

Briefings: Patrol Essentials for Treatment Court



Law Enforcement Operationalized Justice Related Responses
Module 2 – Standard Operating Procedures

Disclosure

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2. BJA is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime and the SMART Office.
3. Points of views or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Briefings Training Series Goal

The overall purpose for this series of four virtual trainings is to:

- help participants gain an understanding of the importance of law enforcement involvement in treatment courts.





THE PROBLEM

- More than 80% of crime is drug or alcohol fueled
- What if we just put them in prison?
 - 50% are rearrested within 1-year
 - 66% are rearrested within 3-years
- 50% of offenders have a moderate to severe substance use disorder (SUD)
- 75% of persons referred to treatment either never enter or leave prematurely

The Impact of Law Enforcement Attendance on Success of the Team

Pre-court Meeting/Staffing

- 50% more effective at **reducing recidivism** when all team members consistently attend

Status Hearings

- With regular law enforcement attendance, over 80% **reduction in crime** and 60% more **cost-effective**

What is the goal of Treatment Courts?

☐ **Sobriety**

or

☒ **Recovery**





Trainer Introductions

FACULTY

Briefings



Briefings

MODULE 2: STANDARD OPERATING PROCEDURES

Terminal Performance Objective (TPO): Law enforcement professionals will familiarize themselves with essential components to develop a standard operating procedure for a law enforcement officer working as part of a treatment court program.



Module 2: Enabling Performance Objectives (EPO)

- EPO#1 - Identify** the SOP for Law Enforcement in Treatment Court.
- EPO#2 – List** the core competencies for Law Enforcement.
- EPO#3 - State** the role in planning Law Enforcement plays.
- EPO#4 - State** the operational role Law Enforcement plays.
- EPO#5 - Identify** the field expertise requirements for Law Enforcement.



LAW ENFORCEMENT



8 CORE COMPETENCIES RELATED TO LAW ENFORCEMENT'S ROLE IN A TREATMENT COURT SETTING



Poll #1: The Job

The main role of law enforcement as part of a treatment court is to:

1. Arrest the bad guys
2. Engage with the community
3. Catch participants using
4. Be the boots on the ground for the team
5. Be a social worker with a gun

LAW ENFORCEMENT CORE COMPETENCY 1



Participates fully as a treatment court team member, commits him or herself to the program mission/goals and works as a full partner to ensure their success.



LAW ENFORCEMENT CORE COMPETENCY 2



Uses law enforcement sources to provide information on participant appropriateness and make recommendation to the team.



LAW ENFORCEMENT CORE COMPETENCY 3



Facilitates the swift delivery of bench warrants for participants who have absconded from the program.



LAW ENFORCEMENT CORE COMPETENCY 4



Acts as a liaison to police agencies, providing education, information and training on the importance of the treatment court program to community safety and the benefits of law enforcement in collaborating with the treatment court.



LAW ENFORCEMENT CORE COMPETENCY 5



Is knowledgeable about addiction, alcoholism, and pharmacology generally and applies that knowledge to respond to compliance in a therapeutically appropriate manner.



LAW ENFORCEMENT CORE COMPETENCY 6



Is knowledgeable of gender, age and cultural issues that may impact the offender's success.



LAW ENFORCEMENT CORE COMPETENCY 7



Provides a monitoring function to the team (along with supervision and treatment): i.e. going on joint home visits, reporting on a participant's activities in the community and supervising participation in community service.



LAW ENFORCEMENT CORE COMPETENCY 8



Provides assistance, information and support to participants in the community encouraging them to succeed in the program.



Standard Operating Procedure (SOP) defined

- A set of written instructions that include technical and programmatic guidelines for a job function as determined by the agency
- Developed by individuals familiar with the job function and agency guidelines



- CALEA (Commission on Accreditation for Law Enforcement Agencies, Inc.) accreditation
- Provide technical guidelines for the job function
- Provide programmatic guidelines for the job function
- Define collaborations, expectations and limitations of the job function based on agency policy, procedure and rules
- Assist in developing best practice standards for law enforcement participation

A close-up photograph of a silver and gold fountain pen lying diagonally across an open, spiral-bound notebook. The notebook has white pages with light blue horizontal ruling. The background is a dark, textured wooden surface.

Why have a SOP?

Key Segments in Developing a SOP



Statement of Purpose

- Defines the treatment court program and the extent of law enforcement's participation in the program (liaison officer, community engagement officer, surveillance officer, etc.)

The (insert jurisdiction/court name) was initiated in (insert month/year). The program was implemented to address criminal behavior with an underlying issue of substance use disorder and/or mental health disorder.

The (insert jurisdiction/court name) is an intensive court supervised program that is dedicated to improving community safety by addressing addiction through treatment and accountability. Our vision is to improve lives for individuals and families through a pathway of change that facilitates sustained success in recovery. The treatment court liaison officer serves as the law enforcement representative on the team.

Organization and Staffing

- Defines what division the law enforcement officer works for and to whom the officer reports

The Treatment Court Liaison Officer works under the direction of and reports to the **(insert rank of supervisor)** of the **(insert division)**



Utilization and Deployment

- Defines how the law enforcement officer is utilized within the agency and as support for the treatment court program

The primary purpose of the treatment court liaison officer is to serve as a member of the **(insert jurisdiction/court name)** in a law enforcement capacity. In addition, this position may include **(insert any additional duties assigned to the liaison officer by their direct supervisor or chain of command)**

Call Out Procedure (if it applies)

- Defines normal shift responsibilities and call-out procedure for treatment court-related service calls

During regular shift hours, defined as Monday through Friday from (insert regular shift hours), any calls for service involving program participants will be responded to by the officer holding this position.

After regular shift hours, weekends and holidays the call out protocol should be followed:

- Officers responding to calls for service where there is an issue involving a participant in the program should contact dispatch and request that the treatment court liaison officer be contacted; and
- The treatment court liaison officer should then contact the requesting officers. If the situation cannot be resolved through phone communication, the treatment court liaison officer will respond to the scene and take appropriate measures to resolve the situation based on established treatment court policy and procedure as well as all state and city legal mandates.

Goals, Objectives, and Performance Measures

- Accomplished through a combined effort of each team member associated with the program
- Vary based on the agency and the treatment court team
- Treatment court liaison officer maintains statistical data that is reported and reviewed quarterly to monitor success in the program
- Data indicates the effects of law enforcement's involvement in the treatment court process and how that process helps reduce criminal activity in the jurisdiction
- Data collected is determined by the agency

The primary goal of the treatment court liaison officer is to provide law enforcement assistance to the **(insert jurisdiction/court)** as a member of the team in the courtroom as well as in the field.



Personnel Duties, Authority and Responsibilities

- Defines specific law enforcement related duties

The treatment court liaison officer will be responsible for the following duties related to participation as a team member with **(insert jurisdiction / county)** treatment court program:

- List duties based on agency assignment

Personnel Selection Procedure

- Defines how an officer is selected and assigned to the treatment court program

Officers will be selected from the Department who have **(insert number of years of service)** years service after the probationary period. Officers to be considered for the position will provide the last **(insert length required)** months activity, last evaluation and leave sheets. They must not be on any probationary status. The selection process will also include an interview with the **(insert review panel or state how selected if panel not used)**

The selection process will not conflict with established departmental procedure or union collective bargaining agreements and will follow those established guidelines.

Training and Development

- Defines training protocols for a law enforcement officer assigned to a treatment court program

Training is an ongoing process and the treatment court liaison officer may be selected to attend advanced training outside of the Department as those trainings become available.

Training involves both classroom and hands-on practical exercises to keep the responding personnel proficient on local and national laws and guidelines related to treatment court programs.

Annual Inspection

- Defines the need to have a formal inspection to look at officer performance vs. agency expectations

State what the inspection process will be and how it will be conducted

The treatment court liaison officer will cooperate with the Inspections Unit when they perform staff inspection of the unit. The purpose of the staff inspection is to compare the Department's formal expectations with the actual performance of the unit.

Records Management and Special Reporting

- Defines case file maintenance, records retention and any agency-specific reporting
- Maintained in accordance with statutory Open Records Act, which regulates the retention time for offense reports
- Defines the term "Offense Report"

All original case files will be secured by personnel in compliance with HIPAA regulations.

Active case files are kept out of public view and secured in filing cabinets.

If destroyed or purged by court order, they will be shredded with one officer serving as witness.

Collection and Preservation of Evidence

- Defines the requirement for the law enforcement officer to adhere to agency policy as it relates to evidence collection and case filing

The treatment court liaison officer will strive to adhere to the departmental policies as outlined in the Police and Procedure manual.

Equipment/Vehicle Operation and Control

- Define what equipment and vehicles are assigned to the officer and the specifics of operation and maintenance

Assigned vehicles will not be used to pursue offenders' vehicles under any circumstances in accordance with the Departmental Policies as outlined in the Departmental Policy and Procedures manual **(insert any restriction which apply to your agency regarding assigned equipment including required equipment inspections, cleaning and upkeep)**

Law enforcement defined:

Sworn police officers, deputy sheriff's, highway patrol officers and tribal officers whose primary job function is prevention, detection, or investigation of any violation of criminal law and who are authorized to carry firearms and make arrests for violations of the law.

Although probation and parole officers in many jurisdictions may possess some of these authorizations, for the purposes of this training they are not defined as law enforcement.



Role Differences



Probation Officer

- Completes risk assessments
- Develops supervision plans
- Develops case management plan
- Determines travel restrictions
- May or may not have powers of arrest
- Warrant execution limitations (certain jurisdictions)
- Search limitations (certain jurisdictions)
- Delivers cognitive-behavioral interventions
- Limited schedules
- Curfew monitoring
- Ankle monitoring and accountability
- Conducts home/employment visits
- Performs drug and alcohol testing
- Information Sharing

Role Differences



Law Enforcement Officer



- Unlimited powers of arrest
- Warrant execution
- 24/7 agency availability
- Searches only limited by terms of program waivers, and unlimited with probable cause
- Assist with home/employment visits
- Assist with drug and alcohol testing
- Information Sharing
- Investigates suspect criminal activity
- Primary job function is prevention, detection, or investigation of any violation of criminal law
- Ability to arrest for any substantiated violation of the law occurring in their jurisdiction

Field Expertise

- Community Safety
- Extension of team
- Knowledge of local drug trends
- Knowledge of criminal activity and known drug areas in the jurisdiction
- Interview skills
- Communication/Active listening



LAW ENFORCEMENT FIELD EXPERTISE



- ❖ Understanding of substance use disorder
- ❖ Understanding of mental health and related diagnosis
- ❖ Understanding of trauma-informed practices
- ❖ Collaborative engagement with a multidisciplinary team
- ❖ Knowledge of search and seizure limitations
- ❖ Knowledge of HIPPA Mandates



“First responders bear witness to damaging and cruel treatment experienced by others, shattering any assumptions of invulnerability.”
(Janoff-Bulman, 1992)

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Poll #2: The Job, redux



The main role of law enforcement as part of a treatment court is to:

1. Provide their expertise to the treatment court team
2. Engage with the community
3. Support participants in their recovery
4. Be the boots on the ground for the team
5. Be a social worker with a gun



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Questions & Answers

Thank you!