



# The Critical Role of Law Enforcement and How to be More Engaging with your Treatment Courts

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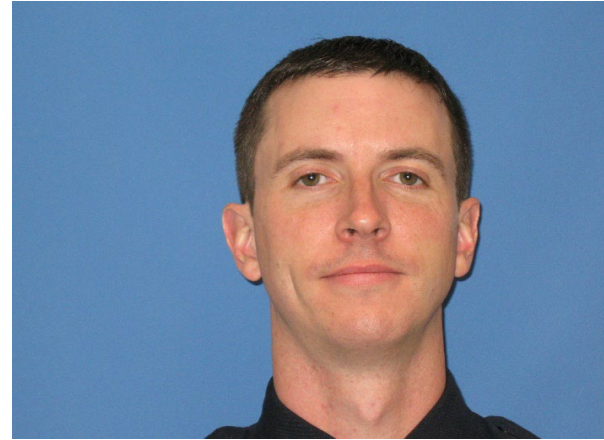
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# Who we are



**Sheila McCarthy, LMSW**  
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**Captain Brian Kenney**  
**Nashua, New Hampshire Police Department**

# Center for Justice Innovation

Our approach involves collaboration among:

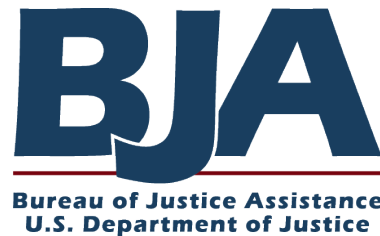
- research and evaluation
- direct-service programming
- training and expert assistance

The technical assistance (TA) team provides specialized support to multidisciplinary criminal legal stakeholders and organizations. As thought partners, we take time to identify and understand stakeholders' needs and address those needs with targeted training or specialized assistance from appropriate experts in the field.



# First things first...

The opinions, findings, and recommendations expressed in this presentation are those of the authors and do not necessarily represent the positions or policies of the Bureau of Justice Assistance or the Center for Justice Innovation State-Based Adult Drug Court Training and Technical Assistance Program.



# What we will cover today

The role of law enforcement in treatment court programs

Engagement strategies to increase participation from law enforcement

Law enforcement as advocates for treatment court programs

Education and training approaches

Questions and Answers (Q&A)

What are the  
characteristics of a good  
working relationship  
between Law Enforcement,  
Probation, and Treatment?

What are the characteristics of a good working relationship between law enforcement/probation and the treatment court participant?

# Benefits to having Law Enforcement on the Team

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Accountability of participant is greatly increased

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Promotes open lines of communication

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Promotes greater understanding of the criminal justice system

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Provides law enforcement with additional tools

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Increases personal satisfaction of law enforcement officers in the field

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# Engaging Law Enforcement Partners

## Possible Obstacles

- "Substance use disorder is a choice"
- High Risk/High Need is too risky
- Treatment Court isn't related to the job of Law Enforcement
- Remember that not all Law Enforcement partners will be starting from the same understanding
- Be prepared to educate on trauma and substance use disorder

# Trauma and Authority

## The 'Other' SUD: System *Underperformance* Disorder

### **Consider individual's history with:**

- Schools/teachers
- Child welfare/social workers
- Healthcare/doctors, nurses
- Social services/housing
- Psychiatry/doctors
- Jails and prisons/police
- Courts/judges, lawyers
- Media/journalists, public opinion

# Trauma and Authority

- To a participant, the courtroom may look and feel forbidding
- Their impressions of courts may not be positive
- Traumatized people feel out of control
- Trauma happened to them
- The court feels out of their control

# Trauma and Authority

- Most traumatized people have negative views of authority due to previous experiences of being harmed or abandon
- This leads to negative authority projections
- They will respond in ways they have usually responded to authority: with anger, fear, and/or shame

Law Enforcement and probation using a trauma-informed approach can change this perception!



**for Behavioral Health  
and Justice Transformation**



Trauma-informed criminal justice responses can help to avoid re-traumatizing individuals. This increases safety for all, decreases the chance of an individual returning to criminal behavior, and supports the recovery of justice-involved women and men with serious mental illness. Partnerships across systems can also help link individuals to trauma-informed services and treatment.



# Roles and Responsibilities of law enforcement and probation in treatment courts

# Law Enforcement

- Primary job function is prevention, detection, or investigation of any violation of criminal law
- Assist in identification of potential treatment court clients
- Unlimited powers of arrest
- 24/7 agency availability
- Real-time communication of what is happening in the community
- Assist probation with home/employment visits/drug and alcohol testing
- Information Sharing
- Investigates suspect criminal activity
- Support public safety and program integrity

# Opportunity for enhanced Law Enforcement in Treatment Court

- The eyes and ears of treatment court
- Liaison
- Attendance in court
- Recognize trauma responses before responding
- Flip the narrative of “law enforcement as the enemy”
- Empowering, voice, show up, communicate insights
- Recognize cultural, historical, and gender issues in participant responses
- Create collaborative relationship with treatment

# HOW DOES TRAUMA-INFORMED PRACTICE HELP MAKE POLICE WORK EASIER?

- More likely to get cooperation from citizen
- Less likely to escalate the citizen
- Less likely to add trauma to someone who may already have experienced it leading to better future outcomes with the same citizen

# Probation (community supervision)

Completes Risk Assessments

Develops case management plan supervision plans

Determines/Enforces travel restrictions

Delivers cognitive-behavioral interventions

Determines/Enforces Curfew monitoring

Ankle monitoring and accountability

Conducts home/employment visits

Performs drug and alcohol testing

Information Sharing

Work collaboratively with other team members

Cross trains team members on screening and assessment tools



# Opportunity for enhanced Probation in Treatment Court

- Build quality relationships
- Collaborative team decision making
- Assess risk and identify dynamic (changeable) risk factors that drive involvement in criminal behavior
- Information sharing
- Motivational tactics
- Incentivize pro-social behavior
- Respond immediately to behaviors
- Defer to treatment for any clinical decisions

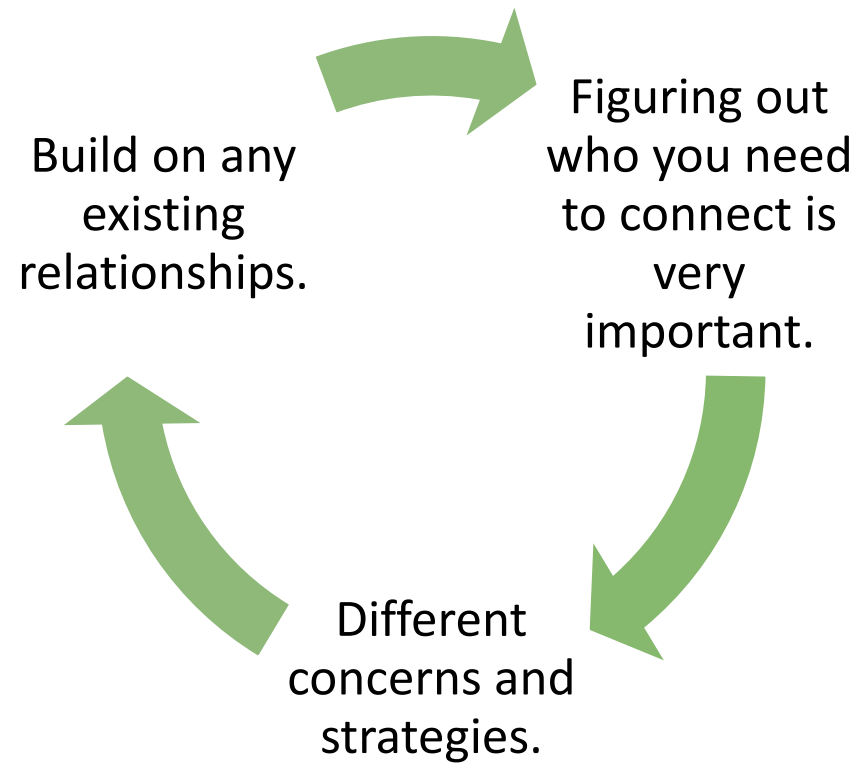
# Trauma Informed trauma-informed approach

- Risk-Needs-Responsivity uses strength-based research and this builds into that practice.
- Clear communication...explain, explain, explain
- Recall the mind, in a panic, doesn't recall everything perfectly...or at all.
- Focus on trust, respect and safety
- Motivational Interviewing with strength-based approach
- It is easy to misread behaviors as resistance, or self-destructive (and they may be) but you need to understand that they may also be coping mechanisms to deal with trauma.

# Engaging law enforcement

- Part of the team
- Identification of participants
- Promotion of treatment court

# Engagement Strategies



# Positive force to make a difference in the community

Building relationships prevents crime

Agency and personal relationships

Participation in community organizations, local meetings, community boards, public service activities

Community engagement flips the narrative to show someone in authority cares





# Information sharing

Participants receive consistent messages

Compliance with supervision requirements that treatment professional may be aware of (e.g., electronic monitoring, home curfews, travel limitations, stay aways, etc.)

Participant accountability greatly increased

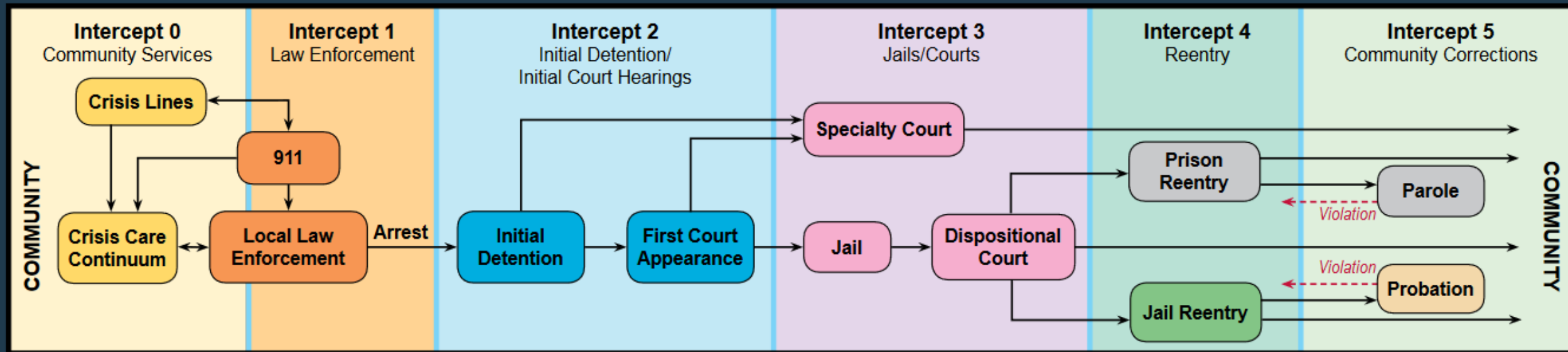
Promotes positive interactions with law enforcement

Resource sharing

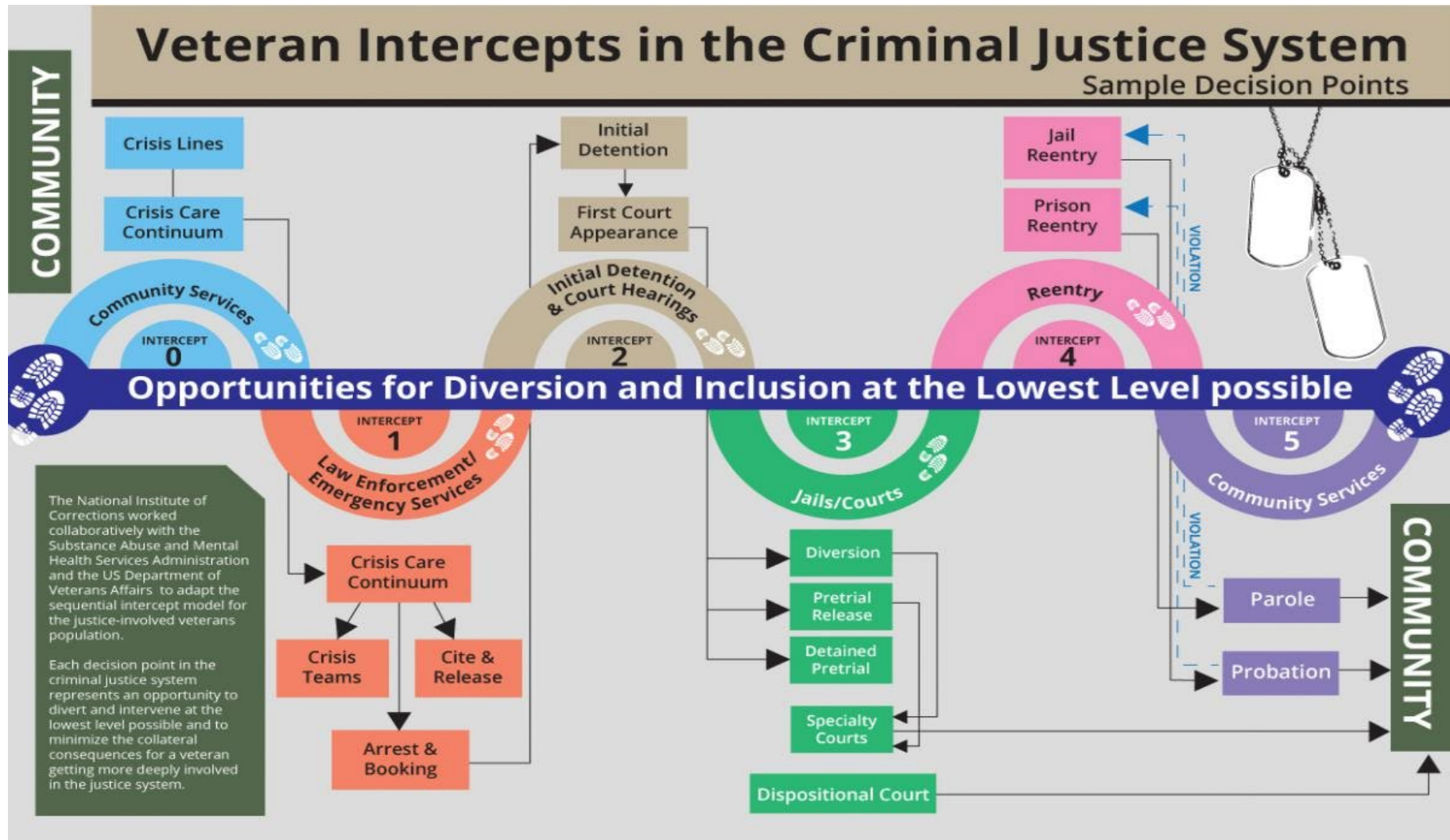
Exposure to each other's roles opens lines of communication and promotes understanding of one functional system

# Sequential Intercept Model (SIM)

The Sequential Intercept Model



# Veteran Intercepts



# Pre-arrest Diversion/Deflection

- Engaged Law Enforcement partners can reduce the number of people entering the criminal justice system.
- There are a number of law enforcement led programs throughout the country that are using pre-arrest diversion.
  - L.E.A.D. - Law Enforcement Assisted Diversion
  - P.A.A.R.I. - Police Assisted Addiction and Recovery Initiative
  - S.T.E.E.R. - Stop, Triage, Engage, Educate and Rehabilitate

# Court Promotion: Bench Cards and Resource Cards



## H.O.P.E. Court

Heroin Overdose Prevention Court  
Judge Steven W. Forrest, Presiding  
Desiree Rogers, H.O.P.E. Court Coordinator  
203 Lake St, Hazlett Building, 1st Floor  
Elmira, NY 14902  
(607) 221-3758  
Monday - Friday 8:30pm-4:30pm

**This card carries a message of H.O.P.E.**

If you are interested in seeking help for opioid use, please contact any of the provided numbers.

**Community Contacts**

**CASA Trinity**  
*Substance Abuse Treatment & Prevention AND Peer Specialist Team*  
150 Lake St  
Elmira, NY 14901  
(607) 737-5215 8am-7pm

**Crisis Services 24-Hour Hotline**  
607-442-6900

In case of an emergency, call 911

### COMMUNITY CONTACTS

**CONTACT COMMUNITY SERVICES CRISIS HOTLINE**  
315-251-0600 or dial 211

**FARNHAM FAMILY SERVICES**  
Outpatient substance use disorder services  
315-342-4489

**LIBERTY RESOURCES CRISIS SERVICES**  
Mental health support available 24/7  
1-855-778-1900

**HELIO HEALTH**  
Substance use disorder, mental health and residential services  
24 Hour Hotline: 315-471-1564

**EMERGENCY - CALL 911**

### OSWEGO COUNTY INTERVENTION COURT

Do you have pending legal charges?  
Are you looking for substance use disorder treatment?

**WE CAN HELP!**

**OSWEGO COUNTY COURTHOUSE**  
25 East Oneida Street  
Oswego, New York 13126  
Intervention Court Coordinator  
315-207-7579



## Watertown City Opioid Court

**Eligibility Requirements**

1. Arrested or given a desk appearance ticket for a non-violent felony and/or misdemeanor charge;
2. Defendant is at high risk for drug overdose; and
3. Defendant is willing to engage in substance use treatment

**Contact Information**

Jefferson County Courthouse  
163 Arsenal Street  
Watertown, New York 13601

**Opioid Court Coordinator**  
Phone: 315-786-7426

**How to Join Opioid Court**

Individuals interested in participating can call the Opioid Court Coordinator for additional information  
OR  
Discuss this option with their attorney.

Scan for website access





# Nashua Model:

Lessons learned and applicable  
practices for your communities

# Why is it important to have Law Enforcement on the Treatment Court Team?

- The police generally already have an idea of how the person functions in the community
- Police can have conversations with the prosecutor prior to a plea into treatment court
- Police will have contact with the participants throughout the week prior to court each week
- Police can report arrests and police contact that the participant should be reporting to their PPO and the team
- Police can assist Probation/Parole officers with supervision in the community

# What does legitimate LE involvement look like?

- Must have an Active/Participating member on the Drug Court Team
- Team Member should be a Police Supervisor
- Form a relationship with Probation/Parole

- **Virtually no training** – Not Taught in the Police Academy
- **Counterintuitive** - Police Culture has always been “Arrest = Incarceration”
- **Past Experience with defendants** – Police have investigated and often times witnessed the crimes committed by participants (sometimes egregious)
- **Participants start slow** – Candidates often get rearrested in the beginning of the program, frustrating officers

## Challenges to Getting Police Buy In

# Nashua Police's Drug Court Participation Model

A handful of the more proactive officers on each shift are assigned as "Drug Court Officers"

They are each assigned 5-6 Drug Court participants to monitor and get to know.

They report back the participants activity each week to the Drug Court Officer.

# Nashua's Model – Supervision

- Spreadsheet assignments
- Home Visits
- IMC checks
- Listen to the Radio
- Get to know your participants
- Document

# Nashua's Model – Home visits

- Check on each participant once a week at home
- When? Curfew time listed on the spreadsheet
- Can check on them at any time during the day but only after curfew could they be in curfew violation
- Don't check 11 or 12 o'clock curfews at 3 AM. Many participants in advanced phases have jobs and responsibilities in the morning.
- Call out on the radio – “Drug Court Check”

# What does a Home Visit entail?

- Participants should come to the door and OPEN IT! – This is explained to them at the time of their plea. Need Judge “buy-in” for this to be successful.
- As we know citizens are not required to open the door for the police, so the Drug Court needs to make it known they need to do so for successful participation in the program.
- What if someone won't open the door and says we can not come in? What do we do?



# What does a wellness check look like?

- Engage in conversation – get to know them – some will some wont
- Are they sober?
- Who are they with? Questionable people? Convicted Felons?
- What is the residence look like? Disarray? Drug Paraphernalia?
- Are they respectful?
- What if we see evidence of a crime? What do we do?
- Add call notes into the computer and BACKFILL THEIR NAME INTO THE CALL

# Get to know the Participant

- Know where they work – Sometimes they are given permission to work past curfew
- Some officers exchange phone numbers – Is this beneficial?

# What are we NOT doing on a wellness check?

1

Interrogations

2

Doing Probation  
searches (but being an  
observer is good)

3

Asking for Drug  
Information (but  
sometimes it is offered  
when you establish a  
good relationship)

4

Giving them a hard time

- These participants all have long negative experiences with police. We seek to change that with these positive interactions

# Supervision

- Routinely run your participants in IMC – Especially those with no fixed address
- Protocols if a participant has police contact
- Process for what an officer does if they hear a participants name on the radio

# Documentation

- Process when everything is fine on a wellness check
- If there is something negative or suspicious, who to contact
- If there is something POSITIVE about the interaction please relay that as well. Positive feedback from the police means a lot to the participants.

# How to encourage Police Chief's and Administrators to participate in Treatment Court

- Police need to be realistic that times are changing and have been for quite sometime.
- Can we stick our heads in the sand? Is that effective?
- Is there effective treatment behind the walls?
- If we refuse to participate it will not prevent a plea from happening. It will just prevent the Police from having a voice.
- Are the prison sentences that police have historically wanted being given out? Is it silly to pretend they are?
- What is effective Policing? Is it reactive or proactive?
- Explain to them what a Drug Court sentence actually is. Many do not know.

# Education and Training Approaches

# Education and Training

## Learning and Communication Styles

Take into consideration learning and communication styles.

- Some will prefer statistics, bullet-point information
- Some will prefer individual stories
- Some will want to see it happening, seeing the real results of drug courts.

Buy-in from all levels

Addressing common concerns

Invite law enforcement to observe your treatment court

- Daily court
- Graduations

Provide law enforcement with training material they can do on their own

Invite to local trainings for the team

Academy training

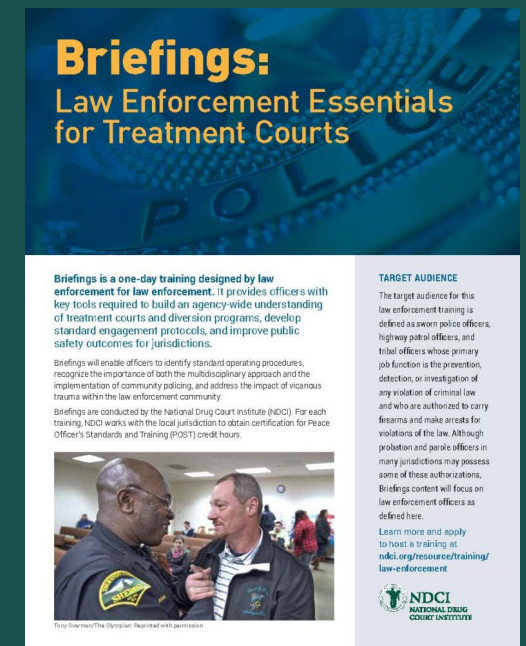
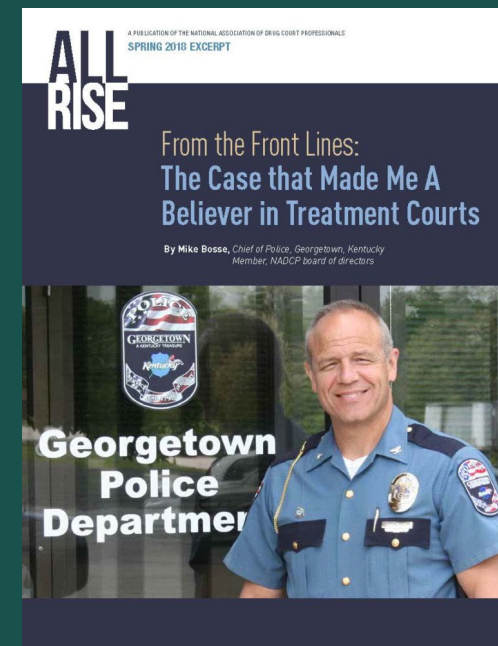
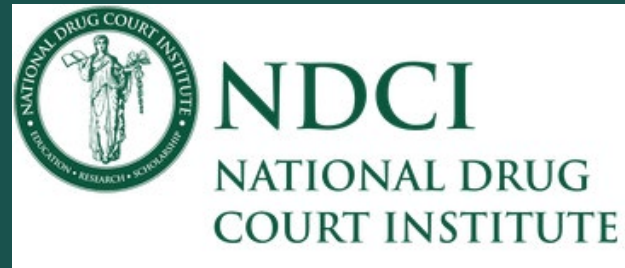


# Training opportunities for law enforcement

Virtual lunch and learns and in-person training



Briefings: Law Enforcement Essentials for Treatment Courts



Trauma-Informed Response  
Trainer for CJ professionals

[https://www.samhsa.gov/gains-center/criminal-justice-professionals-locator/trauma-trainers?field\\_gains\\_tt\\_state\\_value=Georgia](https://www.samhsa.gov/gains-center/criminal-justice-professionals-locator/trauma-trainers?field_gains_tt_state_value=Georgia)

<https://www.ndci.org/resource/training/law-enforcement/>



# Law Enforcement and Your Court

As law enforcement, what challenges have you had with your treatment court?

What challenges have come up between LE, probation and treatment in your court?

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What opportunities for growth do you have?

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