indicating which types of offenders can be treated safely and effectively in Drug Courts. Candidates are evaluated for admission to the Drug Court using evidence-based assessment tools and procedures.

- Historically Disadvantaged Groups**— Citizens who have historically experienced sustained discrimination or reduced social opportunities because of their race, ethnicity, gender, sexual orientation, sexual identity, physical or mental disability, religion, or socioeconomic status receive the same opportunities as other citizens to participate and succeed in the Drug Court.

Comments:

The OSCA Treatment Court Unit Recommends:

4. PROVIDE ACCESS TO A CONTINUUM OF AOD AND RELATED TREATMENT AND REHABILITATIVE SERVICES

- Fully Achieved
- Partially Achieved
- Not in Compliance

- Services should be comprehensive and culturally sensitive.

Performance Benchmarks:

- Treatment provider is DMH Certified? Yes No

- Evidence-based treatment practices/approaches are being utilized
 - MRT Matrix Model Other CBT:
 - Manualized curriculum Trauma-informed
 - Other:

- Individuals are initially screened and thereafter periodically assessed by both court and treatment personnel to ensure that treatment services and individuals are suitably matched. Ongoing assessment is necessary to monitor progress, to change the treatment plan as necessary, and to identify relapse cues. At what phase does relapse prevention begin? Phase 1 Phase 2 Phase 3 Phase 4
- Treatment services are comprehensive and meet the needs of each participant.
- | | |
|--|---|
| <input type="checkbox"/> HiSET Preparation | <input type="checkbox"/> Literacy Classes |
| <input type="checkbox"/> Child Care | <input type="checkbox"/> Educational Support |
| <input type="checkbox"/> Vocational Training | <input type="checkbox"/> Job Readiness (interview prep, resume writing, etc.) |
| <input type="checkbox"/> Financial Counseling/Assistance | <input type="checkbox"/> Legal Counseling/Assistance |
| <input type="checkbox"/> Housing Assistance | <input type="checkbox"/> Transportation Assistance |
| <input type="checkbox"/> Health Care Services | <input type="checkbox"/> Nutrition Education |
| <input type="checkbox"/> Domestic Violence Support | <input type="checkbox"/> Parenting Education |
| <input type="checkbox"/> Anger Management | <input type="checkbox"/> Couples Therapy |
- Medication Assisted Treatment (MAT)
Is every participant screened for MAT? Yes No
What types of MAT are used by your participants (i.e.: Vivitrol, Naltrexone, Buprenorphine, Methadone)
- When was the last time a participant was referred for MAT services?
- Participants have available options for support groups.
- Are post-graduation activities/services made available to participants? Yes No
Does the program have an alumni association? Yes No
In what phase of the program does participation in the alumni association begin? Phase 3 Phase 4
- Treatment provider submits OSCA Monthly Medical Benefit Report form with accompanied participant detail for verification purposes.

Adult Drug Court Best Practice Standards Volume I:

- Substance Abuse Treatment**— Participants receive substance abuse treatment based on a standardized assessment of their treatment needs (reliably diagnosed as dependent on or addicted to illicit drugs, alcohol or prescription medications). Substance abuse treatment is not provided to reward desired behaviors, punish infractions, or serve other nonclinically indicated goals. Treatment providers are trained and supervised to deliver a continuum of evidence-based interventions that are documented in treatment manuals.

Comments:

The OSCA Treatment Court Unit Recommends:

5. ABSTINENCE IS MONITORED BY FREQUENT AOD TESTING

- Fully Achieved
- Partially Achieved
- Not in Compliance

Performance Benchmarks:

- Urine tests occur a minimum 2x/week throughout the program.
 - Testing protocol is fully random utilizing a call-in system by participants.
 - Collection is always DIRECTLY OBSERVED** (urine collections not witnessed are of little or no assessment value).
Types of testing include:
 - On-site UA
 - EtG/EtS
 - Saliva
 - Lab confirmation
 - Synthetic drugs
 - Patch/Sweat
 - PBT/Breathalyzer
 - Hair
 - Other
- Who are the collectors?
- Contracted with OSCA
 - Agreement with local court program
 - Completed background check (or with another agency)
 - Each collector has signed the Collector Standards and Guidelines
 - Trackers are utilized by the program for community supervision.
 - Commissioned Officers
 - Non-commissioned Officers
 - Contracted with OSCA
 - Contracted with local court program
 - Commissioned officer provided copy of POST
 - Non-commissioned officer completed background check
 - Each tracker has signed the Tracker Standards and Guidelines
 - Specific, detailed, written procedures regarding all aspects of urine sample collection, sample analysis, and result reporting and included in program's policy and procedure manual.
 - Test results are available and communicated to the court and the participant within one day. The treatment court functions best when it can to respond immediately to noncompliance; the time between sample collection and availability of results should be short (Drug courts receiving drug test results within 48 hours had 3 times greater savings).

- 24 hours 48 hours More than 48 hours for results

Comments:

The OSCA Treatment Court Unit Recommends:

6. A COORDINATED STRATEGY GOVERNS DRUG COURT RESPONSES TO PARTICIPANT'S COMPLIANCE – SANCTIONS AND REWARDS

- Fully Achieved
- Partially Achieved
- Not in Compliance
- Must be immediate and certain to be most effective (NDCI).
 - A *smart sanction* is the imposition of the minimal amount of punishment necessary to achieve program compliance (NDCI).

Performance Benchmarks:

- Treatment providers, the judge, and other program staff maintain frequent, regular communication to provide timely reporting of progress and noncompliance and to enable the court to respond immediately. Procedures for reporting noncompliance are clearly defined in the treatment court's operating documents.
- Responses to compliance and noncompliance are explained verbally and provided in writing to treatment court participants before their orientation. Periodic reminders are given throughout the treatment process.
- Each team member gets input and all team members agree to incentives and sanctions.
- The program utilizes a sanction matrix.

Adult Drug Court Best Practice Standards Volume I:

- Incentives, Sanctions, and Therapeutic Adjustments**— Consequences for participants' behavior are predictable, fair, consistent, and administered in accordance with evidence-based principles of effective behavior modification.

Comments:

The OSCA Treatment Court Unit Recommends:

7. ONGOING JUDICIAL INTERACTION WITH EACH DRUG COURT PARTICIPANT

- Fully Achieved
- Partially Achieved
- Not in Compliance

Performance Benchmarks:

- The judge is the leader of the treatment court team, linking participants to AOD treatment and to the criminal justice system.
- The judge plays an active role in the treatment process, including frequently reviewing of treatment progress. The judge responds to each participant's positive efforts as well as to noncompliant behavior.
- Frequent status hearings during the initial phases of each participant's program establish and reinforce the treatment court's policies, and ensure effective supervision of each treatment court participant.
- The drug court program holds status hearings every 2 weeks during phases 1 and 2.

Adult Drug Court Best Practice Standards Volume I:

- Roles and Responsibilities of the Judge**—The Drug Court judge stays abreast of current law and research on best practices in Drug Courts, participates regularly in team meetings, interacts frequently and respectfully with participants, and gives due consideration to the input of other team members.

Comments:

The OSCA Treatment Court Unit Recommends:

8. PROGRAM GOALS ARE MONITORED AND EVALUATED TO MEASURE PROGRAM ACHIEVEMENT AND EFFECTIVENESS

- Fully Achieved
- Partially Achieved
- Not in Compliance

Performance Benchmarks:

- Goals of the program are described concretely and in measurable terms.
- Data is entered in JIS in timely manner and is current.
- Policy and Procedure Manual revised within last two years.
- Participant Handbook revised within last two years.
- Participant Contract revised within last two years.
- Program has completed an evaluation since the last OSCA monitoring visit.
- Exit interviews/evaluations conducted with participants are used to make improvements in the program.

Graduation Rate:

Recidivism Rate:

Cost/Participant:

State Average:

State Average:

State Average:

Comments:

The OSCA Treatment Court Unit Recommends:

9. CONTINUING INTERDISCIPLINARY EDUCATION TO PROMOTE UNDERSTANDING AND EFFECTIVENESS OF THE OPERATIONS

- Fully Achieved
- Partially Achieved
- Not in Compliance

- Drug courts that received training prior to implementation had 15 times greater cost savings.
- Drug courts that provided formal training for ALL team members had 5 times greater savings.

Performance Benchmarks:

- Planning initiative attended prior to implementation of program.
- Interdisciplinary education is provided for every person involved in drug court operations to develop a shared understanding of the values, goals, and operating procedures of both the treatment and justice system components.
- All drug court team members participate in continuing education to maintain knowledge of the most current research and best practices in drug court programs.

- All drug court team members attend the NADCP and/or the MADCP conference annually.
- New drug court team members must complete the Essential Elements of Adult Drug Courts with the National Drug Court Institute (<http://www.ndci.org/training/online-trainings-webinars/online-course-essential-elements-adult-drug-courts>).
- Other training attended by drug court team members:

Adult Drug Court Best Practice Standards Volume I:

- Each member of the drug court team attends up-to-date training events on recognizing implicit cultural biases and correcting disparate impacts for members of historically disadvantaged groups (**Historically Disadvantaged Groups**).

Comments:

The OSCA Treatment Court Unit Recommends:

10. FORGING PARTNERSHIPS AMONG DRUG COURTS, PUBLIC AGENCIES, AND COMMUNITY-BASED ORGANIZATIONS GENERATES LOCAL SUPPORT AND ENHANCES PROGRAM EFFECTIVENESS

- Fully Achieved
- Partially Achieved
- Not in Compliance

Performance Benchmarks:

- The drug court program has created a broad based, multi-agency partnership to enhance credibility and elicit support from the community.
- A written memorandum of understanding with the community partners establishes the roles and responsibilities of the partnership members.
- The court provides regular information to the community about the progress of the drug court.

Comments:

The OSCA Treatment Court Unit Recommends:

JIS entries completed by:

Fees:

Fees collected by:

Fees entered into JIS (TC Case): Yes No *****All court programs must follow COR 4*****

RANT Evaluations (adult and veteran programs only):

A RANT evaluation is completed for every adult/veteran participant?

Yes No

All RANT and APD questions are completed for each evaluation?

Yes No

The participant is placed in the appropriate program level and services based upon RANT recommendation?

Yes No

The program ONLY accepts High Risk/High Need offenders following the RANT evaluation.

OR

The program has developed alternative tracks with services modified to meet the risk and need levels of its participants AND does not mix participants with different risk or need levels in the same counseling groups, residential treatment group or housing unit (Adult Drug Court Best Practice Standards Volume I—Target Population)

Comments:

Time in Each Phase of Program:

Phase One:

Phase Two:

Phase Three:

Phase Four:

Phase Five:

Observer signed Confidentiality Form

Team members present at Staffing and Court:

Judge:

Treatment:

Prosecutor:

PO/Juvenile:

Defense:

LE/Tracker:

Treatment Court Administrator/Coordinator:

Other:

On-Site Visit Customer Satisfaction Survey (date sent):

Additional Comments:

The OSCA Treatment Court Unit Recommends:

Best Practices Research:

Dr. Douglas B. Marlowe et al. (2013). Adult Drug Court Best Practice Standards Volume 1. National Association of Drug Court Professionals.

Shannon Carey et al. (2008). Exploring the key components of drug courts: A comparative study of 18 adult drug courts on practices, outcomes and costs. Portland, OR: NPC Research.

Shannon Carey et al. (2008). Drug courts and state mandated drug treatment programs: Outcomes, costs and consequences. Portland, OR: NPC Research.

Michael Finigan et al. (2007). The impact of a mature drug court over 10 years of operation: Recidivism and costs. Portland, OR: NPC Research.

Deborah Shaffer (2006). Reconsidering drug court effectiveness: A meta-analytic review. Las Vegas, NV: Dept. of Criminal Justice, University of Nevada.

* www.npcresearch.com