

**Evaluating the Swift, Certain, and Fair Pilot
Project for Probationers in AC's
What we learned
Interviews with AC Staff**

What did we hear and find - Similarities and
differences in AC's
Understanding the AC's and how the pilot is
being implemented related to probationer
referrals and participation

Evaluating the Swift, Certain, and Fair Pilot Project for Probationers in AC's

What we learned

Interviews with AC Staff

Mission and Goals

Referral, Acceptance, and Denial

Roles of AC staff

Participant Supervision

Incentives and Sanctions

What necessary gap is filled by the AC

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Interviews with AC Staff

A Question for Conference Attendees ??????

  **Show of hands**  

Does your AC routinely accept referrals from probation?

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AC Mission and Goals

court-supervised treatment; effective use of community resources to improve the opportunity for recovery; hold defendants accountable; assist participants to achieve long-term recovery, to become law-abiding citizens and successful family and community members; change offender and addictive behavior through a team approach; reduce substance use disorder and drug-related criminal activity; A non-adversarial approach to take control of your own recovery; provide the necessary structure and treatment to addresses these issues, so that upon graduation, our participants can lead productive and meaningful lives. Introduces participants to an ongoing process of recovery designed to achieve total abstinence from illegal drugs and/or alcohol abuse

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Interviews with AC Staff

Referral to the AC 1

- Who makes referrals - Pre-adjudication, Probationers
- Systematic review of all cases
- Alternative referral methods (weekly jail meetings,)
- System structured so that PO's do not have much interaction with the AC's
- More difficult to vet possible MHC referrals but easier for DC
- Judges navigating Covid

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Interviews with AC Staff

Referral to the AC 1 - Probation

- Knowledge of DCS staff
- Court/probation processes for AC referrals
- Jail capacity/crowding/desire to keep Covid out of jail.
- AC referral w/o probation first is “waste of resources”
- Time left on probation sentence
- Probationers with new criminal charges

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Interviews with AC Staff

Acceptance & Denial 1

- Written criteria for AC admission - SCF*
- Prosecutor decision
- Assessment*
- Input from other AC team members
- Police, community members
- Gun possession – Rural & Urban perspectives
- Housing & transportation
- “Base decision on written policy to avoid bias”

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Interviews with AC Staff

Acceptance & Denial 2

Drug Court

- Violent crimes, drug dealing, criminal history, sex offenders, gang affiliation*
- Criteria for probation acceptance – Present offense, history, past programming in DCS.
- New charges
- Courts questioning criteria/restrictions

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Interviews with AC Staff

Acceptance & Denial 3

Mental Health Court

- Consideration of criminal history.
- Persons with TBI.
- People in DC often have MH issues
- Housing and transportation (worth repeating)

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Interviews with AC Staff

SCF Denial Reasons

- Client refused program 9
- DA opposed 7
- Prior violent charges; Does not qualify legally 5
- No violations 2
- Drug Dealer 2
- Referred to alternate court 2
- Did not meet MH requirements 2
- Various other reasons 10*

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Interviews with AC Staff – Role*

Judges

- Decisionmaker, Arbiter/Peacekeeper, Consensus Builder, Cheerleader, Keep things moving, Motivator, Verbal Praise, Trust Builder, Personal Commitment
- Sentencing judge retains authority related to revocation
- AC is more satisfying than usual role
- Different dynamic than normal routine
- Stay in my lane and let the team do its work

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Interviews with AC Staff –Role Site Coordinator

- Manage programs
- Coordinate activities
- Treatment AC team manager

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Interviews with AC Staff – Role Prosecutor

- Set admission standards – Varies by circuit
- Protect staff, public, and others
- Carry out DA's policies
- Not as involved in day-to-day supervision decisions except related to AC termination

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Interviews with AC Staff – Role Public Defender

- Advocate for AC participant
- Recommend the AC as viable and good alternative
- Serve on treatment team
- May advocate for probationer if terminated but not required
- (does not handle termination hearings) –conflict

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Interviews with AC Staff –Role Program Manager

The DCF evaluation team is presently planning interviews with program managers

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Interviews with AC Staff – Role **DCS Officer – varies by circuit**

- Identify AC candidates –prepare court docs*
- Provide information for acceptance decision
- Supervise participant in the AC (one officer per AC)
- Attend AC team meetings
- Assist with certain AC program duties as needed (drug testing, evening home visits)
- Adapt to AC model of positive feedback and less sanctioning

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Interviews with AC Staff –Role AC Surveillance Officer 1

- Surveillance officer vs DCS officer *
- Evening and weekend contact with AC participant
- May take drug screens
- May search premises

+Community Support individual - Makes home visits, conducts pill counts, assists as needed with available resources (surveillance officer?)

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Interviews with AC Staff –Role Treatment Therapist

The evaluation team is working to schedule interviews.

We know most treatment is through local CSB's or other community treatment providers.

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Interviews with AC Staff

Probationer AC Supervision 1

- Probation AND AC oversight including the judge
- Emphasis on participant accountability
- Described as much more contact than other programs*
- Personal, deeper human connection and interest in the probationer
- Emphasis on encouragement, support, and positive feedback

- Are DCS and Surveillance officer oversight duplication
- Can too much oversight be a bad thing?

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Interviews with AC Staff

DCS Officer Supervision of AC

- Is DCS officer approach to supervision of AC participants different from other DCS cases?
- AC is non-adversarial vs ?? for other cases
- Emphasis on positive feedback, encouragement and individual approach that shuns using behavior matrix and graduated sanctions
- Collaboration with AC team
- Is motivation of AC participant seen differently?

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Interviews with AC Staff

Sanctions and Incentives 1

- All courts emphasize incentives – backbone of the approach to interactions
- Sanctions also used to stop unwanted behavior

AC best practice suggests:

- Avoiding graduated sanctions
- Avoiding listing specific violations with specific sanctions
- Flexibility and person-specific incentives and sanctions

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Interviews with AC Staff

Sanctions and Incentives 2

What gets counted gets done

How are interactions documented - like positive behaviors, staff incentives, positive feedback, negative behaviors, staff disincentives, and negative feedback?

From a judge: Team interactions on sanctions/rewards is a discussion not a vote – this is judge’s decision

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Interviews with AC Staff -Question

What gap in the system is filled by AC's?

- No program is as intense - even compared to DRC's
- Completely different approach to corrections
- Emphasis on positive feedback and incentives vs punishment to gain desired behavior
- Real, visible commitment to participant
- Combines greater oversight and programming
- Much more direct, hands-on contact and interaction
- Key is judge's involvement
- More resources
- Close supervision

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Interviews with AC Staff

What's next

- Complete interviews
- Gather/review documents used in AC's (handbooks, acceptance criteria, other program documents, Website information, etc.
- Document program costs for participants
- Summarize findings in written report

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Next, Miranda Baumann will review what we see in the literature related to important aspects of effective Accountability Court programs.