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April 2003

Reentry Courts Process Evaluation (Phase 1)

Final Report

Prepared for

National Institute of Justice
810 Seventh Street, NW
Washington, DC 20001

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RTI Project Number 08277.000

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Executive Summary

Background

A combination of trends in sentencing, incarceration, and post-release supervision has brought prisoner reentry to the forefront of discussions among policy makers, practitioners, and researchers. Widely recognized increases in incarceration rates over the past 20 years have led to record numbers of prisoners, with current estimates indicating that over 1.4 million people are incarcerated in state or federal prisons. Accompanying the increases in incarceration and release rates are increases in the amount of time served, primarily due to truth-in-sentencing laws and the shift away from discretionary release. Although more prisoners are incarcerated and serving longer sentences, the availability of rehabilitative programs in prisons is low, and program participation among prisoners has been declining over the past decade (Lynch and Sabol, 2001). The emphasis on supervision over rehabilitation is also evident outside of correctional institutions, with post-release supervision officers facing increasingly higher caseloads yet lower per capita spending (Petersilia, 1999). The lack of emphasis on rehabilitation is disconcerting, given the exceptionally high needs of prisoners and releasees, among whom the prevalence of chronic and infectious diseases, mental health problems, and substance abuse is high (Travis, Solomon, and Waul, 2001). Finally, the disproportional impact of reentry on certain communities suggests the need for community-based responses, particularly community partnerships designed to guide reentry efforts and leverage existing resources to deliver comprehensive, integrated services and supervision.

In response to the growing need to effectively manage the large numbers of released prisoners returning into the community, the Office of Justice Programs (OJP) launched the Reentry Court Initiative (RCI) in February 2000. The RCI identified and provided technical assistance to nine sites to implement reentry courts:

- California (San Francisco)
- Colorado (El Paso County)
- Delaware (two distinct programs: New Castle County and Sussex County)
- Florida (Broward County)
- Iowa (Cedar Rapids)
- Kentucky (two distinct programs: Fayette County and Campbell and Kenton counties)
- New York (the Harlem area)
- Ohio (Richland County)
- West Virginia (Mineral, Tucker, and Grant counties)

Drawing on the drug court model, the goal of the RCI was to “establish a seamless system of offender accountability and support services throughout the reentry process.” The sites were charged with

developing strategies to improve the tracking and supervision of offenders upon release, prepare communities to address public safety concerns, and provide the services necessary to help offenders reconnect with their families and the community. The pilot sites were encouraged to test the reentry court model using individualized approaches appropriate to their communities while incorporating a core set of reentry court components.

To ascertain the status of the nine RCI sites, the National Institute of Justice awarded a grant to RTI in October 2001. The current study, Phase 1 of the RCI process evaluation, entailed collecting core programmatic information from all nine sites and conducting site visits to three of the programs to gather more detailed information. Based on the results of this Phase 1 study and other considerations, NIJ will determine whether the release of funds for the full process evaluation (Phase 2) is merited.

Program Updates

Using telephone interviews with key site contacts, RTI gathered core information from the RCI sites, including details on the operational status of each program, the target populations and enrollment, program organization and operations, services provided, key agencies involved, and barriers encountered. Of the nine RCI sites, all but one (San Francisco) were able to reach operational status. Among the eight sites that implemented programs, seven are still operational, with most of the sites planning on continuing their programs.

The programs target a diversity of offender populations, using parameters such as post-release county of residence, offense type, or treatment needs to define their target population. Very few programs (only New Castle, Delaware, and Richland County, Ohio) target the general prison population, with most sites targeting narrowly defined offense types (e.g., domestic violence offenders) or particular treatment needs (such as substance abuse treatment or mental health counseling). The sites adopted a variety of procedures for identifying potential participants. Program participants typically are not identified until a few months prior to release, although some programs identify participants at the time of initial sentencing and therefore can arrange for the coordination of in-prison treatment and intensive pre-release planning. Although about half of the RCI sites function on a small scale (i.e., less than 10 participants currently enrolled), some accommodate larger numbers of participants.

The RCI sites employed diverse approaches in establishing their reentry court programs. A major factor that distinguishes the programs is whether programmatic authority is maintained by the judicial branch or the executive branch. Five of the eight operational sites do involve the judiciary, and the remaining three utilize administrative law judges and/or parole boards as the legal authority. The programs utilize a variety of mechanisms for transferring authority to the reentry court program upon release from prison. The sites that involve the judiciary either use split sentencing or release the offenders from prison directly into the reentry court program via a court order. At sites in which parole is used as the release mechanism, reentry court participation is established as a condition of release from prison. All RCI programs require regular court appearances, which are presided over either by a judge or an administrative law judge (or parole board member). Though some sites established a specialized reentry court docket, others utilize alternative approaches (such as monitoring reentry court clients through an

established drug court). Most programs require between 6 months and 1 year of reentry court participation (after release from prison).

Most RCI sites appear to offer comprehensive services to their program participants, with case management provided either through a specialized case manager or the supervision officer (either parole or probation). Commonly provided services include mental health counseling, physical health care, substance abuse treatment, family counseling, employment and vocational assistance, educational assistance, and housing assistance.

Several barriers are common across the RCI sites, particularly the difficulties in obtaining employment and appropriate, affordable housing for program participants. Other frequently mentioned barriers include interagency cooperation and service availability and access.

Detailed Program Descriptions

To gather more detailed programmatic information by observing court hearings and interviewing key stakeholders, RTI conducted site visits during the Fall 2002 to three of the court-based programs: New Castle County, Delaware; Richland County, Ohio; and West Virginia (a three-county area). Across these programs researchers conducted open-ended interviews with 28 key stakeholders: judges, program directors, supervision officers, case managers, program participants, community policing officers, and treatment providers.

New Castle County, Delaware

The New Castle County reentry court targets the general adult prison population (excluding sex offenders) and, at the time of this report, serves 21 participants identified during their last 6 months of incarceration. After being released from prison to the program through a court order (with participation voluntary) participants attend a week-long orientation in the probation office. Services available to participants include mental health counseling, substance abuse treatment, educational assistance, health services, vocational assistance, mentoring, and assistance with a variety of basic needs. Offenders are supervised by probation officers and receive case management from Treatment Alternatives for Safer Communities (TASC) case managers. Participants appear in court in decreasing frequency over their participation, ranging from once per week to once per month (then twice in the last 6 months).

The key agencies involved in program planning included the courts, TASC, the Department of Corrections (DOC), and service providers. The primary goals of the program were to test the drug court model with released prisoners, provide case management and links to services before and after release, and to help ensure a smoother transition back to the community. Desired outcomes for the Richland County program are re-acclimation to society, securing employment, decreasing substance abuse, reductions in parole violations, and remaining free from the criminal justice system. According to the key stakeholders interviewed, existing resources that were influential in planning and implementing the reentry court were arrangements with TASC and the DOC to donate probation officers and a case

manager with reduced caseloads, and an existing curfew monitoring program shared by community police and probation.

The key stakeholders interviewed in our study felt that the program provides the resources necessary for participants to succeed, particularly more attention and assistance from case managers and probation officers (due to their reduced caseloads). Unlike traditional post-release supervision mechanisms, the reentry court program identifies problems at an early enough stage to address the problems before it is too late. Program staff spoke positively about the level of support from service providers, the courts, probation, and the community. Many respondents felt that the program had facilitated linkages and collaboration among various agencies. The primary programmatic barrier identified by key stakeholders was difficulty in identifying sufficient numbers of eligible participants (resulting in lower enrollment numbers). Regarding future plans, the program will continue operating and attempt to formalize a Reentry Steering Committee and resolve its enrollment barrier by recruiting additional participants from an in-prison residential treatment program.

Richland County, Ohio

The Richland County, Ohio, reentry court targets the general adult prison population, and, at the time of this report, serves 94 participants identified either at the time of initial sentencing or prior to release. Participants may enter the program at the “front end” from the county (through a split sentence or judicial release by the sentencing judge) or at the “back end” from the state Adult Parole Authority (APA), through post-release control or parole. Participation for all eligible offenders is mandatory. Participants are supervised by either county probation officers or state parole officers, and both the judge and an APA board member jointly preside over the status hearings. During the year-long program, participants must appear in court once a month. Available services, coordinated by the reentry court coordinator, include mental health treatment, health care, substance abuse treatment, domestic violence counseling, sex offender treatment, employment/vocational assistance, education assistance, housing assistance, and faith-based community sponsorship.

Existing resources tapped in the planning and implementation of the program include an existing Intensive Supervision Program, a history of collaboration between the county and state, and several established community treatment programs. Key agencies involved in the formation of the program include Richland County Courts, the Department of Rehabilitation and Corrections (DRC), and the APA. The primary goals were to ensure that offenders receive support and structure upon release, to help offenders build a new foundation and a positive support system, and to reduce the occurrence of local crime. The outcomes the program hopes to achieve are the provision of in-prison treatment, maintaining employment for participants, acclimating to the community, avoiding negative associations, and reducing recidivism and reincarceration.

The Richland County key stakeholders felt positively about the program’s effectiveness at preventing recidivism and treating substance abuse. Most felt that the program has increased utilization of services, with reentry court participants benefiting from greater assessment and case management. Respondents spoke favorably about the level of support received from service providers, the courts, probation, and

parole, reporting stronger collaboration and greater consistency in the supervision provided by the county and the state. Very few programmatic barriers were identified, with most respondents indicating that the program was well planned and benefited tremendously from existing resources. The Richland County reentry court was a systematic change to the courts and will continue operating.

West Virginia

The West Virginia reentry court operates in three counties (Mineral, Tucker, and Grant), and, at the time of this report, serves seven juvenile offenders at highest risk (based on severity of the offense and treatment needs). Program participants are typically identified at the time of sentencing (participation is mandatory) and court ordered to the program. Assessment, coordination, and treatment are provided during incarceration in one of two youth facilities, and participants are released early and put on probation during their reentry court participation. A case manager from the Division of Juvenile Services facilitates the provision of services including mental health counseling, education assistance, employment assistance, housing assistance, crisis intervention at schools, family counseling/parenting skills, and assistance with a variety of basic needs. Participants appear in court once per month, with an average program length of 6 months.

Several resources contributed to the planning and implementation of the program, including existing collaborations with service providers and donated staff time (case managers and county probation officers). Key agencies involved in the formation of the program include the Division of Juvenile Services, county probation, the courts, service providers, law enforcement, and Citizens Advisory Boards (formed for each county). The primary goals of the program were to provide intensive aftercare to juveniles to prevent re-offending and to help them be successful, productive citizens. Key stakeholders from the West Virginia program list desired outcomes as meeting the basic needs of participants, addressing reunification with parents, providing restitution to the victims, securing employment (or return to school), reducing recidivism and reincarceration, maintaining a life free from drugs, and living as productive members of society.

The West Virginia respondents felt positively about the ability of the program to prevent recidivism but do not consider the available substance abuse treatment resources adequate to have a significant impact on substance abuse. Key stakeholders acknowledged the importance of the case manager's role, indicating that the structure and individualized attention are beneficial. Respondents spoke favorably about the level of support from the courts, probation, and service providers, indicating that the program has improved collaboration and made communication more focused. The program has encountered numerous barriers, including lack of funding, staff, availability of substance abuse treatment, and housing. In addition, the program is challenged by lack of involvement from the Citizens Advisory Board and interagency bureaucratic issues. Plans are to continue operation of the reentry court, eventually expanding the number of participants served.

Conclusions

The RCI sites were charged with testing the reentry court model using basic key components yet tailoring their programs to suit the individual legal, political, and community context in which they operate. Although the sites were not awarded federal funding to implement their programs and received only limited technical assistance, all but one were successful in implementing their programs. While some of the programs continue to operate on a small scale, others have been able to achieve relatively high enrollment numbers and nearly all programs expect to continue operating and expanding their reentry courts.

Common themes as well as unique variations across the sites were evident regarding assessment and planning, judicial oversight, management of support services, community accountability, and the use of rewards and sanctions. The main similarities in the reentry court approach used across the sites include the types of services available to participants (with almost all programs providing substance abuse treatment, mental health treatment, job placement/vocational services, educational assistance, housing assistance, and assistance with other basic needs) and the use of regular status hearings to monitor the progress of participants. Major differences were evident regarding target population, key agencies involved (including involvement of the judiciary), and the type of supervision and case management. The variation in the programs suggests that, while many basic elements were evident across the programs, the RCI sites adapted their programs to accommodate the unique legal, political, and community context in which they operate.

The Reentry Courts Initiative has demonstrated the importance of bringing the appropriate key stakeholders to the table, ensuring that all participating agencies benefit from the particular model developed by the site. In addition, the RCI confirms the need to leverage existing resources unique to a particular community in order to implement a successful program.

Phase 1 of the RCI process evaluation focused on gathering basic programmatic data on all nine sites and detailed information for three of the court-based programs. However, further research on several key implementation characteristics, including funding sources and program costs, specific ways in which programs dealt with the barriers they encountered, and whether programs met their original goals, would provide valuable information to sites interested in establishing successful reentry courts. Phase 2, if funded, would address these issues and yield additional insights into the formation and functioning of alternative models, including several non court-based programs. Given that reentry courts are a promising, yet fledgling approach to managing the complex problem of prisoner reentry, documenting all types of models used in establishing programs is an important contribution to the field, one that will serve policy makers, practitioners, and researchers alike.

1. Introduction

In response to the growing need to effectively manage the large numbers of released prisoners returning to the community, the Office of Justice Programs (OJP) launched the Reentry Court Initiative (RCI) in February 2000. The RCI identified and provided technical assistance to nine sites to implement reentry courts. Drawing on the drug court model, the goal of the RCI was to “establish a seamless system of offender accountability and support services throughout the reentry process.” The nine sites were charged with developing strategies to improve the tracking and supervision of offenders upon release, prepare communities to address public safety concerns, and provide the services necessary to help offenders reconnect with their families and the community. The pilot sites were encouraged to test the reentry court model using individualized approaches appropriate to their communities while incorporating a core set of reentry court components.

To ascertain the status of the nine RCI programs and to explore the feasibility of conducting a formal process evaluation, RTI was awarded a grant from the National Institute of Justice (NIJ) in October 2001. Although NIJ had intended to fund a full process evaluation, the uncertainty regarding the sites’ ability to successfully implement their programs and the time lag between RCI’s initiation and the funding of the evaluation resulted in a smaller scale study of the RCI programs than originally intended. RTI was asked to collect core information on the status and scope of the nine programs and to conduct site visits to three of the programs to gather more detailed information. Based on the results of this Phase 1 study and other considerations, NIJ will determine whether the release of funds for the full process evaluation (Phase 2) is merited.

This report presents the results of Phase 1 of the RCI Process Evaluation. In the following chapter, we discuss reentry issues that provided the impetus for the RCI and describe the RCI in detail. Chapter 3 provides core programmatic information for all nine sites, including: program status, target populations, organization and operations, services provided, key agencies involved, and barriers encountered. Chapter 4 presents detailed program descriptions and logic models for the three sites selected for more in-depth study. Finally, the report concludes with a summary of key findings and a discussion of issues for further consideration.

2. Background

A combination of trends in sentencing, incarceration, and post-release supervision has brought prisoner reentry to the forefront of discussions among policy makers, practitioners, and researchers in the fields of criminal justice, labor, education, public health, mental health, and substance abuse. This chapter briefly discusses the trends that contributed to the conceptualization of reentry courts as a solution to prisoner reentry and describes the reentry court model.

2.1 The Need for Reentry Management

Widely recognized increases in incarceration rates over the past 20 years have led to record numbers of prisoners, with current estimates indicating that over 1.4 million people are incarcerated in state or federal prisons. The increase in incarceration rates is partly due to longer sentences for drug offenses (Blumstein and Beck, 1999). However, large numbers of parole violations are also responsible for this trend (Petersilia, 2000), suggesting the need for better management of released offenders. Concomitant with increasing incarceration rates are increasing numbers of releasees, with Bureau of Justice Statistics estimates of over 600,000 individuals released from prison each year. Despite recent accounts indicating that the growth rate of prison releasees is declining slightly (Lynch and Sabol, 2001), large numbers of ex-offenders continue to be released into the community.

The increases in incarceration and release rates have been accompanied by increases in the amount of time served in prisons. The amount of time served has increased from an average of 22 months for prisoners released in 1990 to 28 months for those released in 1998 (Beck, 2000). The trend toward serving more time in prison is primarily due to truth-in-sentencing laws and the shift away from discretionary release, rather than to changes in offense type (Lynch and Sabol, 2001). The increase in time served in prison has implications for reentry in that longer prison stays may impact subsequent employment and earnings and are associated with less family contact, which, in turn, can have adverse effects on community reintegration upon release (Lynch and Sabol, 2001). Trends toward serving more time in prison have not resulted in a greater likelihood of prisoners' rehabilitative needs being met. The availability of rehabilitative programs in prison is low, and program participation among prisoners has been declining over the past decade, with only 35 percent of soon-to-be-released inmates reporting participation in educational programs and 27 percent reporting participation in vocational programs in 1997 (Lynch and Sabol, 2001). Substance abuse treatment is an especially prevalent service need among inmates, as the majority of prisoners have drug or alcohol problems. However, although estimates suggest that 70 to 85 percent of state prisoners need treatment, the Office of National Drug Control Policy reports that only 13 percent of inmates receive it while incarcerated (Byrne et al., 1998). This is unfortunate because participation in prison treatment programs has been shown to decrease recidivism, particularly when followed by community aftercare (Gaes et al., 1999).

The emphasis on supervision over rehabilitation is also evident outside of correctional institutions. Currently, three-fourths of releasees are on some type of post-release supervision, yet existing supervision mechanisms do not appear to be effective at promoting successful community reintegration. Caseloads for supervision officers are increasingly higher, and the per capita spending is lower (Petersilia, 1999). Partially because of such declines in per capita parole resources, offenders released from prison are receiving less case planning and management. Not surprisingly, parolees are less likely than ever before to successfully complete parole. Failure rates are high; 60 percent of releasees are rearrested within 3 years of release, and 40 percent are reincarcerated (Beck and Shipley, 1989). In particular, recidivism rates are highest in the first year after release.

The increasing emphasis of correctional institutions and supervision agencies on supervision over rehabilitation is a potentially troubling trend, given the exceptionally high needs of prisoners and releasees. Chronic and infectious diseases, mental health problems, and substance abuse are extremely prevalent among prisoners and releasees (Travis, Solomon, and Waul, 2001). The need for assistance with housing, employment, and education are equally strong. Successful management of released offenders must combine intensive supervision with comprehensive case planning and management.

A final issue in reentry that influences the management of ex-offenders is the concentration of returning prisoners in certain communities. Core urban communities tend to be disproportionately impacted by the increasing numbers of prison releasees (Lynch and Sabol, 2001). The disproportional impact of reentry on certain communities suggests the need for community-based responses, particularly community partnerships designed to guide reentry efforts and leverage existing resources to deliver comprehensive, integrated services, as well as to maximize supervision.

In sum, the issues reviewed in this section suggest the need for a new approach to managing the large numbers of ex-prisoners who are returning to our communities unprepared for release and with significant needs. Successfully reintegrating ex-prisoners into the community requires the involvement of many key stakeholders, including service providers, community law enforcement, and courts. In recognition of the need for multidisciplinary efforts in promoting successful prisoner reintegration, several federal reentry initiatives to encourage community partnerships have been implemented, including the Reentry Partnerships Initiative, the Serious and Violent Offender Reentry Initiative (SVORI), and the Reentry Courts Initiative (RCI). All three involve a variety of key stakeholders, including institutional and community corrections, treatment providers, law enforcement, and community groups. The RCI is unique in being court-based, encouraging the management of released prisoners using the promising drug court model. One of the unique advantages of court-based reentry management is that this model allows the reentry process to begin at sentencing and continue throughout the release period (Travis, 2000). In addition, court-based models are able to leverage judicial authority and to maximize the use of sanctions and rewards (Travis, 2000).

2.2 The Reentry Courts Initiative

The impetus for the RCI was the recognition that using judicial authority to apply sanctions and rewards and to marshal resources has been shown to be effective in drug courts and that a similar model could be

applied to support prisoner reintegration. Courts could be used to oversee the reentry process, including monitoring, supervision, case management, service provision, and community involvement. The RCI solicitation identified six core elements of reentry courts, described in Exhibit 2-1. However, the Office of Justice Programs (OJP) recognized that numerous approaches could be used in establishing reentry courts, primarily with respect to judiciary involvement and authority. For example, some sites might establish quasi courts through the use of an administrative law judge. OJP envisioned a variety of configurations, depending on the statutory framework in the state, caseload, administrative flexibility, and levels of collaboration among key stakeholders.

Exhibit 2-1. Core Components of Reentry Courts

Component	Description
Assessment and planning	<ul style="list-style-type: none"> • Identification of appropriate candidates for program participation prior to release • Needs assessment and planning prior to release, including social services, family counseling, health and mental health services, housing, job training, and work opportunities • Involvement of correctional administrators, reentry judge, and parole agency
Active oversight	<ul style="list-style-type: none"> • Regular court appearances beginning immediately after release and continuing throughout supervision • Involvement of judge, supervision officer, community policing officer • Program participants witness others' court appearances
Management of support services	<ul style="list-style-type: none"> • Program to identify necessary resources, including substance abuse treatment providers, job training programs, private employers, faith institutions, family members, housing services, and community organizations • Support resources marshaled by court • Case management approach to be developed by and accountable to court
Accountability to community	<ul style="list-style-type: none"> • Use of citizen advisory board • Restitution requirement • Involvement of victims' organizations
Graduated and parsimonious sanctions	<ul style="list-style-type: none"> • Use of predetermined range of sanctions for violations of supervision conditions • Sanctions to be administered swiftly, predictably, and universally
Rewards for success	<ul style="list-style-type: none"> • Identification of program milestones • Use of rewards (e.g., early release, graduation ceremonies) to recognize milestones • Public forum desirable

In September 1999, OJP released a call for concept papers to identify sites interested in piloting reentry court programs. In February 2000, nine sites were selected to participate in the RCI. The selected sites, which represent 10 distinct reentry courts, are listed in Exhibit 2-2. The RCI sites did not receive programmatic funding but participated in two OJP-sponsored technical assistance cluster meetings to discuss issues, approaches, and challenges. The cluster meetings took place in April and September 2000. It was originally planned that the sites would receive additional local technical assistance from OJP upon request, but this component of the RCI was not implemented.

Exhibit 2-2. List of RCI Programs

California (San Francisco)
Colorado (El Paso County)
Delaware (two distinct programs in New Castle County and Sussex County)
Florida (Broward County)
Iowa (Cedar Rapids)
Kentucky (two distinct programs: Fayette County and Campbell and Kenton counties)
New York (Harlem area)
Ohio (Richland County)
West Virginia (Mineral, Tucker, and Grant Counties)

To document the implementation of the reentry courts, NIJ originally intended to sponsor a process evaluation of the RCI, including logic model development and a fidelity assessment for each of the programs. However, the uncertainty regarding the sites' ability to successfully implement their programs (in the absence of federal funding and potentially insurmountable barriers that programs faced) and the time lag between the initiation of the RCI and the funding of the evaluation resulted in a smaller scale study of the RCI programs. In October 2001, RTI received funding for Phase 1 of the process evaluation, which entailed collecting core information on the status and scope of the programs from the nine sites and conducting site visits to three of the programs to gather more detailed information. The following chapter presents the program updates for all nine RCI sites.

3. Program Updates

This chapter describes our methodology for gathering basic information from the nine Reentry Courts Initiative (RCI) sites and provides programmatic details for each site. We discuss the operational status of the programs, the target populations and enrollment, program organization and operations, services provided, key agencies involved, and barriers encountered.

3.1 Methodology

To gather basic descriptive information about the RCI programs, the Study Leader contacted the project director (or, for sites without a project director, the individual most knowledgeable about the program) at each site to set up a telephone interview. Following a semistructured interview guide, the Study Leader and Project Manager conducted interviews lasting approximately one hour with the key contact from each site. Exhibit 3-1 lists the various topics covered in the telephone interviews. In addition to the information gathered during these interviews, the evaluation team also requested and reviewed any existing program materials available for the RCI sites. The remainder of this chapter presents the results of the telephone interviews and review of program materials, organized by the topics listed in Exhibit 3-1.

Exhibit 3-1. Topics Covered in Program Update Telephone Interviews

Program status	<ul style="list-style-type: none">• Operational status (operational, nonoperational)• Date of program inception• Major activities completed• Implementation schedule/next steps
Target population/enrollment	<ul style="list-style-type: none">• Target population (inclusion/exclusion criteria)• Procedures for identifying participants• Enrollment information
Program organization and operations	<ul style="list-style-type: none">• Judicial involvement• Procedure for legal authority being transferred to reentry court program• Supervision/monitoring• Court appearances• Program length
Services provided	<ul style="list-style-type: none">• Case management• Treatment/ancillary services available

Exhibit 3-1. (continued)

Key agencies involved	<ul style="list-style-type: none">• Core team members• Agencies involved
Barriers	<ul style="list-style-type: none">• Barriers encountered• Changes in original scope• Existence of funding

3.2 Program Status

Exhibit 3-2 presents information about the current status of each program. Of the nine RCI sites, all but one (San Francisco, California) were able to reach operational status; of these, seven are still operational. The Kentucky site stopped admitting new participants but is still providing services to participants who were already in the programs.

In addition to implementing their programs, the RCI sites acknowledged other major activities, such as applying for state and federal funding, conducting local evaluations, and participating in trainings. Regarding future activities and plans for program continuation, the seven currently operational sites plan to continue their programs, with the potential exception of one of the Delaware programs (Sussex County), which may not be able to continue operation. The barriers to implementation or continuation in San Francisco, Kentucky, and Sussex County, Delaware are discussed later in this chapter. Several RCI sites intend to expand their programs to include other offender populations (such as violent offenders) or to enhance the services available through their current programs.

3.3 Target Population and Enrollment Information

Exhibit 3-3 contains detailed information about the target population (including exclusion criteria), procedures for the identification of potential program participants, and enrollment data. The programs target a diversity of offender populations, using parameters such as post-release county of residence, offense type, or treatment needs to define their target population. All of the programs operate within a one- to three-county area (the New York program targets a more narrowly defined area, focusing on three police precincts in Harlem), serving released prisoners who reside in or return to that area upon release.

Two programs (New Castle, Delaware; and Richland County, Ohio), target the general prison population but exclude certain types of offenders (for example, those who refuse in-prison treatment). Most programs accept participants with a narrowly defined offense type or particular treatment needs. For example, Broward County, Florida; Kentucky; and New York all target offenders with drug charges and/or substance abuse problems. Two programs specifically target offenders with mental health disorders (Cedar Rapids, Iowa; and El Paso County, Colorado; with the latter program targeting offenders with co-occurring mental health and substance abuse disorders).

Exhibit 3-2. Program Status Information

	Operational Status	Date of Program Inception	Major Activities Completed	Future Activities Planned
San Francisco, CA	Did not implement program	N/A	Identified local evaluator	None
El Paso County, CO	Operational	10/01	Implemented program; received state funding; received SVORI grant; obtained courtroom space	Continue pilot program for 6 months, determine feasibility of program
New Castle County, DE	Operational	8/00	Implemented program; began local evaluation (discontinued); received SVORI grant	Expand program to include participants of an in-prison therapeutic community program; find local evaluator; establish reentry steering committee
Sussex County, DE	Operational	2/00	Implemented program	Examine impact of program (want to continue but will reevaluate program)
Broward County, FL	Operational	7/01	Implemented program; submitted grant proposal; began evaluation	Continue providing services within existing framework; identify probation officers to deal exclusively with reentry court participants
Cedar Rapids, IA	Operational	10/00	Implemented program; received state grant	Look at lessons learned from treating mentally ill offenders for application to potentially treating other difficult populations
Kentucky	No longer accepting new program participants	11/00	Received funding for evaluation; implemented program	Have stopped admitting new participants but will continue supervising remaining participants
New York	Operational	5/01	Implemented program; received SVORI grant; began local evaluation; hired and trained staff (community outreach coordinator and case manager), held 3 graduation ceremonies	Expand program to include serious and violent offenders; enhance ability to bring offenders to prerelease facility in a timely manner; bring program in line with statewide reentry strategy
Richland County, OH	Operational	1/01	Implemented program; conducted process evaluation	Serve as a mentor court; expand services available to participants

West Virginia	Operational	6/00	Implemented program; received SVORI grant	Focus on 3 main counties, then expand to 10; increase caseload; secure funding
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Exhibit 3-3. Target Population and Enrollment Information

	Target Population	Procedures for Identifying Participants	Enrollment Information*
San Francisco, CA	N/A (intended to target domestic violence offenders participating in an existing domestic violence program)	N/A	0
El Paso County, CO	Offenders with mental health and substance abuse disorders with post-release residence in El Paso County	Potential participants identified by Office of Offender Services (in prison) and prequalified prior to parole board hearing; entrance decided at parole board hearing (however, some participants not identified until after release; these participants may be identified by administrative law judge, parole officer, or mental health agency staff)	Current enrollment: 2 Graduates: 2 Cumulative enrollment: 7
New Castle County, DE	General adult prison population who have served a minimum of 1 year in prison and with post-release residence in New Castle County; exclude sex offenders, parole board violators, offenders serving mandatory sentences, offenders with open charges, and offenders with major discipline problems in prison	Case manager receives list of upcoming releases from the Department of Corrections (DOC) and reviews files and interviews prisoners who meet all eligibility criteria; probation officers conduct home visits to secure suitable housing; eligible offenders appear in court and sign court order transferring them into program	Current enrollment: 23 Graduates: 15 Cumulative enrollment: 74
Sussex County, DE	Domestic violence offenders incarcerated in jail or prison (although some have not been incarcerated and with post-release residence in Sussex County)	Referred by deputy attorney general (most common), the judge, or the probation officer	Current enrollment: 36 Graduates: 16 Cumulative enrollment: 60
Broward County, FL	Non-violent felony offenders with substance abuse problems/drug charges participating in prison-based substance abuse treatment and with post-release residence in Broward County	DOC records reviewed by Reentry Court Team; DOC district supervisor introduces program through letter and interview to eligible offenders before release; willing participants appear in court day after release to enroll	Current enrollment: 4 Graduates: 3 Cumulative enrollment: 12

*Current enrollment reflects enrollment in December, 2002.

Exhibit 3-3. (continued)

	Target Population	Procedures for Identifying Participants	Enrollment Information
Cedar Rapids, IA	Offenders with significant mental health problems; exclude sex offenders	Participants identified by case manager in consultation with in-prison treatment staff; parole board makes decision regarding approval into program	Current enrollment: 23 Graduates: 8 Cumulative enrollment: 36
Kentucky	Nonviolent felony offenders with substance abuse problems/drug charges and with post-release residence in Campbell, Kenton, and Fayette counties	Screening by drug court coordinator	Current enrollment: 1 Graduates: N/A Cumulative enrollment: 7
New York	Nonviolent felony offenders with drug charges (including sales) and with post-release residence in one of 3 precincts in the Harlem area; exclude severely mentally ill and sex offenders	Identified upon transfer by the Division of Parole and the DOC to a “down state” facility for prerelease planning (and community prep investigation), which occurs 3-4 weeks prior to release	Current enrollment: 30-35 Graduates: 22 Cumulative enrollment: 58
Richland County, OH	General prison population sentenced through Richland County Common Pleas Court and with post-release residence in Richland County; exclude sex offenders “in denial” and severely mentally challenged	Offenders who enter the program from the court are evaluated for reentry court prior to sentencing (and receive treatment and monitoring in prison); offenders who enter from the state are identified by an institutional parole officer prior to release	Current enrollment: 94 Graduates: 34 Cumulative enrollment: 160
West Virginia	Juveniles at highest risk (defined by severity of offense, substance abuse problems, family situation, criminal record) with post-release residence in Mineral, Tucker, or Grant counties	Identified at sentencing or upon entry into correctional facility	Current enrollment: 7 Graduates: 3 Cumulative enrollment: 13

Another characteristic that differentiates the programs is whether they accept violent offenders. Broward County, Kentucky, and New York include only nonviolent offenders, whereas the Sussex County program specifically targets domestic violence offenders. The West Virginia program, which is the only program serving juvenile offenders, targets juveniles considered to be at highest risk (with the violence of the crime being used as a criteria in determining risk, along with other factors such as substance abuse problems and criminal history).

In addition to identifying the primary target population served, using major parameters such as offense type or treatment needs, sites may apply additional exclusion criteria that limit the offenders who are eligible to enter the program. Sites may factor in information about the offender's behavior while imprisoned (i.e., behavioral infractions), the offender's ability to be placed in suitable housing upon release, the amount of time served in prison, or the county in which they were originally sentenced.

The operational RCI sites adopted a variety of procedures for identifying potential participants. Typically, program participants are not identified until a few months prior to release. However, West Virginia and Richland County are able to identify participants at the time of initial sentencing and therefore arrange for the coordination of in-prison treatment and intensive prerelease planning. The New York program is unique among the nine sites in having reentry court participants transferred to a prerelease facility three to four weeks prior to release for intensive needs assessment and prerelease planning. Across the RCI sites, potential participants are generally identified in consultation with institutional staff, supervision officers, case managers, and, at sites in which authority over the reentry court program is held by a parole board, parole board members.

As evident in Exhibit 3-3, about half of the operational sites are functioning on a small scale, with less than 10 participants enrolled at the time this report was written. Restrictive inclusion criteria and difficulty in identifying eligible participants are partially responsible for the small number of participants. Other key factors contributing to low enrollment (discussed in more detail in Section 3.7) include lack of program funding, staff shortages, establishing program participation as voluntary, judges' reluctance to give split sentences, and the limited availability of administrative law judges. However, some of the RCI programs were able to operate on a larger scale. The largest program (Richland County) has incorporated the reentry court program into the "standard operating procedures" of the judicial circuit.

3.4 Program Organization and Operations

The RCI sites employed diverse approaches in establishing their reentry court programs. One of the major factors that distinguishes the programs is whether programmatic authority is maintained by the judicial branch (i.e., courts) or the executive branch ("quasi-courts"). Exhibit 3-4 presents information about the organization and operations of the programs. Not all of the reentry courts are courts in the traditional sense. Five of the eight operational sites involve the judiciary; the remaining three utilize administrative law judges and/or parole boards as the legal authority.¹ It is also important to note that

¹ Although the New York program utilizes the parole board as the ultimate authority, the State Office of Court Administration is involved in the program in an advisory capacity.

among the programs that *do* involve the courts, two (Broward County and Kentucky) utilize existing drug courts to monitor the reentry court clients rather than distinct reentry courts. As will be evident

Exhibit 3-4. Program Organization and Operations Information

	Judicial Involvement	Reentry Court Release Mechanisms	Supervision Mechanism	Court Appearances	Program Length
San Francisco, CA	N/A	N/A	N/A	N/A	N/A
El Paso County, CO	No	Program participation established as condition of parole (participants enter voluntarily); entrance determined by parole board	Parole	Appear before administrative law judge once/month	Duration of parole (6 months to 2 years)
New Castle County, DE	Yes	Participants court ordered to reentry court (participants voluntarily sign contract); reentry court considered a “level 4 sanction,” which enables prisoners to be released into the program	Probation	Appear before judge on the following schedule: <ul style="list-style-type: none"> • Month 1: once/week • Months 2-3: twice/month • Months 4-6: once/month; • Then twice in the last 6 months 	1 year (but flexible depending on success)
Sussex County, DE	Yes	Participants acknowledge participation as part of plea agreement	Probation	Appear before judge once/month	Minimum of 6 months
Broward County, FL	Yes	Most enter program through split-sentencing; some enter voluntarily	Probation	Appear before drug court judge as needed (usually monthly); appearances decrease with progress; if relapse, special hearing will be called	Dependent on duration of probation and/or treatment
Cedar Rapids, IA	No	Program participation made a condition of release (participants voluntarily agree to early release)	Parole or probation	Appear once or twice per month before community accountability board	At least 6 months; length depends on duration of supervision

Exhibit 3-4. (continued)

	Judiciary Involvement	Reentry Court Release Mechanisms	Supervision Mechanism	Court Appearances	Program Length
Kentucky	Yes	Enter through split sentencing (serve a portion of their time in correctional institutions and the remaining sentence under supervision of the reentry court)	Probation	Appear before drug court judge on the following schedule: <ul style="list-style-type: none"> • Phase 1: 4 times/month • Phase 2: twice/month • Phase 3: once/month 	6 months in-prison treatment followed by drug court supervision for a minimum of 1 year
New York	No	Eligible offenders paroled by parole board; program participation mandatory	Parole	Appear before administrative law judge on the following schedule: <ul style="list-style-type: none"> • Phase 1: twice/month • Phase 2: once/month • Phase 3: once/month 	18 months (including aftercare)
Richland County, OH	Yes	Offenders who enter the program from the courts enter through either split sentence (for those with multiple offenses) or judicial release by sentencing judge; offenders who enter the program from the Adult Parole Authority are released into the program either through postrelease control or parole (only those sentenced prior to a 1996 truth-in-sentencing law); program participation mandatory	Parole or probation	Appear before either judge or parole board member (who jointly preside over status hearings) once/month	1 year

West Virginia	Yes	Most program participants court-ordered into reentry court at initial sentencing; some court-ordered upon release; program participation mandatory	Probation	Appear before judge once/month	6-18 months (flexible)
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throughout this section, whether authority is maintained by the executive or judicial branch of government influences a variety of operational factors, including the procedures for enrolling the individual in reentry court, post-release supervision mechanism, and the type of status hearing operated by the program.

Depending on whether the authority rests with the judicial or executive branch, the programs utilize a variety of mechanisms for transferring authority to the reentry court program upon release from prison. The sites that involve the judiciary either use split sentencing (Broward County and Kentucky) or have the offenders released from prison directly into the reentry court program via a court order (New Castle and West Virginia). Richland County uses both split sentencing and judicial release as mechanisms to transfer offenders into the reentry court program. Among the sites without judicial involvement, program participation may technically be either voluntary or mandatory. However, in all sites in which parole is used as the release mechanism, reentry court participation is ultimately established as a condition of release from prison. Only one program (New York) utilizes a prerelease facility to which reentry court participants are transferred three to four weeks prior to release; the remaining programs release prisoners directly into parole supervision.

The supervision mechanism is determined by where the oversight authority resides (judicial or executive branch). Among the sites with judiciary involvement, the reentry court participants are typically on probation, under the supervision of a county probation officer. Among the sites without judiciary involvement, the program participants are generally on parole and report regularly to a state parole officer. The Richland County program is unique in that program participants may be under the authority of *either* the executive branch (i.e., ex-prisoners on state parole) *or* the judicial branch (i.e., ex-prisoners on county probation); thus, this program utilizes both probation and parole officers.

The majority of the operational programs require regular court appearances (status hearings), although the frequency of such hearings varies. As shown in Exhibit 3-4, several programs utilize program phases (similar to the drug court model), with court appearances required in decreasing frequency as program participants progress through the program. In the programs in which authority is maintained by the executive branch, the hearings are presided over by either an administrative law judge or a parole board member. The Cedar Rapids program is unique in requiring appearances before a community accountability board, consisting of representatives from service agencies, hospitals, educational institutions, the police department, and victims groups. In the programs in which authority is maintained by the judicial branch, a judge presides over the status hearings. In the Richland County program (which involves authority by both the judicial and executive branches), a judge and a parole board member jointly preside over the hearing, alternately hearing the cases for which they have direct authority. Among the programs with judicial involvement, not all have established a specialized reentry court docket. The Broward County program and the Kentucky programs utilize the existing drug courts in their counties, and the drug court judge hears the reentry court cases within the drug court docket. The West Virginia program incorporates the reentry court cases into a loosely defined “juvenile court docket,” which includes all cases involving juveniles.

The final operational characteristic presented in Exhibit 3-4 is the duration of the reentry court programs. Several of the programs do not have a fixed program length but instead determine program involvement

based on the duration of post-release supervision or participation in specific treatment programs. Most programs require from 6 months to 1 year of participation (after release from prison). Regarding prerelease programming, several programs utilize case management and programming in the correctional facility. The Kentucky and Broward County programs are unique in involving in-prison drug treatment, followed by post-release supervision (these programs have been set up as reentry courts for participants in established in-prison treatment programs and utilize existing drug courts). In addition, as mentioned above, the New York program utilizes a prerelease facility to which reentry court participants are transferred three to four weeks prior to release. At this facility, reentry court participants receive an intensive intake assessment to determine service needs. The Richland County program also emphasizes the “front end” enrollment of participants into the reentry court so that participants can be linked to needed services while in prison (including a 6-month residential treatment program); however, this prerelease planning and case management typically occurs only for the offenders who enter the program from the judiciary (rather than those on state parole). The West Virginia program also emphasizes early identification of program participants in order to coordinate prerelease programming.

Several programs are almost exclusively post-release in focus. Although this is contrary to the “ideal” reentry model, which identifies offenders in advance of their release to engage in individualized prerelease planning and provide the offender with the necessary programming while incarcerated, this degree of early identification and coordination was often beyond the capabilities of the RCI sites’ pilot programs. Several sites identify potential program participants a few months prior to release, and, in some cases, participants are not identified until after they are released. Indeed, one program noted that because its state still utilizes discretionary release, the fact that the date of release is not known in advance limits the amount of prerelease planning the program can implement. Other programs are often limited by the personnel and cost entailed in such prerelease coordination.

3.5 Reentry Services Provided

Most RCI sites offer a variety of services to their program participants. Exhibit 3-5 lists the services available in each site and the mechanism through which case management is provided. In several cases, case management is provided through the parole or probation officer, but in some sites a specialized case manager is used. El Paso County, Colorado, and both of the Delaware programs utilize TASC (Treatment Alternatives for Safer Communities) case managers specifically assigned to reentry court clients. Richland County is unique in utilizing a reentry court coordinator who works exclusively with reentry court clients and arranges pre- and post-release programming.

Little variability in the services provided to program participants is evident across the RCI sites. Most offer substance abuse treatment, although the availability of appropriate residential treatment is often limited, particularly for rural sites such as West Virginia. As mentioned, the Kentucky and Broward County programs involve an intensive in-prison treatment program (followed by supervision through drug courts). Several programs offer mental health assessment and treatment, and physical health services. Cedar Rapids offers medication management services to its reentry court participants, a much-needed service for their population of severely mentally ill offenders. A few programs also offer domestic

violence counseling, although the availability of such services is often limited. The Sussex County program, which specifically targets domestic violence offenders, encountered difficulty in obtaining

Exhibit 3-5. Services Provided

	Case Management	Services Available
San Francisco, CA	N/A	N/A
El Paso County, CO	TASC case manager (one TASC case manager assigned to reentry court)	Mental health treatment; substance abuse treatment; housing assistance; financial assistance; educational assistance; employment assistance/vocational training
New Castle County, DE	TASC case manager (one TASC case manager assigned to reentry court)	Week-long orientation; mental health counseling; substance abuse treatment; educational assistance; employment assistance/vocational training; mentoring; clothing assistance; food bank
Sussex County, DE	TASC case manager	Substance abuse treatment; domestic violence counseling; educational assistance; employment assistance/vocational training
Broward County, FL	Probation officer	Mental health treatment; health care; substance abuse treatment; domestic violence counseling; housing assistance; educational programming; employment assistance/vocational training
Cedar Rapids, IA	Case manager	Mental health treatment; medication management; housing assistance; transportation assistance
Kentucky	Administrative Office of the Court (AOC) case managers	Substance abuse treatment (in-prison therapeutic community and outpatient treatment); employment assistance
New York	Parole officer and resource coordinator	Mental health treatment; health care; substance abuse treatment; employment program (transitional work program); group counseling; family mediation
Richland County, OH	Reentry treatment coordinator	Mental health treatment; health care; substance abuse treatment (including secure residential treatment); domestic violence counseling; sex offender programming; employment assistance/vocational training; education assistance; housing assistance; faith-based community sponsorship
West Virginia	Case managers (from Division of Juvenile Services)	Mental health counseling; education assistance; employment assistance/vocational training; housing assistance; crisis intervention at schools; family counseling/parenting skills; assistance with basic needs (clothing, transportation, food stamp eligibility, birth certificates/identification)

needed services for program participants. Almost all programs offer a variety of job placement/vocational services, as well as educational assistance, and housing placement services. Finally, many programs noted the necessity of assisting program participants with numerous basic needs, such as finding clothing, obtaining birth certificates (and other necessary identification), and resolving tangential legal issues (such as child support).

3.6 Key Agencies Involved

Exhibit 3-6 lists the key agencies involved in each site's reentry court. As mentioned, the programs involve either the courts or state parole boards (with the exception of Richland County in which authority is shared). Supervision agencies also differ across the programs, depending on the post-release supervision mechanism (i.e., probation or parole) and the extent of prerelease involvement by correctional institutions. The programs involve a variety of private service agencies and state departments (such as the Departments of Health and Human Services [DHHS], Education, Labor, etc.). Law enforcement agencies are involved in several programs. The citizens accountability board utilized in the Cedar Rapids program contains a representative from the local police department. In addition, the Richland County reentry court has a community police officer in attendance at status hearings and involves frequent interaction among the parole and probation officers, community policing, and the traditional police force. Most of the RCI sites report little involvement by either the district attorney's office or the public defender's office once the offender enters the program; the West Virginia program is unique in having the prosecuting attorney attend the status hearings. Finally, community advisory boards are used in varying degrees across the sites. Most of the programs do not have formal involvement from community representatives; the most notable exception is the Cedar Rapids program, which utilizes its citizens accountability board to conduct the status hearings. The West Virginia program uses community members in an advisory capacity through its Citizens Advisory Boards, which have been established in each county in which the program operates.

3.7 Barriers Encountered

The final information gathered during the program update telephone calls was the barriers encountered by the sites. Lack of funding was a problem for all sites. The RCI did not provide any financial support for the establishment of the programs, and the majority of the operational programs did not receive any funding from any other source. Exceptions were El Paso County, which received some funding from the state (Colorado) Department of Corrections (DOC); Cedar Rapids, which received a state (Iowa) DHHS grant; and New York, which received funding from Technical Assistance for Needy Families (TANF). Kentucky also received a small grant (from State Justice Institute) to conduct a local evaluation.

Exhibit 3-7 lists barriers encountered by the RCI sites. Many barriers are common, particularly the difficulties in obtaining employment and appropriate, affordable housing for program participants. Programs targeting special populations encountered unique difficulties with respect to housing. The Sussex County program, which targets domestic violence offenders, must be prepared to coordinate alternate housing for program participants, since domestic violence perpetrators cannot reside with their victims. The West Virginia program, which targets juveniles, faces difficulty in reuniting ex-offenders with their families, who are often involved in criminal behavior, making it undesirable for these youth to

Exhibit 3-6. Key Agencies Involved

	Key Agencies Involved
San Francisco, CA	Mayor’s Criminal Justice Council Courts Probation Sheriff’s Office District Attorney’s Office
El Paso County, CO	Pikes Peak Mental Health Center Colorado DOC Parole Board TASC DOC Office of Reintegration Local job development center City police department
New Castle County, DE	TASC DOC (prison and probation) Courts Law enforcement Private service providers (education, vocational rehabilitation, etc.) Department of Health and Human Services Department of Education Department of Labor
Sussex County, DE	TASC Courts DOC Private service providers
Broward County, FL	Courts (Broward County Drug Court) DOC Public Defender’s office State Attorney’s Office Private substance abuse treatment facility Sheriff’s Department
Cedar Rapids, IA	Department of Correctional Services Citizens Accountability Board (representatives from mental health center, substance abuse providers, psychiatric hospital unit, neighborhood associations, police department, mental health consumers, family counseling agencies, Vocational Rehabilitation)
Kentucky	Administrative Office of the Courts DOC Community service providers University of Kentucky, Center on Drug and Alcohol Research (local evaluation)

Exhibit 3-6. (continued)

	Key Agencies Involved
New York	Division of Parole Department of Correctional Services Center for Court Innovation State Office of Court Administration State Department of Criminal Justice Services Service providers Police department
Richland County, OH	Richland County Common Pleas Court Richland County Court Services (probation) Adult Parole Authority Ohio Department of Rehabilitation and Corrections Community Policing (Mansfield Police Department and Richland County Sheriff's Department) Service providers County Board of Mental Health
West Virginia	Courts Division of Juvenile Services County Probation (21 st Judicial Circuit) District Attorney's Office Law enforcement Service providers Citizens Advisory Boards (have 1 for each county; consist of representatives from housing, faith-based organizations, schools, employers, local colleges, family-resource networks, service providers)

Exhibit 3-7. Barriers Encountered

	Barriers Encountered	Changes in Original Scope
San Francisco, CA	Lack of agreement between participating agencies (district attorney's office, Sheriff's office, public defender's office) regarding targeting violent offenders for release; Court did not want to maintain another specialty docket	Did not implement program
El Paso County, CO	Finding affordable housing; employment resources; voluntary participation; not knowing date of release ahead of time; interagency cooperation (different visions among treatment, supervision, prison staff)	Program originally intended to serve only mandatory parole, but now includes regular parole as well; not all participants are identified prior to release
New Castle County, DE	Identification problems among participants (i.e., multiple identities, lack of identification); tangential legal problems among participants (e.g., outstanding warrants, child support obligations); finding suitable housing; finding suitable employment	Extended program duration from 6 months to 12 months
Sussex County, DE	Finding suitable housing; obtaining domestic violence counseling (service availability <i>and</i> accessibility to participants); finding an appropriate assessment instrument for domestic violence offenders	
Broward County, FL	Judges' reluctance to give split sentences (only way to get participants into program, since Florida does not have parole); public defenders' and prosecutors' reluctance to support split sentences; state budget cuts	Have not been able to expand program
Cedar Rapids, IA	Establishing linkages within the institutional system; offenders being released with no medication (resolved this by establishing a protocol to ensure a six-month supply of medication upon release); long-term housing for mentally ill	Have become more inclusive of offenders (accept more high risk clients)
Kentucky	Lack of funding; limitations in judges' authority (limited to 10 days after commitment to DOC) prevented the program from targeting parolees; lack of administrative law judges (only 2 in the state)	Changed target population from parolees to "shock probationers"; reduced target area to 2 counties; decreased scope of participants from 50 to 7
New York	Finding housing (particularly for formerly homeless); incorporating key partners and working out roles; limitations in authority of administrative law judge; participant identification prior to release	Added family mediation component
Richland County, OH	Disparate caseloads between probation and parole officers (higher for parole officers); probation/parole officer turnover	No changes

Exhibit 3-7. (continued)

	Barriers Encountered	Changes in Original Scope
<i>West Virginia</i>	Lack of availability of substance abuse treatment; interagency logistics/bureaucracy; difficulty keeping citizen advisory board involved; lack of staff; lack of transportation; geographical dispersion; family cooperation; lack of housing; lack of employment opportunities	Focused on only 3 counties; smaller caseload

return to their families. While not a programmatic barrier, family cooperation was often mentioned as an individual-level barrier for many returning prisoners in that the family may enable criminal behavior (e.g., covering for the individual to his or her probation or parole officer, making excuses to the judge, etc.) or prevent the ex-offender from learning to live independently.

Another commonly mentioned barrier to reentry court operation was lack of interagency cooperation. This barrier, in fact, was the primary reason for the failure of the San Francisco program to be implemented. Lack of agreement among the Sheriff’s office, district attorney’s office, and courts on the appropriate target population for the reentry court program became an insurmountable challenge when the lead agency withdrew interest in the program and no other agency assumed this role. Other programs cited distinctly different (and sometimes contradictory) visions for the program among treatment, supervision, and correctional institutions. Some programs (such as West Virginia) have had difficulty in maintaining the involvement of community advisory board members. Logistical issues related to coordination among agencies were also commonly mentioned, with programs having to employ creative solutions to streamline the potentially conflicting standard operating procedures among various agencies. The Cedar Rapids program benefits from a Central Point of Contact (CPC) in Iowa that serves as a clearinghouse in each county, determining the type, amount, and level of services and approving the financial assistance to which a referral is entitled. This enables the program to cut through a lot of the red tape and ensure services are paid for once someone is determined to be eligible.

Difficulty in obtaining services has also threatened the ability of some of the RCI sites to deliver planned services. For example, the Sussex County program reported difficulty in obtaining batterer intervention services—a major obstacle to this program with its focus on domestic violence services. Similarly, the West Virginia program reported a severe shortage of substance abuse treatment services in the areas served by the reentry court program, which are rural and geographically dispersed, causing program participants to be referred out of state for residential substance abuse treatment.

Related to the *availability* of treatment services is *access* to such services by program participants. Several programs mentioned difficulty encountered by participants in obtaining services due to lack of transportation. This is a significant barrier in West Virginia, not only because the counties served are rural and geographically dispersed but also because many of the program participants (who are juveniles) cannot drive, requiring a significant level of effort by the case managers.

Finally, several RCI sites mentioned various legal barriers to program implementation and operation. For example, judges' reluctance to give split sentences reduces the number of participants eligible to enter the program, yet several sites require split sentencing for participants to be enrolled in the program. Limited judicial authority was the reason that the executive branch of government ended up heading the reentry court in New York. Sites in which discretionary release is still used also encounter difficulty in planning for reentry services, because the date of release is not known ahead of time. The few sites that set up their programs as voluntary (such as El Paso County) cite this as a barrier, due to the difficulty in getting participants to agree to amend the conditions of their parole.

In some sites, the barriers encountered in program implementation caused minor changes in the original scope of the program. For example, the Kentucky programs originally intended to target parolees but because judicial authority is limited to 10 days after commitment to DOC, the target population was changed to "shock probationers." Other programs (such as West Virginia) have had to operate on a smaller scope than originally intended due to the lack of funding and staff.

3.8 Summary

In sum, the RCI sites have demonstrated their ability to design programs uniquely suited to their legal and community context. The barriers encountered by the RCI sites limited the number of program participants, and, to a lesser extent, the duration of program operation and the breadth of services offered. However, eight of the original nine sites were able to implement programs without any additional funding. In addition, the majority of the programs plan to continue operating.

The following chapter presents a detailed examination of three of the RCI programs that have a strong judicial component: New Castle County, Delaware; West Virginia; and Richland County, Ohio.

4. Detailed Program Descriptions

The purpose of conducting site visits to three of the Reentry Courts Initiative (RCI) programs was to gather more detailed programmatic information and determine the feasibility of conducting a formal process evaluation as originally proposed. Site visits provided the opportunity to observe programmatic activities such as team meetings and court hearings, and to talk to a variety of key stakeholders including judges, treatment providers, supervision officers, and program participants. After describing our methodological approach, this chapter presents program descriptions, logic models, perceptions of program effectiveness, perceptions of support for the program, and barriers encountered for the three programs selected for more in-depth study.

4.1 Methodology

We considered several factors in selecting the three programs, including target population, program enrollment, and use of a specialized reentry court docket. In addition, NIJ was interested in focusing on the programs that involved the judiciary. We therefore selected New Castle County, Delaware; West Virginia; and Richland County, Ohio, for site visits, which were conducted by the study leader and a research analyst.

At each site, we spent two days interviewing reentry court team members, including program directors and/or coordinators, reentry court judges, supervision officers, case managers, treatment providers, and, in Richland County, a parole board member and community policing representative. We identified reentry court staff to interview in consultation with our key contact at each site. In addition, at each site we interviewed program participants at various stages in the program. For the identification of reentry court participants to interview, our IRB required that we obtain a list of program participants from the sites and contact participants directly to determine whether they were interested in participating in the interviews. We selected 3 to 4 participants at various stages of program participation to interview at each site.² Across the sites, we interviewed a total of 28 key stakeholders, 4 judges, 3 program directors or coordinators, 5 supervision officers, 2 case managers, 10 program participants, 1 TASC director, 1 community policing officer, 1 counselor, and 1 parole board member. Informed consent was obtained from all key stakeholders prior to conducting the interviews.

²Of the three program participants eligible for us to interview in West Virginia (we received IRB approval to interview offenders 18 or older), we were able to interview only one, due to the geographic dispersion of the participants across three rural counties.

The interviews were semistructured and lasted approximately an hour for program staff and 30 minutes for program participants. We developed separate interview guides for staff (Appendix A) and participants (Appendix B). The staff interviews covered topics such as program goals; target population; availability of resources; program components (case management, supervision, judicial contact, sanctions and rewards, recruitment of participants); desired program outcomes and perceptions of program effectiveness; barriers encountered; and level of support from service providers, courts, defense attorneys, prosecutors, parole/probation, and the community. The participant interviews covered topics such as mechanism for entrance into program, court appearances, case management, supervision, sanctions and rewards, treatment services, and perceptions of program effectiveness. During interviews, we obtained information about differences in the treatment (including case management, supervision, services available, etc.) of reentry court participants and regular parolees or probationers not managed through reentry court. In addition, in the staff interviews we obtained information about *current* program operations and the *original* plans for the program, in order to learn about modifications to the original scope of the programs.

We scheduled the site visits to coincide with reentry court hearings (which typically take place on a monthly or biweekly basis), enabling us to observe these proceedings. In addition, in New Castle County and in Richland County, we were able to observe the reentry court team staffings that take place prior to the court hearing. Across the three sites, we observed reentry court status reviews for approximately 50 program participants. We developed an observation guide (included in Appendix C) for the court hearings, consisting of an attendance/participation log, in which information about the role and level of participation of each attendee at the pre-court staffing and the court hearing is recorded; and a case observation log, in which details about the discussion and final decision or action for each program participant reviewed at the status hearing are recorded.

The following sections summarize the information gathered through the interviews and court observations for the three court-based programs selected for site visits. Specifically, for each program we present a brief overview; outline the logic model guiding the program; and present interview data regarding perceived program effectiveness, levels of support from key agencies, barriers encountered, and plans for program continuation.

4.2 New Castle County, Delaware

4.2.1 Program Overview

Since its inception in August 2000, the RCI pilot program in New Castle County has had a cumulative enrollment of 74, including 15 graduates. At the time of this report, the program had 24 participants currently enrolled. The general adult prison population having served a minimum of 1 year in prison and with post-release residence in the county is eligible for enrollment. Exclusions include sex offenders, parole board violators, offenders serving mandatory sentences, offenders with open charges, and offenders with major discipline problems in prison.

Participants are identified during their last 6 months of incarceration through a screening process led by the case manager. After receiving a list of upcoming releasees from the Department of Corrections (DOC), the case manager reviews the prisoners' files and then interviews and conducts assessments of prisoners who meet all eligibility criteria. Inmates with disciplinary problems in prison are excluded. Potential participants provide a list of names and addresses of potential residences and the probation officers conduct home visits to secure suitable housing. Following the screening process, eligible offenders who agree to take part must appear in court and sign a court order transferring them into the RCI program (typically being released early as a provision of their participation).

Reentry court is considered a "level 4 sanction," which enables prisoners to be released into the program through a court order. Immediately following release, participants receive a week-long orientation during which service providers meet with offenders in the probation office to provide them with information about community services and to facilitate the referral process. Services available to offenders include mental health counseling, substance abuse treatment, educational assistance, health services, vocational assistance (vocational rehabilitation, job search), mentoring, clothing assistance, and the local food bank. Offenders are supervised by probation officers and receive case management during the first of two program phases (each of which lasts approximately 6 months). The program length is flexible, depending on the success of the individual participant. Court appearances decrease in frequency over the course of their participation, ranging from once per week to once per month (then twice in the last six months).

Participants may be dismissed from the program by the judge. If a participant violates his or her conditions of supervision or has a new arrest, the offender is brought in for a termination hearing. In addition to the judge, the case manager, probation officer, and defense attorney are present at the termination hearing, with a recommendation provided by the probation officer. If the participant is sentenced back to prison, he or she is dismissed from the program.

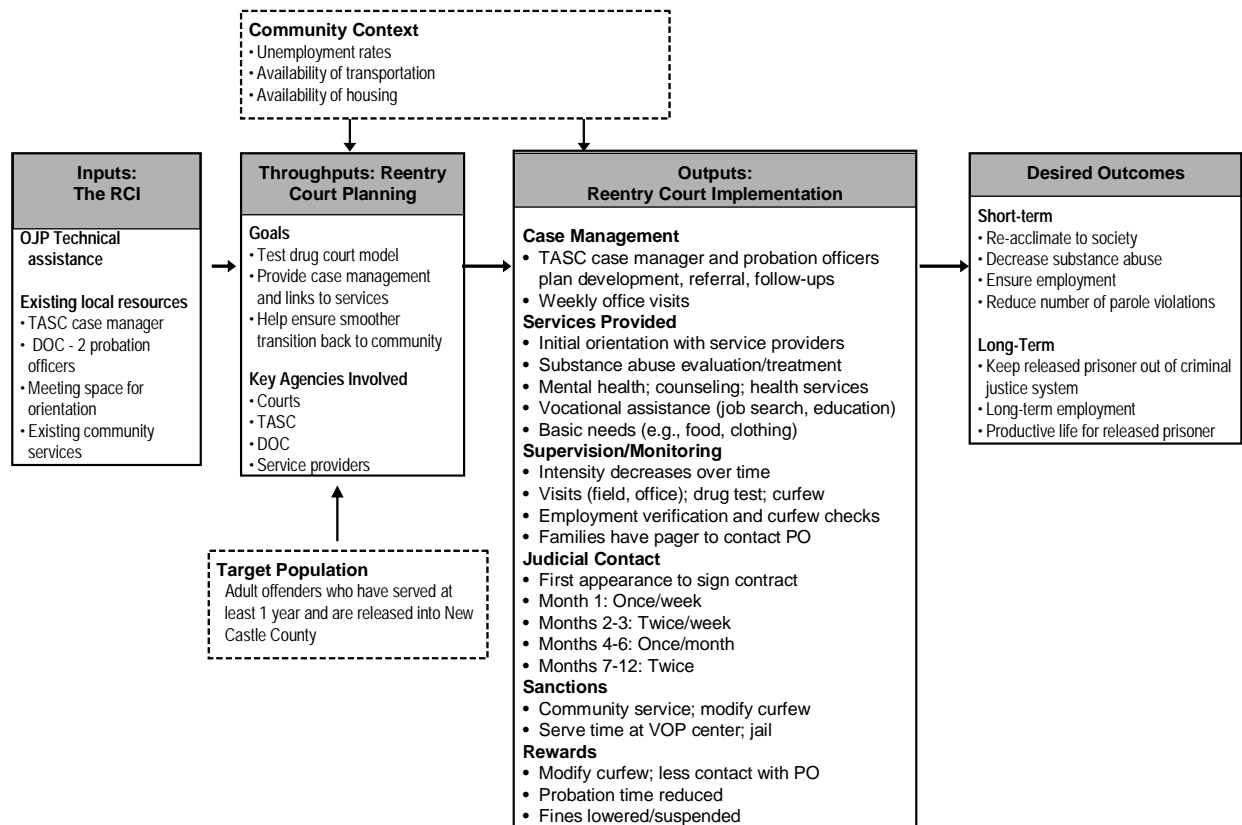
4.2.2 Logic Model

In developing the logic models for each of the RCI sites, we gathered information on the following major components: program inputs (the RCI itself and existing resources available to the program), throughputs (the goals and planning of the local program), outputs (the actual program components, including case management, supervision, services provided, court appearances, and use of rewards and sanctions), and desired outcomes (short- and long-term) the program hopes to influence. Exhibit 4-1 presents the logic model guiding the New Castle County program.

Inputs. As shown in Exhibit 4-1, the New Castle County program had several existing resources that facilitated the implementation of its reentry program. Treatment Alternatives for Safer Communities (TASC) provided a case manager with a reduced caseload, and the DOC offered two probation officers to supervise reentry cases. The officers were provided with a vehicle, cell phone, and pager. Space was secured in the probation office for holding the orientation sessions, and the many existing links with community service providers facilitated the planning of the orientation. An existing partnership between community police and probation called "Safe Streets," which includes street checks and daily court sessions for violations, was called upon to carry out curfew monitoring.

Throughputs. The key agencies involved in the planning and implementation included the courts, TASC, the DOC, and, later, service providers. The courts formulated the concept and garnered support from TASC and the DOC. The resources available facilitated the planning that took place. As stated by key stakeholders who were interviewed, the primary goals of the program (not necessarily in order of

Exhibit 4-1. Logic Model for New Castle County, Delaware



importance) were to: (1) test the drug court model with released prisoners, (2) provide case management and links to services (before and after release), and (3) help ensure a smoother transition back to the community for offenders.

Outputs. The major components of the program implemented in New Castle County include case management services provided, supervision, judicial contact, and sanctions and rewards. Regarding case management, during the first phase of the program, the case manager and the probation officer work closely together to provide case management and supervision (no case management is provided by TASC in Phase 2). Offenders are required to report to the case manager's office weekly; the frequency of visits decreases over time. The case manager develops a reentry plan for each participant and assists them with tasks such as obtaining a driver's license, completing Medicaid paperwork, setting up appointments, and applying for jobs. When appropriate, the case manager ensures that participants are referred to treatment programs in a timely manner. Services offered to participants are described earlier in the program overview and in Exhibit 3-5.

Supervision is provided by one probation officer during Phase 1 and the other during Phase 2 of the program. Both phases require visits in the field and office, curfew checks, employment verification checks, and drug screens. As with court appearances, the frequency of supervision contacts decreases throughout the course of the year. During Phase 1, participants must meet with the PO in the office and the field once a week, whereas in Phase 2, office appointments are held every other week and then decrease to once a month. The curfew is extended over time and eventually lifted. Beginning with home visits to secure housing for offenders upon release, probation officers establish connections with families who are provided with a pager so that they may contact the probation officer at any time.

Judicial hearings are held weekly. As shown in Exhibit 4-1 and in the program overview, frequency of contacts decreases throughout the program year. In addition to the presiding judge, the TASC case manager and probation officers participate in the court hearings by giving updates and making recommendations on their cases. The judge elicits input from the offender and responds with suggestions, encouragement, and praise and, when necessary, imposes sanctions. Pre-court staff meetings are held before each court session and serve as a forum for the judge, case manager, and probation officers to share information on each case prior to the formal court hearing.

Sanctions and rewards are graduated and can be applied immediately. The “Safe Streets” program’s daily court sessions provide a forum for immediate penalization for violating curfew. Examples of sanctions are community service, modification of curfew, time at the Violation of Parole (VOP) Center, and a weekend in jail. Rewards include extension of curfew, decrease in contacts with probation officer or case manager, reduction or suspension of fines and/or court costs, permission to leave the state to visit family, and reduction of remaining probation time to be served.

Desired outcomes. Key stakeholders from the New Castle program stated that the short-term outcomes the program hopes to achieve include re-acclimation to society from a period of long-term incarceration, employment, decreases in substance abuse, and a reduction in the number of parole violations. In the long-term, key stakeholders noted that they would like the program to result in offenders securing long-term employment, remaining free from the criminal justice system, and living productive lives.

4.2.3 Perceptions of Program Effectiveness

Key stakeholders were asked a series of questions regarding how effective they felt their programs were at preventing recidivism and treating substance abuse. Some respondents indicated that success often depends on the motivation level of the individual and that the program helps those who want to make it. Respondents also indicated that reentry court may provide the additional motivation and resources necessary for people to succeed. In addition, some respondents noted that reentry court has the advantage of identifying people at an early stage of relapse, whereas in regular probation, the supervision officer may not notice that the offender is using until it is too late to effectively treat the abuse. Several respondents spoke favorably of the TASC model, indicating that this has made people view treatment more favorably (as an alternative to incarceration).

Many respondents felt that reentry court participants received a higher level of services than regular probationers. Although such services are available to anyone, the smaller caseloads of probation officers

and the TASC case manager enable reentry court participants to get linked up to these services more effectively. As mentioned, reentry court participants attend a week-long orientation upon entry into the program, to learn more about the services available and how to access them. Several staff members felt that regular probationers have to do more on their own, whereas in reentry court the smaller caseloads of supervision officers and case managers allow for more individualized attention. This opinion was shared by some of the program participants with whom we spoke. They felt they receive more attention, more information about services, and more opportunities. In contrast, regular probationers get only *negative* attention (through monitoring) and have to find out about services on their own.

In addition to reentry court participants getting more services than regular probationers, key stakeholders mentioned that supervision was generally more intense for reentry court (with more UAs) due to the lower caseload of probation officers, and that reentry court clients benefited from the regular court appearances (unlike regular probationers, who report to court only in cases of a violation hearing). Several of the participants spoke favorably about the judicial appearances, indicating that it provides an opportunity to explain oneself calmly without the stress of worrying about going to jail (which is normally present in court).

Regarding the ability of reentry court to facilitate community and family integration, key stakeholders had favorable opinions. The New Castle program has sought out more community involvement with its newly formed steering committee (developed for the Serious and Violent Offender Reentry Initiative [SVORI] grant), and key stakeholders indicated that the community sees progress through the reentry court program and that they better understand the reentry concept and feel safer. In addition, respondents felt that the program helps reconnect people with their families and involve the family in the reintegration process. Families become involved with the program, sometimes contacting the probation officers and taking part in the graduation ceremonies. Respondents indicated that the program gives the opportunity for participants to rebuild trust with their family members, making amends with those whom they may have hurt.

4.2.4 Perceptions of Support for Program

Key stakeholders were also asked about the level of support from service providers, courts, defense attorneys, prosecutors, probation, and the community. Responses were favorable, with many respondents from the program reporting that the reentry court has facilitated linkages and collaboration among various agencies. For example, TASC and probation work closely with service providers, translating into more favorable views of probation by service providers and, in turn, probation officers knowing more about linking offenders up to services. In addition, several staff members spoke about the historically good relationship between TASC and the courts and the availability of the judge, citing the operation of the “late night” court and “Safe Streets” courts as effective mechanisms for responding quickly to issues that arise between the regularly scheduled status reviews.

Regarding information sharing, because the program is relatively small, staff members reported that the pre-court staffings (with TASC case managers, probation officers, and the judge) are the most effective ways to share information, supplemented with e-mail, telephone, and in-person contact throughout the

week (although as the program enrollment numbers increase, the judge would like to use a management information system similar to the one used in drug court). In contrast to the streamlined communication occurring within the reentry court program, staff members felt that for regular probationers, communication does not occur as quickly, requiring more time to conduct assessments and process paperwork.

4.2.5 Barriers Encountered

The key stakeholders with whom we spoke identified several barriers they have encountered in implementing their program. Program-level challenges such as difficulty in identifying eligible participants for the program (particularly after a transition to a computer-based system to identify participants via the DOC) and bureaucratic roadblocks from agencies (such as eligibility criteria for Medicaid and HUD’s skepticism about providing housing immediately upon release) have challenged program operations. The difficulty in identifying sufficient numbers of eligible participants has resulted in enrollment numbers substantially lower than the original plans, which included the enrollment of 10 returning offenders per month. In addition to the program-level barriers, the key stakeholders mentioned several individual-level barriers that threaten the success of program participants, and therefore the program. For example, the unwillingness of some offenders to accept treatment (because they think they are “cured” after having been incarcerated), offenders being released from prison without any medication, lack of transportation, and the limited support some participants encounter upon release may hinder the program’s ability to help participants to successfully reintegrate into society. Some key stakeholders noted that many problems with program compliance begin at the three-month phase, when participants begin to have more freedom.

4.2.6 Future Plans for Program

The New Castle program will benefit from the Serious and Violent Offender Reentry Initiative (SVORI) grant awarded to Delaware Health and Social Services in July 2002. The reentry court plans to continue operating and expand its program to include more participants, possibly recruiting eligible participants from an in-prison residential treatment program. In addition, the program plans to have an evaluation of the program conducted by the Statistical Analysis Center. Finally, the program will attempt to formalize a Reentry Steering Committee, involving eight to ten key agencies.

4.3 Richland County, Ohio

4.3.1 Program Overview

The largest RCI site—Richland County—has incorporated the reentry court program into the “standard operating procedures” of the judicial circuit. The program began in January 2001 and has had 160 offenders in all. At the time of this report, 94 were enrolled in the program, and 34 had graduated.

Similar to New Castle County, Delaware, the Richland County reentry court program targets the general prison population. Potential participants must be sentenced through Richland County Common Pleas

Court, have served time in prison, and have post-release residence in the county. Populations excluded are sex offenders that are “in denial” (i.e., refuse treatment) and offenders with severe mental illness. Low-level offenders, including nonviolent felons (Levels 4 and 5) who are released without supervision, are ineligible for the program.

Offenders are identified at the time of sentencing or during incarceration. Participants may enter the program from either the county, through a split sentence or judicial release by the sentencing judge, or from the state Adult Parole Authority (APA), through post-release control or parole (only those sentenced prior to a 1996 truth-in-sentencing law). Offenders entering the program from the county are identified on the “front end” (prior to sentencing) and receive treatment and monitoring in prison throughout their incarceration. Offenders entering the program from the state are identified on the “back end” (during incarceration) and are identified by an institutional parole officer and assessed by the program coordinator prior to release. Program participation for all participants is mandatory.

Because program participants may be under the authority of either the executive branch (i.e., ex-prisoners on state parole) *or* the judicial branch (i.e., ex-prisoners on county probation), the program utilizes both probation and parole officers to supervise participants. The judge and an APA board member jointly preside over status hearings. During the year-long program, participants appear in court once a month. Services available to program participants include mental health treatment, health care, substance abuse treatment (including secure residential treatment), domestic violence counseling, sex offender treatment, employment assistance/vocational training, education assistance, housing assistance, and faith-based community sponsorship.

If a participant violates his or her supervision conditions or is arrested on a new charge, he or she may be sentenced back to prison through a separate hearing process. Participants who return to prison may still be considered active in the reentry court program and will re-enter the program upon release unless they serve all their remaining time (for those under post-release control), are released without supervision time, or go before the parole board before they are identified again for judicial release.

4.3.2 Logic Model

Exhibit 4-2 displays the logic model for the Richland County reentry program.

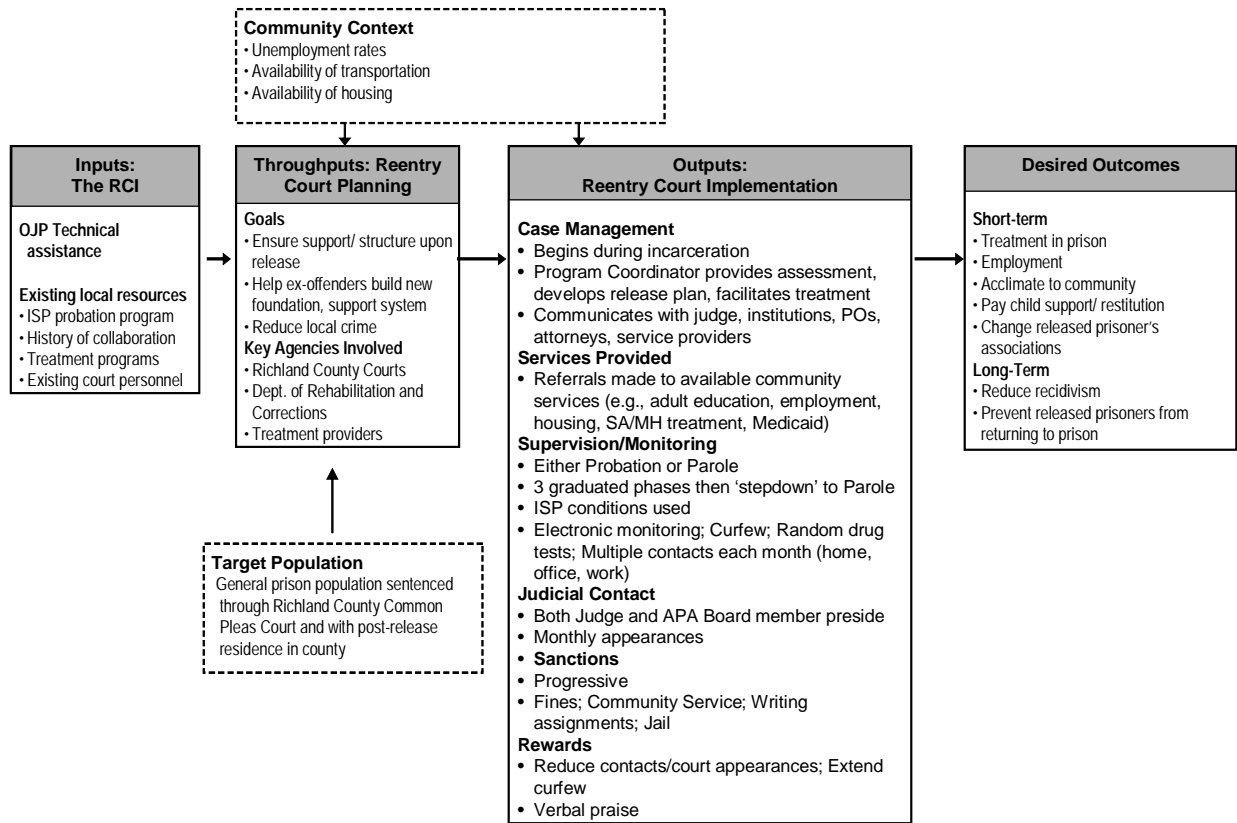
Inputs. During the interviews, key stakeholders noted the importance of the initial planning phase in launching the program. Many of the program components were already in place including the probation-based Intense Supervision Program (ISP), a history of collaboration between the county and state levels of the criminal justice system (probation and the APA), and several established community treatment programs including residential sex offender and community-based correction facilities.

Throughputs. Throughputs crucial to successful implementation include the goals and key agencies involved in planning the program. For Richland County, the primary goals include (1) ensuring that offenders receive support and structure upon release, (2) helping offenders build a new foundation and a new positive support system, and (3) reducing the occurrence of local crime.

Several entities were involved in the formation of the program, including Richland County Courts, the Department of Rehabilitation and Corrections (DRC), and the APA. The current project director led the planning and implementation of the program.

In addition, because the program put major emphasis on providing continuity between the supervision offered by the state (which was traditionally more lenient) and the county, the APA made four

Exhibit 4-2. Logic Model for Richland County, Ohio



concessions instrumental in getting the reentry court off the ground: (1) using the same supervision standards for offenders on state parole and judicial release, which was a significant concession for the APA due to the larger caseloads of parole officers; (2) permitting the program coordinator to enter the prisons to gather information on prisoners' progress through meetings with prisoners and prison staff; (3) making arrangements for offenders to be sent to local prisons so that offenders could be enrolled in the reentry program right away and visits and coordination with family would be less difficult; and (4) having a parole board member attend reentry court hearings, ensuring judicial contact with the person who has authority to send an offender back to prison.

Outputs. The major implementation components include case management, services provided, supervision and monitoring, judicial contact, and the use of sanctions and rewards. Case management is provided by the full-time reentry court coordinator. The coordinator works with participants identified at the time of sentencing during their incarceration and facilitates entry into the program from the institution for offenders who were sentenced prior to the program's inception. The coordinator works closely with offenders, institutional staff, service providers, probation/parole officers, judges, attorneys, and other court staff. Her duties encompass conducting assessments, attending team meetings, developing reentry

plans for offenders, facilitating treatment and other needs (medical, mental health, vocational), and attending court hearings. Services offered to participants are described in the program overview and in Exhibit 3-5.

As mentioned earlier, supervision is performed by both probation and parole since program participants may be under the authority of either the executive branch or the judicial branch. Five probation and four parole officers maintain partial reentry caseloads. ISP is used as the model for all reentry cases. ISP has three phases that are flexible in length (depending on progress), and distinguished primarily by reporting frequency. Phase 1 (up to 4 months) requires 8 contacts a month; Phase 2 (up to 3 months in length) involves 6 contacts a month; Phase 3 (remainder of program) entails 3 contacts a month. Contacts with officers include office, home, and work visits and are not limited to the stated number. Depending on the case, contacts could occur as many as 15 to 20 times a month. All participants are on electronic monitoring, have curfews, and are expected to abide by a lengthy set of ISP conditions (e.g., limited and monitored contacts, no bars, no alcohol, no communication devices—cell phones, pagers, scanners, etc.—no cohabitation or marriage without permission). Drug testing is conducted on a regular basis with frequency dependent on the individual case. After successful completion of all three phases, participants are “stepped down” to standard probation.

All reentry court cases are split between two county Common Pleas Court judges. Program participants appear before the same judge throughout the duration of the program, usually their sentencing judge. Both the judge and an APA board member jointly preside over the monthly status hearings (since the judge does not have jurisdiction over parole cases). Also in attendance are the parole and probation officers, one institutional parole officer, and the reentry court coordinator. During the hearing, the judge and APA board member talk with each participant, ask questions, provide verbal praise, and if necessary, impose/uphold sanctions.

Prior to the court hearing, all staff participate in a pre-court staffing. During this hour-long meeting, parole and probation officers provide the judge with updates on each participant on the court docket, with supplementary information provided by the reentry court coordinator.

Sanctions used in the program are graduated and include fines, community service, writing assignments, and jail. Rewards include reducing the frequency of court appearances and probation contacts, extending curfew, bestowing verbal praise, and when appropriate, phasing the offender out of treatment.

Desired Outcomes. The short-term outcomes that the Richland County program hopes to achieve are the provision of in-prison treatment, employment upon release, acclimation to the community from prison, modification in participants’ associations, and the payment of child support and/or restitution. Long-term outcomes the program hopes to influence are reductions in recidivism and reincarceration.

4.3.3 Perceptions of Program Effectiveness

The Richland County key stakeholders spoke favorably about the effectiveness of the program at preventing recidivism. Some respondents cited findings from the recently completed process evaluation of their program (Spelman, 2002), which indicated that only 4 of the first 66 participants (6 percent) have

been arrested for a new crime. Interviewees also mentioned that even though higher numbers were rearrested and sent back to prison on technical violations, this is also an indication of success because a number of crimes were prevented. Qualitative accounts of success were also provided, with some respondents indicating that they had talked with graduates who felt the program turned them around. Although several respondents considered it too early to tell whether the program has had an impact on recidivism, many indicated that the program will be successful because of the intensive supervision and the fact that the program participants know what they are supposed to do.

Opinions about the ability of the reentry court to treat substance abuse were favorable. Key stakeholders considered the greater accountability (due to having to report to the judge monthly), frequent drug testing, use of sanctioning, numerous substance abuse facilities available to the program, and the fact that supervision officers get participants into treatment programs immediately if there is a problem as being effective in treating substance abuse.

Participants themselves had diverse opinions of the effectiveness of the program. Some mentioned it was “pretty successful” and was a “leaning post” because of the support and increased supervision; others said that a lot of people go in the wrong direction no matter what the courts do. Several program participants echoed the sentiment that success depends on the individual and that some people just do not care. Participants acknowledged that the program was there to make sure they got help (especially for those who want it) and that many treatment programs are offered through reentry court.

The key stakeholders with whom we spoke felt that there has not necessarily been an expansion in the services available since the program started (i.e., the services have always been there for the people in Richland County), but that the reentry court has increased utilization of services (i.e., the service providers have received increasingly more referrals from courts now with higher percentages of reentry court clients) and opened doors to other agencies. Several key stakeholders felt that the role of the reentry court coordinator is crucial in getting participants into treatment and that non-reentry court probationers or parolees do not have the same case management assistance available to reentry court clients (although the supervision officers try to make sure all offenders under their supervision get what they need). Respondents also mentioned that in reentry court, service providers get the participants in faster and are proactive in providing referrals to other agencies. Interestingly, some respondents mentioned that though there are not necessarily differences in the services available to reentry court and non-reentry court offenders, the non-reentry court cases are not “thought of” as often and are typically assigned something (i.e., a treatment program) at the beginning of their supervision, while reentry court clients continually have their service needs reassessed (and their case management plan is continually being readjusted).

The participants whom we interviewed had divergent feelings regarding the sufficiency of services provided. Some felt that they received enough services through the program (and that their supervision officer helped them with anything they needed), and others did not or said that they had “done it on their own.” When asked about the main differences between reentry court and regular parole or probation, most respondents indicated that the reentry court program helps them get treatment (unlike regular probation, which just tells offenders to “stop using”), provides more monitoring (which was not necessarily a desirable feature to program participants), and involves regular judicial appearances.

Several key stakeholders noted the importance of the judicial appearances, indicating that having to report to the judge makes a difference, particularly because offenders know they will receive an immediate consequence, which makes them more accountable. Indeed, judicial appearances are one of the primary factors that distinguish reentry court participants and regular probationers (who see the judge only at their 6- to 8-week probation review and as requested by the probation officer) and parolees (who would only attend a parole board hearing to “build up a sanction” to have on one’s record). Key stakeholders felt that because reentry court “brings the judge off the bench” (when new program participants enter the program, the judge comes down from the bench to shake their hands and welcome them into the program), it makes people see the judge differently and realize that he is compassionate. Reporting before one another was also considered to be influential, because the participants support one another (and keep tabs on one another). Program participants themselves generally felt positively about the judicial appearances, indicating that by enabling them to see the progressions (and losses) of other participants, they can see where they are themselves. Participants indicated that the judge is there to keep them from going back, and that the hearings keep them on track. Some participants noted that if they are not improving and doing what they are supposed to (i.e., maintain a job, pay fines), the judge will put them in jail. Other participants did not see the point of the judicial hearings, indicating that the probation officer is the one who supervises them and that there is no need for the additional supervision, as it simply puts them in the spotlight if they are not doing well.

Regarding supervision of clients, several key stakeholders mentioned that reentry court supervision officers “work” their cases harder because the judge sees them so often and that it has made the supervision officers view the offenders more holistically. Although reentry court participants under county supervision experience the same supervision conditions as regular probationers under ISP, state supervision was generally considered to be more intense for reentry court participants than regular parolees, because they are classified as “intense,” with accompanying requirements for more contacts and UAs. Several key stakeholders felt that the intensive supervision required for reentry court participants was crucial to the success of the offender. In addition, some key stakeholders noted that parolees supervised through the reentry court have access to sanctions other than jail that are not necessarily utilized with regular parolees, such as community service and fine sanctioning.

Key stakeholders were also asked about the effectiveness of the program in facilitating family reintegration. Some respondents indicated that the program was not successful enough at helping offenders reconnect with their families and that they needed to involve the families more, but most felt that the program helped offenders develop a better sense of family relationships and family responsibility. Several key stakeholders spoke positively about the support the program receives from family members, indicating that family members often attend court hearings and that probation officers meet with and sometimes receive phone calls from them, which keeps the supervision officer informed about the participant’s progress. Some respondents cautioned that it is important to keep in mind that sometimes family members are the victims. Family members may also be enablers, and therefore it is not always desirable to have an offender return to his or her family. Several key stakeholders mentioned that the offenders want to return to their families (and that their families are the first people they go to upon release) but often end up on their own, which is positive because most have not lived independently before.

The delicate balance between promoting family responsibility (and family reintegration) and encouraging independence (and, if necessary, distance from negatively influential family members) was evident in the participant interviews. Although some participants complained that the program does not let them stay with their parents, others indicated that the program emphasizes being with their family and has been successful at helping them reconnect with their families. One participant mentioned that he was advised by his supervision officer to take parenting classes, which were effective.

4.3.4 Perceptions of Levels of Support for Program

Many key stakeholders felt that the program has been effective at strengthening linkages and collaboration among the courts, probation, and the APA (although many of these linkages were felt to be strong prior to the development of the reentry court and part of the impetus for the program). In particular, respondents felt that the court has brought more consistency between county and state supervision, indicating that parole was “always out by itself” in the past and that reentry court has “brought it back in,” with the state being extremely helpful in accommodating county policies. Respondents spoke highly of the availability of the judge and the parole board members, indicating that this access is what makes the program function.

Regarding the impact of the program on the judicial system, several key stakeholders felt that the program is an incentive for judges because it enables them to focus their attention and see more offenders in a shorter period of time. Respondents noted that the program has changed the political process because participants enter the program at the time of sentencing. Therefore judges have a better idea of who they are releasing. Another benefit to the judicial system is that if the program is effective, the courts will not have to deal with the offenders again. Although the program requires at least one day per month of the judge’s time (requiring the elimination of one criminal trial day per month), which is fairly intensive and emotionally taxing, the judges are willing to spend the time if they are able to effect an increase in employment, a decrease in drug use and a decrease in re-offense rates. Some key stakeholders mentioned that the program may also have a “ripple effect” in that if you take one person in a family and turn him or her around, everyone else in the family may be positively affected.

Key stakeholders indicated that they have received excellent support from the public defender’s office, indicating that defense attorneys view reentry court positively because it is a tool that will allow people to get out early on judicial release. Similarly, support from prosecutors is strong, with the reentry court program making their jobs easier due to the intensive monitoring of offenders.

Respondents spoke positively about the level of support received from service providers, indicating that service providers do their best to treat this difficult population (accepting more difficult clients that they may not have taken on in the past) even though doing so may be challenging. Service providers work hard to get offenders in particular programs and tailor their procedures to accommodate reentry court clients (e.g., the halfway house lets reentry court clients keep their jobs, which normally would not be allowed). Key stakeholders also mentioned that they require more from the service providers, and that in turn the providers take their responsibilities more seriously. Several respondents indicated that their

network of service providers has grown and that they know the providers much better than they did before.

The Richland County staff members with whom we spoke reported effective information sharing and communication among key stakeholders. Key stakeholders noted that this streamlined communication occurs for all probationers, not just reentry court clients. However, some interviewees noted that in non-reentry court, the information is typically not shared unless there is a problem (i.e., staff members do not come together for positive updates – the focus is typically on the negative). Supervision officers receive progress reports from treatment providers (in addition to engaging in ongoing informal communication). The reentry court team (supervision officers, reentry court coordinator, and the judge) uses the pre-court staffings primarily to inform the judge about participants' progress. The reentry court coordinator collects a status update for all clients appearing on the court docket from the supervision officers and provides updates to the judge. Team members discuss the case at pre-hearing staffings, and the judge maintains his own notes about each case to track its progress. In between hearings, the supervision officers may update the judge from time to time (but usually only if a warrant is needed). Team members noted that the judges are always very accessible.

Regarding community linkages, key stakeholders felt that ties to the police were strengthened by the program. The reentry court supervision officers participate in “street rides” with community police officers and in other collaborative activities involving the police force in Mansfield and the neighboring county, the sheriff's office, drug court probation officers, and the prosecutor's office. The officers also share information on cases with police officers, regularly providing the police department with a “probation book” containing information on probationers in the county. Respondents felt that their collaborative efforts with law enforcement help to provide positive reinforcement for one another's roles and that this translates into offenders' awareness that numerous individuals are updated on their status.

Finally, key stakeholders spoke positively of strong support from the community, citing the influence of the county's small size. They mentioned that the community is very familiar with the term “reentry” and that landlords and employers, for example, are glad to accept reentry court participants because they know the court is overseeing them. The program has started developing strong ties with the local faith community as well, with clergy encouraged to attend status hearings and be available to meet with interested participants after court (to get them linked to faith-based services). Respondents stated that they are changing the community's impression of probation (through their contacts with the probationer's family and friends), demonstrating that the focus is on helping the probationers rather than “stepping on them.” According to the key stakeholders with whom we spoke, the reentry court has promoted a greater understanding of inmates, and their efforts to ensure that a safer inmate is coming out of prison have helped the community not fear returning offenders.

4.3.5 Barriers Encountered

The key stakeholders with whom we spoke identified very few programmatic barriers, and many respondents indicated that the program was well planned and that when conceptualizing the program they

had a realistic view of what they could accomplish. The program was implemented without any outside funding. Staff members' duties were redirected and adapted to accommodate the new program, and the

use of technology was maximized to free up staff time.³ Respondents indicated that all stakeholders in the process saw something in the reentry court that would enhance their work. For example, the correctional institution staff are able to see what happens after offenders leave prison, service providers receive more referrals, and the criminal justice and probation key stakeholders like having common rules among probationers and parolees. Although staff members had to undergo minor changes in their roles (i.e., the supervision officers had to learn to transition to a team approach instead of using the individualized hearings they were used to, and the judge had to get used to a specialized docket), they all committed to the program. Several key stakeholders cited the numerous resources that were in place before program implementation, acknowledging the “solid foundation” in place to support the reentry court. Key stakeholders mentioned that their original scope for the program has not undergone any changes; they accomplished exactly what they set out to do. Some respondents noted that the program works because the community’s small size and that successful implementation may be difficult in a larger county.

The only programmatic barrier listed by key stakeholders was the difference in the caseloads for the state parole officers and the county probation officers. State parole officers have higher numbers of offenders to supervise (due to a state hiring freeze), which limits the state’s ability to “hold up their end” of the bargain. Key stakeholders also mentioned some individual-level barriers, such as dealing with people who do not want to change. Some key stakeholders indicated that they are dealing with the “worst of the worst” and will not be successful with everyone, particularly with those who neither know nor want any different behaviors.

4.3.6 Future Plans for Program

The Richland County, Ohio reentry court has become part of the normal operating system of the courts. It was a system change and it will continue operating. The key stakeholders mentioned that they would like to do more “mentor court” work for other reentry court programs. Given more funding, they would also like to provide more offender services, such as an emergency housing fund. Finally, they plan to open a reentry court program office to house program staff.

4.4 West Virginia

4.4.1 Program Overview

The West Virginia RCI pilot program is unique among the nine programs in that it is the only one to target juvenile offenders. Juveniles at highest risk (those that have committed violent crimes) with post-release residence in one of three counties – Mineral, Tucker, or Grant – are eligible for participation. In determining risk, factors such as severity of the offense, substance abuse problems, family situation, and

³The county partnered with a small engineering company that wanted to develop a management information system for probationers. The county served as a test site, providing assistance in creating the system in exchange for purchasing the software at a reduced cost. The county entered into a similar arrangement with an electronic monitoring company, field testing equipment for this company in return for a discount in purchasing the equipment.

criminal record are taken into consideration. Program participants enter the program from both the minimum and maximum security facilities. Program participation is mandatory and is usually ordered by the judge at the time of sentencing. However, in cases in which the offender is already in a facility, the case manager can request that reentry court be ordered by the judge upon release.

Following release, offenders are supervised by probation and appear in court before the judge once a month. The program length is usually 6 months; however, this duration is flexible and can last up to 18 months. A case manager from the Division of Juvenile Services works with participants during incarceration and after release. The case manager facilitates the provision of services, including mental health counseling, education assistance, employment assistance/vocational training, housing assistance, crisis intervention at schools, family counseling/parenting skills, and assistance with basic needs (clothing, transportation, food stamp eligibility, birth certificates/identification). Thirteen offenders have taken part in the program, including three that have successfully completed all program requirements since June 2000. At the time of this report, the program was operating at capacity with seven juveniles enrolled.

If a participant violates his or her conditions of supervision or has a new arrest, the offender is brought before the judge and may be sent back to the correctional institution. The offender could still be considered active in the program, and re-enter upon release.

4.4.2 Logic Model

Exhibit 4-3 summarizes the logic model for West Virginia's reentry court program.

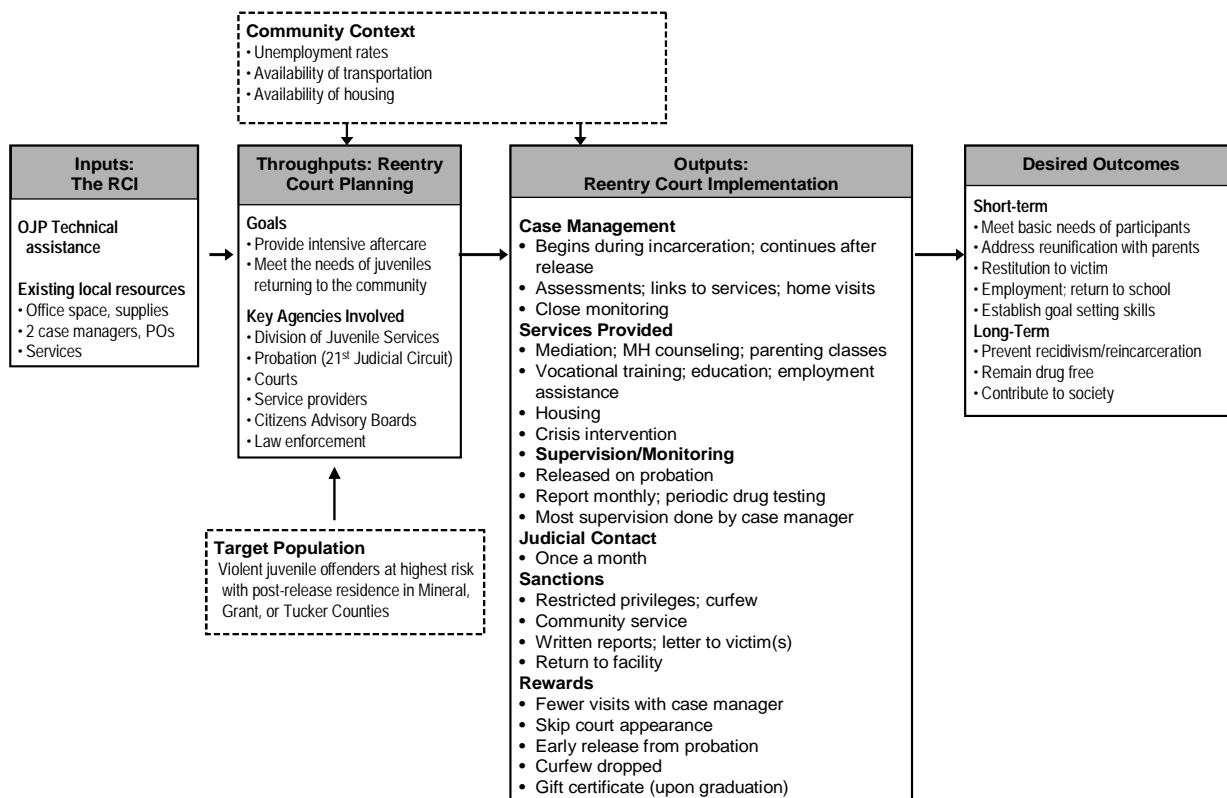
Inputs. Several resources contributed to the planning and implementation of the program. Personnel, including two case managers and county probation officers, devoted caseload time. Schools and other organizations donated office space and supplies. Existing services were tapped, including agencies that provide counseling, mentoring, tutoring, and employment services.

Throughputs. Respondents described the goals of the program as providing intensive aftercare to juveniles to prevent re-offending and help them be successful and productive citizens. Key agencies involved in the formation and implementation of the program included the Division of Juvenile Services, Probation (21st Judicial District), the courts, service providers, and law enforcement. Also important was the creation of Citizens Advisory Boards. Each of the three counties established a board made up of representatives from housing, schools, churches/faith-based organizations, local colleges, family resource networks, community action agencies, existing service provider community collaboratives, and the business sector.

Outputs. Implementation components of the West Virginia program include case management, service provision, supervision and monitoring, judicial contact, and sanctions and rewards. Each of these components is described in Exhibit 4-3. A case manager from the Division of Juvenile Services works with participants during incarceration and after release to facilitate the provision of services. The case manager's duties encompass providing assessments, making referrals, meeting with clients (including office, institution, and home visits), participating in team meetings, conducting school and employment

interviews, and completing reports (e.g., monthly progress reports, home visit summaries, court summaries). The case manager also provides mediation and family counseling. During incarceration, the

Exhibit 4-3. Logic Model for West Virginia



case manager meets with reentry clients once a week, and upon release, visits occur once or twice a week. Services available to offenders and their families are listed in the program overview and in Exhibit 3-5. Participants are supervised by probation officers after release. Contacts occur once a month, and drug tests are given periodically. Interviewees explained that many of the probation officer’s monitoring responsibilities for reentry court clients are performed by the case manager, and, in addition to serving as the liaison between the case manager and the courts, the probation officer is often used as “the heavy” in the case of problematic behavior. The juvenile clients appear in court once a month. The court does not have a specialized reentry court docket, rather, reentry court cases are included in a loosely defined “juvenile court.” The judge, program coordinator, case manager, probation officer, and client are present at the hearing. In addition, if the client whose case is being reviewed is participating in counseling, the treatment provider attends the hearing. The West Virginia program is unique in having the defense attorney and prosecutor attend and participate in the status hearings. The program does not utilize formal pre-court staffings. At the hearings, the case manager presents a progress report on the participant (updates are also provided by the probation officer and treatment provider) and makes recommendations to other team members. In addition, in order to make sure team members are “on the same page” about a participant’s progress prior to court hearings, the team regularly engages in Multidisciplinary Domain

Team (MDT) meetings, which include the program coordinator, case manager, treatment provider, prosecutor, and defense attorney.

Sanctions employed include restriction on privileges, curfews, community service, written assignments (e.g., book reports, reports on drugs and alcohol, a letter to the victim), more frequent court appearances, and re-institutionalization. Rewards used are reductions in contacts with the case manager, permission to skip a court appearance, elimination of curfew, a gift certificate (upon graduation), and early release from probation.

Desired Outcomes. Short-term outcomes noted by the key stakeholders with whom we spoke included meeting the basic needs of participants, addressing reunification with parents, providing restitution to the victim(s), securing employment and/or the return to school, and becoming skilled at setting goals. Desired long-term outcomes of the program include reductions in recidivism and reincarceration, maintaining a life free from drugs, and living as productive members of society.

4.4.3 Perceptions of Program Effectiveness

The West Virginia key stakeholders with whom we spoke felt positively about the program's effectiveness at preventing recidivism. Respondents mentioned that all participants get something out of it, and that the program has saved some kids from getting into trouble. Some respondents noted that the program is successful if the participant has bought into it and does not have expectations that are unrealistically high.

Responses were less positive regarding the program's effectiveness at treating substance abuse. Key stakeholders noted that very few substance abuse treatment programs are available, with few qualified staff trained in substance abuse counseling. Several reentry court participants have been sent out of state for treatment. Despite the difficulty in providing needed treatment, respondents did note that in reentry court, substance abuse problems are identified earlier (than would happen for non-reentry court cases) because of the increased attention and drug tests.

Key stakeholders were also asked about the impact of the program on family reintegration. Responses were favorable, with several stakeholders noting that the reentry court program serves as a valuable resource to families by trying to find out what the whole family needs (in addition to what the participants themselves need). Case managers assist parents with parenting skills, providing services such as helping develop home rules and providing advice with discipline techniques. Respondents noted that family participation is key and that it has been difficult to involve families, many of whom are resistant to changing. Indeed, some interviewees noted that the families threaten successful reintegration and that not returning home to their parents is sometimes better for the youths.

Several key stakeholders attributed the success of reentry courts to the regular status hearings. Regular probationers would appear before the judge only in cases of a violation hearing. Interviewees noted that the short time spent before the judge in regular status hearings is helpful and that the participants feel more accountable when they appear in front of the judge. In addition, respondents indicated that the judge's praise is effective because it is the first praise many adolescents have heard.

The West Virginia key stakeholders also acknowledged the importance of the case managers' role. According to some respondents, the case management provided through the program has had the biggest impact on the participants. The reentry court participants have a more structured environment and case managers who know them better. Several respondents indicated that although the same services are theoretically available to everyone, the reentry court program allows case managers to walk the youth through the steps necessary to utilize these services. In contrast, regular probationers have to follow the rules on their own. Key stakeholders mentioned that the youth on regular probation do not understand consequences as well as the reentry court participants do. Other interviewees noted that the reentry court participants receive more intensive services because they come out of the correctional institution earlier. The fact that reentry court participants can be sent back to the institution due to failure to comply with the conditions of their release (i.e., they have more to lose) is an important distinction between reentry court and non-reentry court probationers.

4.4.4 Perceptions of Support for Program

The key stakeholders interviewed during the site visits generally indicated positive support from the courts, probation, and service providers. Respondents felt that the courts were very enthusiastic, with excellent support from participating judges. Although key stakeholders noted that prosecutors have embraced the program and are very supportive, support from the defense attorneys appears somewhat less enthusiastic. Key stakeholders felt that although they would like to see more involvement from probation officers, they were enthusiastic about the program (noting that it reduces their load). The case managers in the West Virginia program appear to do much of the supervision work that would typically be performed by probation officers for non-reentry court probationers. Some respondents noted that in reentry court, probation officers are used as "the heavy," and brought in only if there are problems. In addition to setting up a probationer's supervision conditions, the main role of the probation officer is to serve as the link to the court. If a problem arises, the case manager contacts the probation officer (or prosecutor) who, in turn, communicates the information to the judge.

Respondents were generally positive about the level of support the program receives from service providers, indicating that service providers do their jobs better because they know there is more accountability through the reentry court. In addition, respondents indicated that the program has forced service providers to be more creative (when having to work out barriers) and tolerant. Some respondents noted that service providers may feel threatened due to "turf issues" with the case managers.

The key stakeholders with whom we spoke felt that the reentry court has improved collaboration among the courts, probation, and service providers, and made communication more focused. One reason for this improved collaboration is a formalized procedure for problem solving and sharing information about program participants. The team engages in Multidisciplinary Domain Team (MDT) meetings, which include the program coordinator, case manager, treatment provider, prosecutor, and defense attorney. These MDT meetings are held for each reentry court participant immediately prior to release and may be called by any of the team members at any time. An average client usually has an MDT called 1 to 3 times per year. Key stakeholders believed that the MDT meetings and the fact that the team has to be prepared

for the status reviews at court have made communication more focused. They indicated that key stakeholders have to be on the same page and work together in the best interest of the client.

In addition to the cooperation they have in the MDT meetings, the case manager, probation officers, and service providers regularly share information with one another. The case manager prepares a progress report based on information gathered during home visits and other work with the youth, as well as any information provided by the probation officer or treatment provider. The progress report is circulated to the rest of the reentry court team prior to court (and after court). The treatment providers also attend the court hearing if one of their clients' cases is being heard. Several key stakeholders felt that the information shared is not as extensive for regular probationers as it is for reentry court participants. For example, therapists have to track down a good deal of information themselves (e.g., school attendance, job performance, etc.) for non-reentry court clients.

Respondents were also asked about levels of support from the community. The program is working on strengthening these ties because the community needs to develop a sense of ownership for the program. The judge has spoken to several community groups and presents the reentry court as an anti-crime program. In addition, the program has tried to use the community service sanction as a way to build a positive relationship with the community. The community responds favorably to the increased supervision provided by the program, but attendance at the Citizens Advisory Board meetings is low, and respondents noted that it is difficult to keep board members involved and motivated.

Although community support is not as strong as desired, the program does receive positive support from schools. The rapport between the program and the schools is crucial because key stakeholders feel that kids are often labeled at school. The case manager often advocates for reentry court participants by asking the school not to automatically put the child in alternative education when he or she does something wrong. Respondents noted that both school staff and employers know that they can call reentry court staff in the case of problems.

4.4.5 Barriers Encountered

The key stakeholders from the West Virginia program identified numerous barriers to program operations. Most importantly, lack of funding, staff, availability of substance abuse treatment, and housing have severely challenged the program. These problems are compounded by the rural nature of the participating counties (with long distances that must be covered by program staff) and a lack of transportation.

The shortage of staff (particularly case managers) has limited the number of participants the program is able to enroll. Key stakeholders mentioned that there are several clients in the correctional facilities waiting to join the program but not enough case managers to enroll them (the case managers have caseloads of approximately 50 youth both inside and outside of the correctional facility, most of whom are not in the reentry court program). Indeed, the primary complaint of the program participant we interviewed was the length of time it took to get set up for release from the facility. In addition, for participants who are enrolled in the program, getting intensive substance abuse treatment is often difficult.

Key stakeholders noted that they need a substance abuse counselor specifically for the reentry court program.

Inter-agency red tape was also cited as a barrier by the key stakeholders with whom we spoke. For example, respondents felt that agency requirements such as mandatory parental consent prior to medical treatment can sometimes prevent clients from obtaining services. Key stakeholders noted that the eligibility process for services often breaks down when they cannot locate parents.

Some respondents felt that the program does not maximize the use of graduated sanctions and can be overly strict. Key stakeholders noted that the program has to be flexible and allow time for the participants to learn how to juggle the numerous responsibilities they face in the program.

Family cooperation was mentioned as a barrier by several key stakeholders. Respondents noted that some parents do not respond favorably to home visits and can sometimes impede the process of obtaining treatment for program participants. Such problematic home visits highlight the need for group housing. Indeed, some respondents felt that all the good work done by the program can be undone quickly if youths are placed back with their parents.

Some key stakeholders mentioned the lack of employment opportunities in the area and the need for more structured leisure time activities for program participants.

Finally, the difficulty in keeping the Citizen Advisory Board members involved in the program was identified as a barrier. Attendance at board meetings is unstable, and respondents noted that it is difficult to keep members motivated.

4.4.6 Future Plans for Program

The West Virginia reentry court program will benefit from the SVORI grant awarded to West Virginia Division of Juvenile Services. The program managers intend to find ways to continue the program beyond the 3 years of federal SVORI funding and are hoping to obtain state funding. Although they will continue to focus on the three main counties (Mineral, Grant, and Tucker) during the first year, they hope to expand the program to a 10-county area. Additionally, the original intentions of the SVORI grant were to increase the caseload to 140 participants per year. However, some respondents noted that this might not be realistic.

Regarding programmatic changes, the West Virginia program managers would like to start using a formal risk assessment (such as the LSI-Youth) and substance abuse screening, develop more structured formal phase levels, form community and institutional case management teams to transition participants from phases, utilize substance abuse contracts, implement a transition house for program participants, and expand the community service component of the program.

5. Conclusions

This report describes the approaches to establishing reentry courts utilized by the nine RCI sites. The sites were charged with testing the reentry court model using basic key components identified by OJP yet tailoring their programs to suit the individual legal, political, and community context in which they operate. Although the sites were not awarded federal funding to implement their programs and received only limited technical assistance, all but one were successful in implementing their programs. Although some of the programs continue to operate on a small scale, others have been able to achieve relatively high enrollment numbers (with five programs having a cumulative enrollment of over 50) and nearly all programs expect to continue operating and expanding their reentry courts.

This chapter presents some of the key similarities and differences among the nine RCI sites and highlights some of the major issues identified through Phase 1 of the process evaluation. This discussion is organized by the six key components of reentry courts identified by OJP. We summarize the original goals for the component, followed by a discussion of similarities and differences in the actual implementation of the component.

5.1 Assessment and Planning

As identified in the RCI program solicitation, an essential component of reentry courts is the identification of appropriate candidates for program participation prior to release. Once potential participants are identified, they should receive a needs assessment and case planning prior to release. This planning should include social services, family counseling, health and mental health services, substance abuse treatment, housing, job training, and work opportunities. Ideally, correctional administrators, the reentry judge, and the post-release supervision agency are involved in assessment and planning.

Several issues relevant to assessment and planning are worthy of discussion. The first pertains to identification of the appropriate target population. The RCI programs targeted diverse populations, using age, post-release county of residence, and offense type as parameters to define the target population. The target populations ranged from juveniles to adults and included either the general prison population or a subset of offenders with specific charges or treatment needs. Agreement on the appropriate target population among key agencies involved in the reentry court is essential. Decisions about whether to include violent or sex offenders, for example, have implications for the level of support from prosecutors, acceptance from service providers, intensity of supervision expected from probation or parole officers, and support from the public for the program. In addition, unlike drug courts, which involve focused treatment for offenders who share a common treatment need, reentry courts that target the general

population of returning offenders have to meet a diverse set of needs extending far beyond substance abuse treatment.

Another issue related to the identification of program participants pertains to whether reentry court participation is established as voluntary or mandatory. Depending on preference and legal authority, the RCI sites used both mechanisms, with a variety of procedures for transferring authority to the reentry court. Programs set up as voluntary have encountered difficulty in obtaining sufficient numbers of participants, because many returning offenders will not voluntarily modify the existing conditions of post-release supervision to include reentry court participation and programming.

Once the appropriate candidates for program participation are identified, assessment and planning can commence. OJP envisioned that assessment and planning would take place prior to release. Indeed, one of the advantages of establishing courts as a mechanism for coordinating the reentry process is that reentering prisoners can theoretically be identified at the initial sentencing, with preparation for release beginning immediately after sentencing. However, the extent to which pre-release assessment, planning, and programming occur across the RCI sites is highly variable. While most of the programs identify participants a few months prior to release and engage in some level of pre-release assessment and planning, a few wait until after release before beginning assessment and planning. The few sites that are able to arrange for extensive pre-release programming (including in-prison therapeutic communities) can take advantage of early identification of participants (sometimes at the initial sentencing) and the existence of established institutional programs. Being able to provide pre-release programming is advantageous because prisoners are better prepared for their release and can concentrate on finding employment and housing (rather than having to juggle treatment participation with many other responsibilities). However, some programs simply do not have the staff or institutional support to engage in extensive coordination and programming prior to release.

5.2 Active Oversight

In establishing guidelines for the RCI sites, OJP recommended regular court appearances beginning immediately after release and continuing throughout supervision. These court appearances would involve a judge, supervision officer, and other reentry court team members (such as a community policing officer). The key advantage of court appearances is that program participants witness each other's court appearances, thus educating and motivating participants and keeping them on track. OJP recognized that several approaches could be used to provide court oversight, such as the use of an administrative law judge rather than through the judicial branch. The use of the judiciary does have several advantages, however, including the effect of judges in promoting compliance from criminal justice populations and the court's ability to leverage resources.

Perhaps the most significant distinction among the RCI sites is the use of the judicial or executive branch as the authoritative body. Although this report focuses primarily on the programs that involve the judiciary (in that the three programs selected for site visits all had a judicial component), three of the RCI sites utilize administrative law judges as the authority. In the remaining five operational programs, ultimate oversight is provided by the judge (although one program involves shared authority between the

judge and a parole board member). Judicial involvement has several apparent advantages over the alternative model, but having oversight provided by the judiciary is simply not feasible for several sites, due to the low level of support from the local courts and state laws limiting the use of judicial authority. In addition, the alternative model may have advantages that were not adequately explored in this study.

Regardless of whether oversight is provided by the judicial or executive branch, all of the RCI sites conduct regular status hearings for program participants. These hearings are used to monitor participants' progress, acknowledge program compliance, and issue sanctions to noncompliant participants. Minor variability in the frequency of status hearings exists across sites (most require one court appearance per month), with some programs requiring status hearings in decreasing frequency throughout program participation. Variability also exists regarding whether or not programs operate a distinct reentry court docket. Some programs have a specialized reentry court docket, with the proposed advantage of reinforcing program success and failure before one's peers. Some programs use other models, such as holding individual status reviews (rather than public court appearances) or using an established drug court to monitor reentry court clients.

Another oversight issue identified in our study pertains to the standardization of supervision across program participants. The RCI sites utilize either probation or parole as the post-release supervision mechanism, depending on the local post-release supervision context. Some programs have identified a small number of supervision officers assigned to reentry court (although these officers typically supervise other cases as well). Often these specialized officers have reduced caseloads, due to the more intensive monitoring required by reentry court programs, and sometimes are required to spend a certain percentage of their time working in the evenings and on weekends. Having specialized supervision officers has the advantage of providing greater standardization in supervision components (including UAs, curfew checks, and field contacts) across program participants and of promoting more collaboration and communication across reentry court team members (such as between supervision officers and service providers). Depending on the level of involvement of supervision officers in program operations (for example, regarding attendance at reentry court team staffings and court appearances), greater efficiency can also be achieved by the use of officers specifically assigned to reentry court.

5.3 Management of Supportive Services

The RCI sites were charged with identifying the necessary resources for providing comprehensive services to program participants. These resources include substance abuse treatment providers, job training programs, private employers, faith-based institutions, family members, housing services, and community organizations. OJP's model involved support resources being marshaled by the court (once again, either through actual judicial involvement or other mechanisms). In addition, sites were to use a case management approach that is accountable to the court.

Although there was little variability across the RCI sites in the services available to program participants, the sites employed diverse approaches to managing these support services. Some of the programs use case managers, who may be either TASC case managers or employed directly by the courts to provide case management to reentry court clients. Other programs use the services of the supervision officers to

provide case management (in addition to their supervision responsibilities). The programs that are able to support case managers are often able to use them to coordinate services prior to release (and, in some cases, throughout the entire incarceration period) and play an active role in screening and assessing potential participants. Given that reentry court participants appear to receive more assistance in obtaining services than do offenders supervised through existing post-release supervision mechanisms in the RCI sites, and that returning offenders may need significant individualized assistance in navigating the overwhelming array of support services, the case manager's role is extremely important in the success of reentry courts.

Regardless of the mechanism for managing support services, the RCI sites appear successful at providing comprehensive services to program participants. Unlike traditional post-release supervision mechanisms that emphasize surveillance, the RCI programs clearly emphasize rehabilitation as well as supervision. Commonly provided services include mental health counseling, physical health care, substance abuse treatment, family counseling, employment and vocational assistance, educational assistance, and housing assistance.

Some of the barriers cited by reentry court key stakeholders pertain to the management of support services. In several RCI sites, interagency logistics challenge the provision of services to program participants. Bureaucratic requirements and contradictory procedures across participating agencies need to be addressed in order to efficiently coordinate service delivery. In addition to interagency logistical barriers, RCI sites almost universally acknowledged difficulty in obtaining housing and employment for participating offenders. Although dependent on obvious factors such as the local job market and availability of affordable housing, the extent to which housing is a barrier also depends on the program's target population. For example, programs targeting domestic violence offenders face unique challenges since offenders are not permitted to reside with former victims.

5.4 Accountability to Community

The RCI sites were encouraged to use a citizens advisory board to provide guidance to their programs. It was also suggested that the pilot programs involve victims organizations and implement a requirement that program participants pay restitution for their crime in an attempt to instill accountability.

Few of the pilot programs developed citizens advisory boards or used such groups in a formal capacity. In addition, the sites that do involve such advisory boards have difficulty in maintaining the participation of board members (although the size of the program may influence the level of community support it is able to garner). Most of the sites do, however, involve a variety of key stakeholders, either through formal or informal arrangements.

The extent to which various key agencies or community groups are involved in reentry courts differs across sites. For example, most sites had very little involvement from prosecutors and defense attorneys, whereas a few did attempt to involve these groups regularly in the program. In addition, some sites sought involvement from the faith community, local landlords' association, local schools or colleges, and victims groups. Also of interest is the role of community policing. Several sites have extensive

involvement from local police officers, with representatives from community policing attending reentry court hearings and regular interaction between supervision and police officers. The extent to which sites are able to reach out to pertinent agencies and community groups influences the level of support they can marshal for their programs and, in turn, the services they are able to provide to participants.

5.5 Sanctions and Rewards

The final component of reentry courts specified by OJP includes the use of sanctions and rewards. In cases of noncompliance with supervision conditions, the programs ideally use a predetermined range of graduated sanctions, which should be administered swiftly, predictably, and universally. Similarly, the programs are to identify key program milestones and use rewards (such as early release, graduation ceremonies, etc.) to recognize such milestones. Ideally, both sanctions and rewards should be administered in a public forum.

While extensive information about the use of sanctions and rewards was not gathered for all RCI sites, the three programs selected for site visits all acknowledged the use of sanctions and rewards. Most of the programs had a broader range of sanctions than rewards, including community service, jail time, more intensive treatment, and limitations on freedom. Rewards often included praise, the relaxing of restrictions, and decreased length of supervision. Little variability in the types of sanctions used and the extent of standardization was evident across the three selected sites.

5.6 Conclusions

Phase 1 of the RCI process evaluation has generated several insights regarding the ability of a diverse set of sites across the nation to test the reentry court concept. This report has described a variety of key characteristics pertaining to the organization and operations of the nine RCI sites. The variation in the programs suggests that, while many basic elements were evident across the programs, the RCI sites adapted their programs to accommodate the unique legal, political, and community context in which they operate. The main similarities in the reentry court approach used across the sites include the types of services available to participants (with almost all programs providing substance abuse treatment, mental health treatment, job placement/vocational services, educational assistance, housing assistance, and assistance with other basic needs) and the use of regular status hearings to monitor the progress of participants. Major differences were evident regarding target population, key agencies involved (including involvement of the judiciary), and the type of supervision and case management.

The Reentry Courts Initiative appears to have been most successful in sites that were able to bring the appropriate key stakeholders to the table. This level of collaboration ensures that all participating agencies benefit from the particular model developed by the site (for example service providers benefit from increased referrals, institutional corrections staff benefit from seeing what happens after offenders are treated in prison, etc.). In addition, the RCI confirms the need to leverage existing resources unique to a particular community in order to implement a successful reentry court program.

Phase 1 of the RCI process evaluation focused on gathering basic programmatic data on all nine sites and detailed information from three of the court-based programs. However, further research on several key implementation characteristics, including funding sources and program costs (eventually linking costs to outcomes, in a cost-effectiveness analysis), specific ways in which programs dealt with the barriers they encountered, and whether programs met their original goals (or how their goals were modified), would provide valuable information to sites interested in establishing successful reentry courts. Phase 2, if funded, would address these issues and yield additional insights pertaining to the remaining models (unexplored in the Phase 1 site visits), which include alternatives to court-based programs. These programs include those that do not involve the judiciary or that incorporate their reentry courts into existing drug courts. Several RCI sites (and, undoubtedly, other communities interested in implementing reentry courts) have had to seek alternative ways to establish their programs, due to lack of support from the local courts and legal restrictions on the use of judicial authority over released prisoners. Reentry courts are a novel concept, and communities who implement them are continuously defining the model. Given that reentry courts are a promising, yet fledgling approach to managing the complex problem of prisoner reentry, documenting all types of models used in establishing programs is important to policy makers, practitioners, and researchers alike.

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Appendix A: Staff Interview Guide

Respondent Information

Site: _____

Respondent Role: _____

Reentry Court Staff Interview Guide

Introductory Statements: *[read informed consent letter, provide copy to respondent, and proceed after respondent agrees to be interviewed]* I'd like to ask you some questions about your reentry court program.

Program Goals

1. What agencies/departments/organizations were originally involved in the formation of the reentry court initiative?
2. Currently, who do you consider to be the key stakeholders of the program (probe for roles/titles and agencies, not individual names)?
3. What were the original goals of the program?
4. How were these goals established (i.e., who worked toward establishing goals and what was the level of consensus among key stakeholders)?
5. Currently, what are the goals of the program? [if goals deviate from original goals, probe as to why the goals were modified]

Target Population

6. What was the original target population (probe for information on: criminal history, instant offense, length of incarceration, age, gender, substance abuse problems, mental health problems)?
7. Currently, what populations are served by the reentry court program (probe for information on: criminal history, instant offense, length of incarceration, age, gender,

substance abuse problems, mental health problems)? [if population deviates from original plans, probe as to why the target population was modified]

- a. What is the current eligibility criteria for participants?

Availability of Resources

8. What resources were available when the reentry court was being planned (probe for: pre-existing professional collaborations, contracts with service providers, funding, personnel, facilities)

9. Currently, what resources are available to the reentry court program? Probe for
 - a. professional collaborations
 - b. contracts with service providers
 - c. funding
 - d. personnel
 - e. facilities

Program Components

10. What were the initial plans for...
 - a. Case management?
 - b. Supervision/monitoring of progress?
 - c. Judicial contact/court appearances?
 - d. Program length?
 - e. Sanctions and rewards?

11. Currently, what are the procedures for...

- a. Case management? [if plan deviates from original, probe as to why it was modified]
 - b. Supervision/monitoring of progress? [if plan deviates from original, probe as to why it was modified]
 - c. Judicial contact/court appearances? [if plan deviates from original, probe as to why it was modified]
 - d. Program length?
 - e. Sanctions and rewards [if plan deviates from original, probe as to why it was modified]?
12. Does your state have parole? What proportion of releasees are supervised through probation or parole upon release? What happens to a releasee who is not under supervision (i.e., any services, case management, etc.)? [note: if state does not have parole, skip Q's 13, 27, 29, 34, 36, and 39]
13. What do you see as the main differences between reentry court participants and regular parolees in terms of...
- a. Case management?
 - b. Supervision/monitoring of progress?
 - c. Judicial contact/court appearances?
 - d. Sanctions and rewards?
14. What were the initial plans for service provision in the reentry court program (probe for: substance abuse/mental health treatment, vocational training, education, family counseling, housing, aftercare, any other services)?
15. Currently, what services are provided through the program (probe for: substance abuse/mental health treatment, vocational training, education, family counseling, housing, aftercare, any other services)? [if services differ from initial plans, probe as to why the services provided were modified]
16. What is the current program capacity?

17. What were the initial plans for program capacity?

18. What is the current program enrollment?

19. Are there many people eligible to enter the program but who are not enrolled?

20. How many participants have graduated from the program?

21. What are the procedures for getting someone into the program, specifically

a. How are potential participants referred/identified?

b. Does any assessment/screening take place prior to participation?

c. Who has the final approval for participation?

d. Does the offender have to agree to participate?

e. When are participants actually enrolled in the program (i.e., sentencing, during incarceration, upon release, etc.)?

22. Is your program divided into any phases?

Outcomes

23. Originally, what short-term (intermediate) outcomes did the reentry court program hope to affect (i.e., linkages among key stakeholders, enrollment, graduation rates, etc.)?

24. Currently, what short-term (intermediate) outcomes does the program hope to influence? [if current desired outcomes deviate from original, probe as to why they were modified]

25. How has the program influenced linkages and collaboration among key stakeholders?

26. How is information shared among the reentry court team (i.e., parole/probation officers, judge, treatment providers)?

27. For regular parolees (not in reentry court), how is information about their progress shared among parole/probation officers, judges, and treatment providers? What are the differences in the level of information shared (i.e., frequency and level of detail shared) about the progress of reentry court participants and regular parolees?

28. How has the reentry court program influenced services available to program participants?

29. What differences do you see in the services available to reentry court program participants and those available to regular parolees or probationers?

30. What has been the impact of the reentry court program on the judicial system?

31. Originally, what long-term outcomes did the reentry court program hope to affect (i.e., recidivism, family reintegration, employment, substance use)

32. Currently, what long-term outcomes does the program hope to influence? [if current desired outcomes deviate from original, probe as to why they were modified]

33. How successful do you think the reentry court program has been at preventing recidivism among graduates
34. How successful do you think regular parole is at preventing recidivism?
35. How successful do you think the reentry court program has been at treating substance abuse and other problems among participants?
36. How successful do you think regular parole is at treating substance abuse and other problems among parolees?
37. What impact do you think the reentry court program has had on family reintegration?
38. What impact do you think the reentry court program has had on community reintegration (probe for employment, community involvement)?
39. What impact do you think regular parole has on family and community reintegration?
40. Is your reentry court program tracking data on participants during their participation in the program? What type of data are you gathering? Are graduates tracked after graduation? (probe for length of follow-up, type of data, use of MIS, etc.)?

Barriers and Solutions

41. Have you observed any unintended consequences of the reentry court program?

42. What barriers has your program encountered? What solutions were you able to employ to deal with these barriers?

43. How would you describe the level of support your program has received from...

- a. Service providers

- b. The courts

- c. Defense attorneys

- d. Prosecutors

- e. Parole or probation

- f. The community

44. Without receiving federal funding, how was your program able to reach operational status?

45. What are your plans for continuing the program?

46. Is your program being evaluated?

Appendix B: Participant Interview Guide

Reentry Court Participant Interview Guide

Introductory Statements: *[read informed consent letter, provide copy to respondent, and proceed after respondent agrees to be interviewed]* I'd like to ask you some questions about the reentry court program that you are currently participating in.

1. How long have you been in the reentry court program?

2. How did you end up in the program? Specifically...
 - a. Who approached you about reentry court?

 - b. At what stage in the criminal justice system were you when you began reentry court (i.e., at your sentencing hearing, while you were incarcerated, after you were released)?

 - c. Were you given a choice about whether to participate in reentry court?

 - d. What did you think would happen to you if you didn't agree to participate in reentry court (probe for any retribution)?

3. Do you appear before the reentry court judge regularly? How often (record as weekly, biweekly, monthly, etc.)?
 - a. [if yes] can you tell me about the monitoring hearings you attend?

4. Do you have a case management plan?
 - a. [if yes] who developed this plan?

5. Who supervises you and monitors your compliance?

6. How often do you meet with your probation/parole officer?

7. What sanctions or punishments for noncompliance do they use in the reentry court program? What sanctions have you received?
8. What incentives or rewards for compliance do they use? What rewards have you received?
9. What services are provided through the program (probe for: substance abuse/mental health treatment, vocational training, education, family counseling, housing, aftercare, any other services)?
10. Do you think enough services are provided through the reentry court program?
11. Do you think reentry court participants get more services than regular parolees?
12. What do you think are the main differences between reentry court and regular parole?
13. How successful do you think the reentry court program is at preventing people from committing crimes?
14. How successful do you think the reentry court program is at treating drug use and solving other problems among participants?
15. How successful do you think the reentry court program is at helping people reconnect with their families and communities?

Appendix C: Court Proceedings Observation Guide

Reentry Court Proceedings Observation Guide

Site: _____

Attendance/Participation Log

Attendee Role	Attended Pre-Court Staffing (y/n)	Level of participation at pre-court staffing*	Attended Court Hearing (y/n)	Level of participation at court hearing*

*observed only, minimal participation, active participation; did judge elicit response from attendee?

Case Observation Log

Case	Discussion/events at pre-court staff meeting	Discussion/events at court hearing	Final decision/action
1			
2			
3			
4			
5			
6			
7			