

A Self-Assessment Guide Drug Court Process

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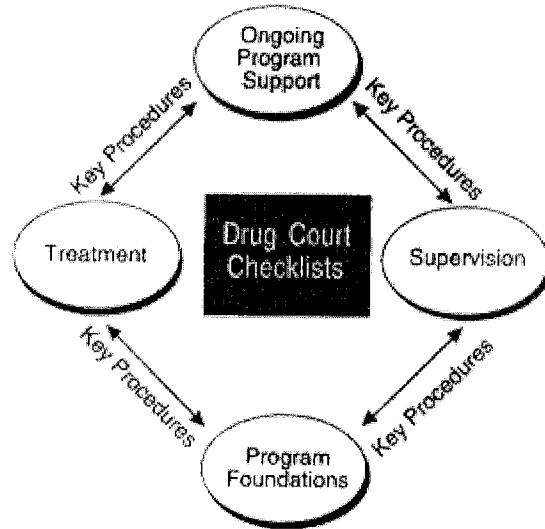
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Introduction

This self-assessment guide is designed to assist individuals and teams in the decision-making process facing Drug Court planners and administrators. It is made up of a number of checklists intended to help you make decisions about issues, processes, and procedures related to Drug Court planning. It is not intended to provide you with a design or plan for your Drug Court, but to assist you in thinking through the decisions and stages that are involved in designing a Drug Court.

If you have comments or questions about the checklists, please contact us at the National Association of Drug Court Professionals, 901 North Pitt Street, Suite 300, Alexandria, VA, 22314. Phone: (703) 706-0560 Fax: 706-0565

Section 1

Program Foundations

- Program Goals
- Program Type
- Eligibility
- Program Coordination
- Incentives & Sanctions

Program Goals

1. What is the goal of your program? Why does it exist?

to reduce jail overcrowding

to reduce recidivism

to reduce court work load

to reduce drug usage

to produce productive citizens other

2. What are the characteristics of the offender population chosen?

ethnicity

age

criminal background

charges drug usage/drug of choice

socioeconomic status percentage of drug using offenders

3. Is your goal realistic and achievable, considering:

level of funding

number of participants expected in program

program design

other support resources available

Program Type

1. What type of Drug Court program do you plan to have?

diversion

post plea/pre sentence

probation

a combination of the above 3 other

2. If you have a Diversion Program, what kind is it?

statutory

non-statutory

3. Is this a pure diversion program or a hybrid program?

pure diversion

hybrid

Eligibility

1. Who screens for eligibility?

- police
- D.A.
- P.D.
- pre-trial
- probation
- jail personnel
- court staff
- judge (in court/out of court)
- a combination

2. When is the eligibility determination made?

- at the time of arrest (pre-release)
- before the first court hearing
- at the first court hearing
- after the first court hearing

3. What offenses are eligible?

- misdemeanors
- felonies
- drug sales
- drug possession for sale
- drug user
- non-drug offenses (determine offenses)

4. Are any offenses specifically excluded?

- violent offense
- armed/dangerous weapon

5. What are reasons for exclusion?

- prior arrest or conviction

present charges

facts behind the charges

Program Coordination

1. Is there a program coordinator staff position?

yes

no

2. Who provides supervision/case management staff?.

TASC

treatment program

probation

pre-trial services

other

3. Who is responsible for:

agency coordination

information management

case management

program monitoring

assessing success

program reviews

recommending modifications

4. If a steering committee is responsible for the program, how is it organized?

members

structure

meeting logistics (when/where/how often)

5. Who has ultimate authority?

steering committee

- judge
- D.A.
- program coordinator
- local government
- other

Incentives and Sanctions

1. Do you use sanctions or incentives in your program?

- yes
- no

2. What prompts the use of sanctions?

- dirty tests
- failure to participate
- failure to appear at a court session
- failure to pay fees or do community work
- other

3. What sanctions are used?

- jail time
- fees
- community service
- other

4. What prompts the use of incentives?

- clean tests
- full participation
- good reports
- payment of fees on time
- other

5. What incentives are used?

Reductions in:

 term of diversion/probation term of supervision

(reducing level of diversion/probation)

 program fee program contacts/requirements

Rewards:

 certificates momentos**6. How do participants know about consequences of their level of participation in the program?** point system phases contracting drug testing agreements other**7. Who decides when incentives and sanctions are used?** judge probation agency pre-trial agency treatment agency drug court team other**8. Under what circumstances is the offender removed from the program?** failure to participate

- failure to appear in court
- new charges filed
- new drug charges filed
- other

9. What is the likely disposition of a case when a participant is removed from the program?

- reinstatement of criminal proceedings
- court trial and conviction
- plea
- dismissal of case

10. Is the participant likely to do significant jail time if convicted of the offense?

- no jail time
- up to one month
- more than one month
- more than six months

11. Who makes the determination?

- judge
- D.A.
- team
- other

12. Under what circumstances does the participant graduate from the program?

- clean tests
- full participation
- fees paid
- combination of the above/other

13. How long must the participant be in full compliance before graduation?

three months

six months

nine months

one year

other

">

Section 2

Key Procedures

- Court Processes
- Initial Referral to Treatment/Supervision
- Information Linkages

Court Processes I

1. What type of jurisdiction system do you have?

single

dual jurisdiction system (municipal/superior, district/circuit)

2. How many Drug Courts does your jurisdiction have?

unified drug court

multiple

3. When does the participant first appear before a judge?

the same day as arrest

after one day

within one week

longer than one week

4. Who sees the participant?

judge

magistrate

5. Is the participant first seen at a general arraignment or Drug Court calendar?

general arraignment

drug court calendar

other

6. Are progress reports heard in a Drug Court session or in a general session?

drug court session

general session

7. When is a participant admitted to the program?

before the first court appearance
(determine how long before)

at the first court appearance

at the second court appearance

other

8. When are court appearances after admission into the program set?

one or more weeks after the first court appearance
(determine number of weeks)

location (same or different court)

9. Do the following participants appear during a Drug Court session and what is the order of appearance?

those in custody for failure in the program

those appearing for progress reports

those to be admitted into the program

other

Initial Referral to Treatment/Supervision

1. When is the initial appearance at treatment/supervision?

immediately after court

within one hour of court

on the same day of court

within one week of court

other

2. What kind of transportation is provided to the orientation site?

van or bus

other

3. If the site is within walking distance, does the participant:

walk alone

walk over with an escort

4. Is there an orientation session?

yes

no

5. What is the format of the orientation setting?

individual, one-on-one

group

Information Linkages

1. To whom is Drug Court information provided?

court

D.A

P.D.

treatment provider

supervision agency

participant

other

2. How is the information provided?

written report

online

by data print out

phone or in person

3. What information is provided?

drug treatment information (all/partial)

treatment / supervision participation (all/partial)

drug testing information

personal history

criminal history

4. How is information presented?

narrative form

score card

point system

5. When is information made available?

immediately(at time of failure)

after one or more days (determine number)

at the next court appearance

6. Is information collected for later evaluation?

method collected

person responsible for data collection

Section 3

- Supervision
- Drug Testing
- Payment of Fees

1. Who provides supervision?

Drug Court program

probation

pre-trial services

treatment provider

TASC

2. How many days after admittance into the program is the first appearance at a supervision agency:

same day

one day

two days

other

3. Is there an orientation session?

yes

no

4. In what kind of setting is supervision provided?

individual

group

both

5. How often is supervision provided in:

first month

second month

third month, etc.

6. What is the supervisory agency responsible for?

monitoring criminal conduct

monitoring treatment?

monitoring drug testing

7. Is the supervisory agency responsible for notifying the offender for failure to participate?

yes

no

8. If yes, by what means?

- phone
- letter
- other

9. When is the information provided to the court?

- at one day
- two days
- next court date
- other

10. What else is the supervision agency responsible for?

- determining client eligibility
- screening and assessment
- drug testing
- treatment
- education and rehabilitation
- other

Drug Testing**1. Who provides drug testing?**

- treatment provider
- probation staff
- other

2. When is the first drug test given?

- at arrest
- at first court appearance
- other

3. How often is drug testing done?

during first month

second month

third month, etc.

4. What medium is used?

hair

blood

urinalysis

other

5. If urinalysis is required, where is it conducted?

in-house

outside commercial lab

6. What factors must be considered when selecting a drug testing provider?

cost per test

how many screens conducted

speed of test results

other

7. Is there a quantitative or a qualitative determination made?

qualitative

quantitative

8. What is the response to clean/dirty urinalysis?

increase/decrease in testing

increase/decrease in sanctions or incentives

increases/decrease in supervision

increase/decrease in treatment

other

9. Where is the drug testing conducted?

- court building
- probation
- treatment center
- lab
- other

Payment of Fees

1. Are fees:

- mandatory
- discretionary

2. What is the program fee?

- \$100
- \$500
- \$1000
- \$2000
- other

3. What options does the offender have regarding the fee?

- fee can be worked off
- fee can be excused
- offender can earn incentives to reduce the fee

4. Is community service or other work:

- mandatory
- discretionary

5. What kind of community service is available to the participant?

- non-profit organizations
- anti drug program
- work program

other

6. What are the sanctions for failure to pay?

jail time

additional fees

other

7. What are the incentives for paying on time?

Reductions in:

term of diversion/probation

terms of supervision

(reducing level of diversion/probation)

program fee program contacts/requirements

Section 4

Treatment

- Assessment
- Treatment Options
- Jail & Treatment
- After Care Services

Assessment

1. Who assesses the participant?

TASC

probation

pre-trial

program staff

treatment provider

2. Where is the assessment conducted?

at treatment program

in jail

other

3. What model is used?

standard model

medical model

combination of the two

4. Are offenders given different treatments based on the assessment results?

yes

no

5. Are treatment options available for special populations?

dual diagnosis

pregnant women

mentally disabled

HIV positive

6. When is the assessment completed?

before admittance into program (determine time period)

after results are reviewed

during course of the program

Treatment Options

1. Who provides treatment?

drug court program

a community provider

NA/AA/CA

probation / pre-trial

TASC

combination/other

2. Which of these services is provided to participants by treatment providers?

- drug testing
- supervision
- counseling group/individual
- acupuncture
- education
- rehabilitation services

3. When does participant have contact with treatment provider?

- at court hearing
- immediately after court hearing
- other

4. Where are first and subsequent contacts?

- court house
- treatment provider
- other

5. Are services provided at one or more location?

- single location
- more than one location

6. Who does the treatment provider report to?

- court
- supervisory agency
- other

7. How often are reports provided?

- weekly
- monthly
- other

8. Is a drug test summary provided?

yes

no

9. When does the treatment provider report a failure to participate in the program?

immediately

other

10. How long does it take to return the offender to court?

determine appropriate time

Jail & Treatment

1. Does your jail provide the following services to the Drug Court population?

detox facilities

acupuncture

literacy or other educational programs

AA/NA programs

drug education

drug treatment/counseling

2. Where will the Drug Court participant be placed?

separate drug program

general population

3. When are special in-custody programs available for Drug Court offenders?

at the initial detention prior to admission to program

during jail term

because of failure in the program (as a sanction)

After Care Services

What rehabilitation services are provided?

education

job training

health (medical, dental)

housing assistance

2. Where are services provided?

in the program

outside of the program

at a college/junior college

at a high school

through adult education

3. When are services made available?

at the start of the program

middle to end

after graduation from the program

4. Is participation required for graduation from program?

yes

no

5. Are any of the following required for graduation?

job placement

job stability

community service

Section 5

Ongoing Program Support

- Evaluations
- Resource Acquisition
- Community Involvement

Evaluations

1. Who conducts the evaluation of the program?

in house

university

consultant

other

2. Who is responsible for design of the evaluation?

program coordinator

outside consultant

other

3. What is included in the evaluation design?

control group/baseline data

comparative data from other programs

other

4. How is data collected for evaluation purposes?

online records

collected forms/reports

other

5. What agency is responsible for data collection?

court

probation

treatment agency

other

6. What factors are evaluated?

recidivism

time in custody

retention in program/treatment

costs

other

7. How do you define program success?

- significant decrease in recidivism
- percentage of participants who complete treatment
- other

Resource Acquisition**1. How will program initially be funded?**

- federal grant
- state grant
- block grants (Byrne, other)
- state agency (alcohol, drugs, AOC)
- county agency
- community agency
- non-profit foundation (local, national)
- corporate grant
- special tax (state, local, etc.)
- direct county funding
- court funding
- combination of the above/other

2. What other options are available for current or continued funding?

- reorganization of existing programs
- accessing existing community resources
- accessing existing government resources

3. What evaluation data will be useful to sustain funding?

- recidivism measurements
- time in custody
- retention in program/treatment

costs

other

Community Involvement

1. How does your program involve community organizations?

media coverage

planning

management

resource support

other

2. How will or has community involvement helped sustain your program?

funding

perceived positive impact on community

other

3. Is an increase in community involvement desired or planned?

yes

no

4. What media contacts can be initiated?

press

TV

radio

5. At what point in the planning or implementation should media contact occur?

at beginning of the program

during pilot program

after evaluation of the program

6. How can positive or negative coverage impact the program?

funding/resource support

morale

other