

Overview of Criminal Justice Treatment Programming

Ashley Yinger, PhD, Criminal Justice Programming Administrator

Dauphin County District Attorney's Office

(717) 780-6926 ayinger@dauphincounty.gov



OBJECTIVES: CRIMINAL JUSTICE SYSTEM OVERVIEW/STEPPING UP



- Discuss County goals and priorities specifically for the justice system.
- Describe review process (from the inside out) undertaken to date, major initiatives, challenges, and opportunities related to treatment.
- Discuss main findings, recommendations, programs, and next steps (to include community involvement).

THE CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

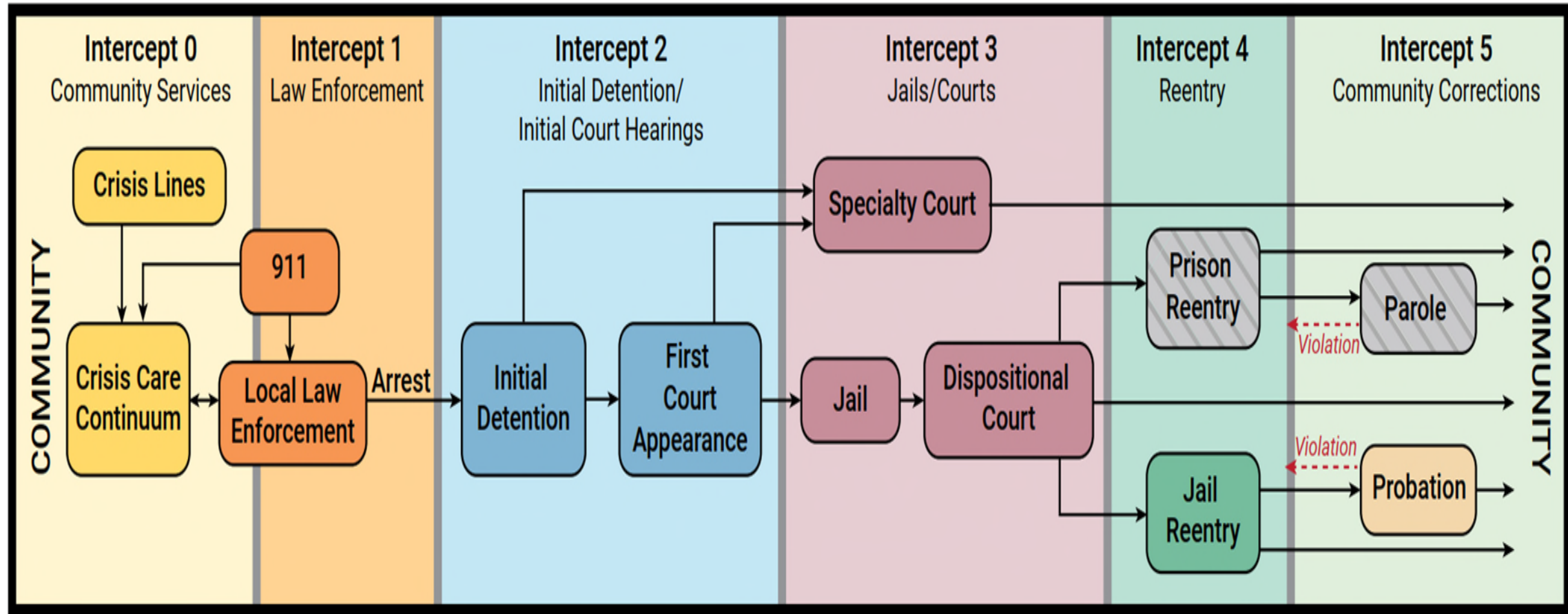
➤ Purpose

- *"The mission of the Dauphin County Criminal Justice Advisory Board (CJAB) is to enhance the criminal justice system and public safety through a collaborative and targeted approach which prioritizes the support of evidence-based practices and innovative strategies while maintaining fiscal responsibility and maximizing outside resources."*

➤ Stepping-Up Initiative



The Sequential Intercept Model



Crisis Intervention Team (CIT) Training

- Total trained as of now: 251 Police (62 State Troopers), 3 Sheriffs, 11 Probation/Work Release, 30 DCP (21 COs, 5 Diversion Specialists, 4 Treatment Specialist), 28 staff that includes DA's office (Co-Responders, Supervisor, Treatment Courts, BHU Attorney, & 2 BHU CJ Assistants), and Human Services Staff. Overall total is: 323 CIT-Trained.
- Next class is scheduled for August 2023.
- Below is a video from NAMI to show an overview of how CIT can support both Police Officers and the Community.
- <https://www.youtube.com/watch?v=-net9xEotXc>





CO-RESPONDERS



- The Basics

- Mental Health Professional Embedded with Law Enforcement Officers

- Based out of the District Attorneys Office (2020).

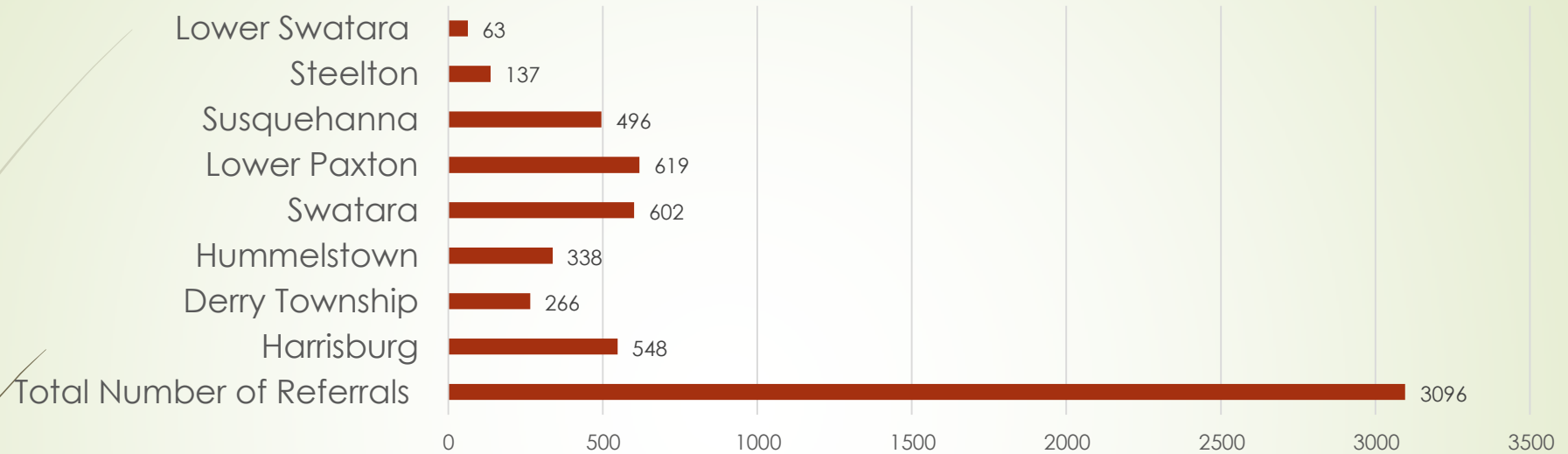
- Eight positions, eight police departments.

- In the year of 2022, Co-Responders were involved in 3096 referrals from police officers.

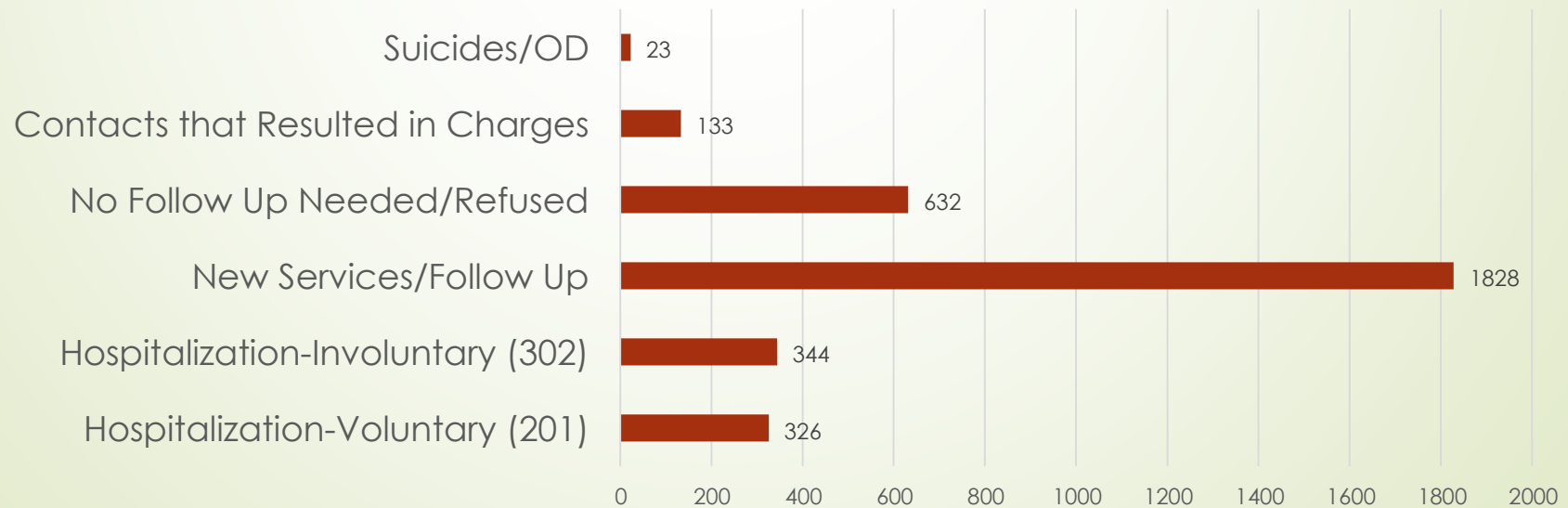
- Of those referrals, 133 resulted in charges (4%), meaning that majority are diverted from the CJ system.

Co-Responder Data (2022)

2022 Coresponder Referrals



2022 Coresponder Contacts





- The Dauphin County Law Enforcement Treatment Initiative is a harm reduction approach that seeks to accomplish the goals of reducing criminal behavior and improving public safety by connecting individuals suffering from a SUD with treatment and other community resources.



LETI Launch

October 27th, 2020



“LETI is a true diversion for non-violent individuals who come in contact with the criminal justice system on account of drug dependency. It diverts the individual without the need for an arrest or court appearance. But it has tracking built in to ensure that the individual is following through on treatment. This is yet another tool in our toolbox to get people help that works.”

-Dauphin County District Attorney Francis T. Chardo



LETI- Tracks

- Track 1
 - Self-refer at a police station or to a police officer.
- Track 2
 - Potential charges are held in abeyance pending the successful completion of recommended treatment.
 - 7 people successful, 2 closed due to non-compliance, 1 unsuccessful due to lack of follow through with treatment recommendations

Booking Center Initiatives

- Bail Review Team (Reorganized in 2018)
- Diversion Specialists – Screenings at Booking Center (2019)
 - Pretrial Risk Assessment – Allegheny Risk Screen (Late 2018)
 - Brief Jail Mental Health Screen
 - Texas Christian University (TCU) Drug Screen V
 - Texas Christian University (TCU) Drug Screen V – Opioid Supplement

2022 Diversion Specialists





Problem Solving Courts & Other Treatment Programs



- ➡ DUI Repeat Offender Program (DROP) (2018)
- ➡ Recovery Connections Court (RCC) (April 2021)
- ➡ Jail-Based Intensive Outpatient Program (2018)
- ➡ DCP Universal CJ Program Screening Form (2021)
- ➡ Drug Court (2008)
- ➡ Veterans Court (2012)
- ➡ Mental Health Court (2022)

What is DROP and why is it needed?

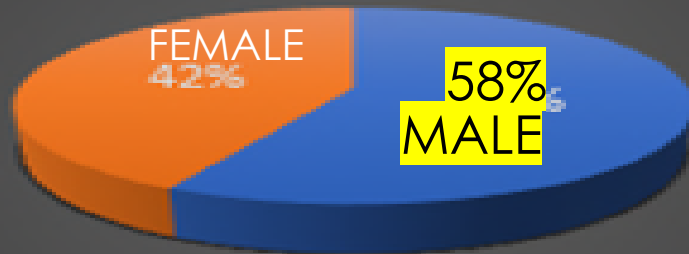
DROP is a specific screening process designed to increase the speed of DUI case processing and resolution while promoting public safety by imposing conditions geared toward reducing and monitoring repeat DUI offenders.

What are it's Goals?

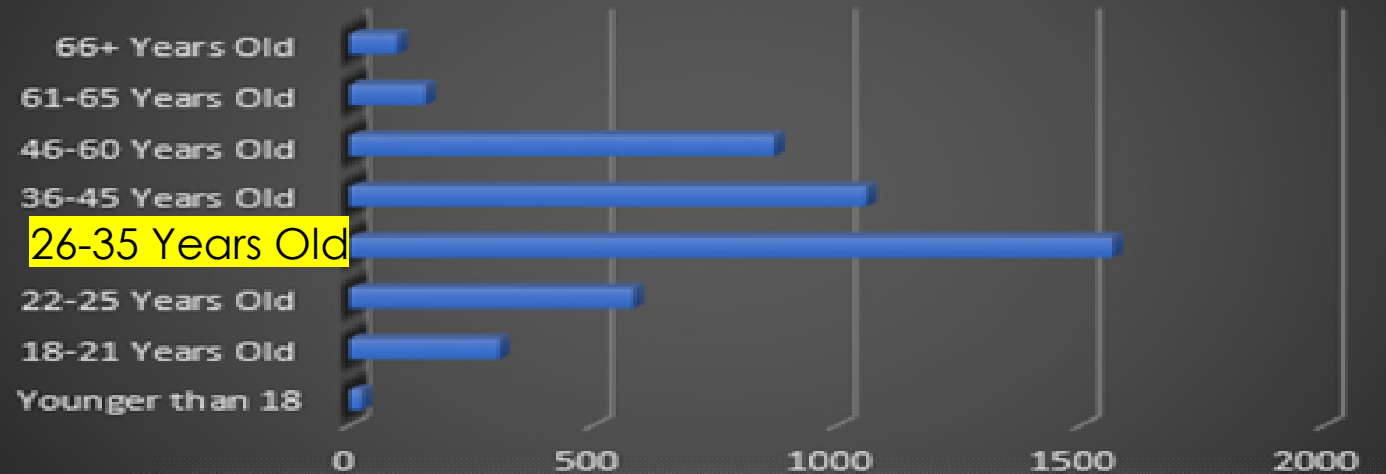
- 1) Increase speed of DUI case processing and resolution.
- 2) Increase public safety by imposing conditions that reduce/monitor repeat DUI Offenders.

Who is your typical Dauphin County DUI offender?

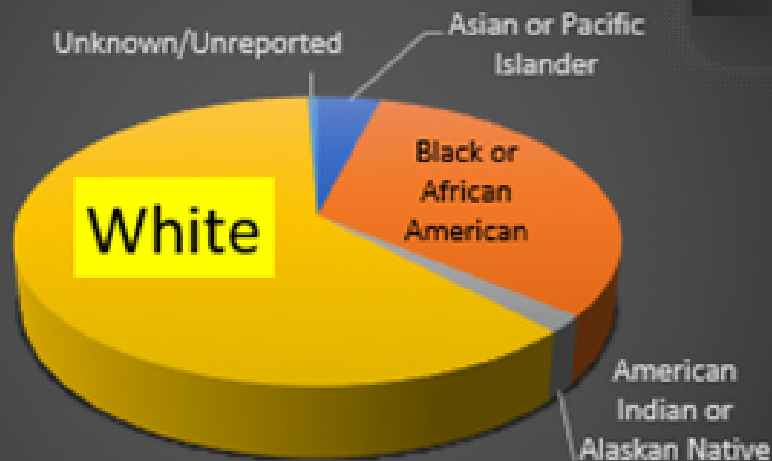
Gender



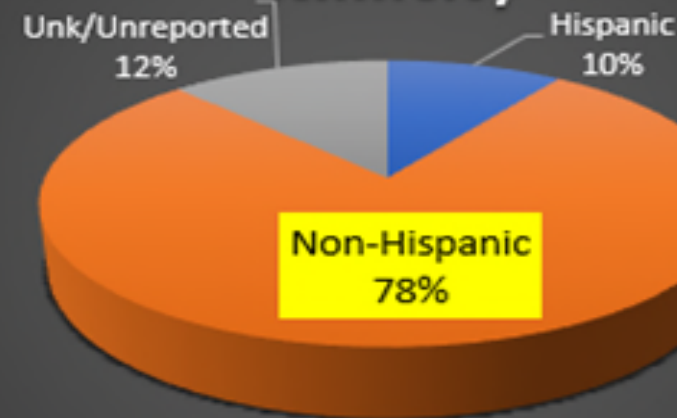
Age



Race



Ethnicity



Note: These are based off when the DUI occurred and in relation to our county's DUI numbers (2019 through 4.30.2022)

Other Trends

Total DUI Incidents by Year

- 2019 – 1,645
- 2020 – 1,240
- 2021 – 1,460
- 2022 – 1,441

Of the cases that had charges filed, how many are your clients?

Public Defender
1,953

Private Attorney
2,278

Other
(Pro Se/Unassigned)
97

DROP Case Screening

- DROP Team
 - (1) DA office Clerk
 - Reviews DUI charges filed daily
 - Pulls criminal history
 - If any are repeat or subsequent DUI's
 - Individual referred to DROP ADA
- (1) Assistant District Attorney
 - Reviews referred DROP file
 - If applicable, schedules for DROP court hearing
 - Attends all DROP court hearings



DROP Court Dates – occur every 2 weeks (At the Common Pleas Court)
Presiding: Judge Edward Marsico Jr.

Conditions can be imposed at the Magisterial District Justice Level
at the time of the Preliminary Hearing (Case-by-case basis)



DROP CONDITIONS

(Typically Recommended):

1. Supervision by Dauphin County Pretrial Services.
2. No possession or consumption of any alcoholic beverage.
3. For cases involving a charge of driving under the influence of alcohol, enforcement of the above prohibition with SCRAM or equivalent device.
4. For cases involving a charge of driving under the influence of a controlled substance, submission to urine testing on a bi-weekly basis subject to the discretion of the pretrial officer.
5. For cases involving a charge of driving under the influence of both alcohol and a controlled substance, submission to both of the above types of monitoring would be warranted.
6. Report to pretrial services.
7. Download the data from the SCRAM or equivalent device daily.

The Impact

➤ **Goal 1: Increase speed of DUI case processing and resolution.**

- Since 2019, Local municipal police departments have drastically reduced the time it takes to file DUI charges.
 - Average is less than 7 days to file a DUI charge after an incident.
 - There is still work to be done with filing time in jurisdictions covered by the state police.
 - There is still room for improvement across all jurisdictions of history/number of DUI at charging.
 - The length of time for a case to reach disposition and sentence varied depending on the type of sentence imposed.

➤ **Goal 2: Increase public safety by imposing conditions that reduce/monitor repeat DUI Offenders.**

- There were very few repeat DUI Offenders while on DROP conditions.
- Those individuals who violate in RED are seen by a judge quickly for violation resolution.
- Those individuals who need to connect to treatment evaluation services do so via DROP.

DCP CJ Program Form (2021)

Criminal Justice Treatment Program Checklist

Please use this checklist as a quick referral match for criminal justice system treatment programming. Please send this list to the District Attorney's Office along with the name and date of birth of the person being referred for a criminal justice treatment programming intervention. SEND TO:

Ashley Yinger aying@dauphincountv.gov ; Catharine Kilgore ckilgore@dauphincounty.gov



Referral Considerations

Name: _____

DOB: _____

DCP #: _____

To be Completed at DCP

Drug & Alcohol Screening - Moderate or Severe Use Disorder

Yes

No

Don't
Know

Drug & Alcohol Screening - Scored Low, but Assess Further

Mental Health Screening - Presence of MH Needs (SMI)

Mental Health Screening - Presence of MH Needs (non-SMI)

Placed in the Detox Unit at DCP

High Risk on Pretrial Risk Screening

DUI Charges

New Docket (Open)

APO Detainer

Other Bench Warrant

Provided a Dauphin County Address

Homeless

Person states that s/he has served in the US Military

NOTES: _____

Date Completed: _____

Person Completing Form: _____

Absolute Disqualifying Charges:

- Aggravated Indecent Assault
- Arson (and related offenses)
- Assault of Law Enforcement Officer
- Assault by Life Prisoner
- Assault by Prisoner
- Drug Delivery Resulting in Death
- Indecent Assault
- Incest
- Involuntary Deviate Sexual Intercourse
- Murder
- Rape
- Sexual Abuse of Children
- Sexual Assault
- Sexual Exploitation of Children
- Statutory Sexual Assault
- Theft by Extortion
- Unlawful Contact with Minor
- Voluntary Manslaughter
- Kidnapping
- Human Trafficking (and related offenses)

Potential Disqualifying Charges (Case-by-Case Review):

- Aggravated Assault
- Burglary (F1)
- Illegal Possession of a Firearm
- Robbery
- Robbery of Motor Vehicle
- Promoting Prostitution
- Patronizing Prostitutes
- Living Off Prostitutes



Team Mental Illness & Substance Abuse (MISA)



ABOUT TEAM MISA

- Implemented (March 2019)
 - Cross system collaboration/case planning for pretrial diversion/upcoming court.
 - 159 cases assessed, 45 new plans developed, 45 released (2022)

How to Refer?

- Fill out the following
 - Referral Form
 - Release of Information (ROI) Sheet



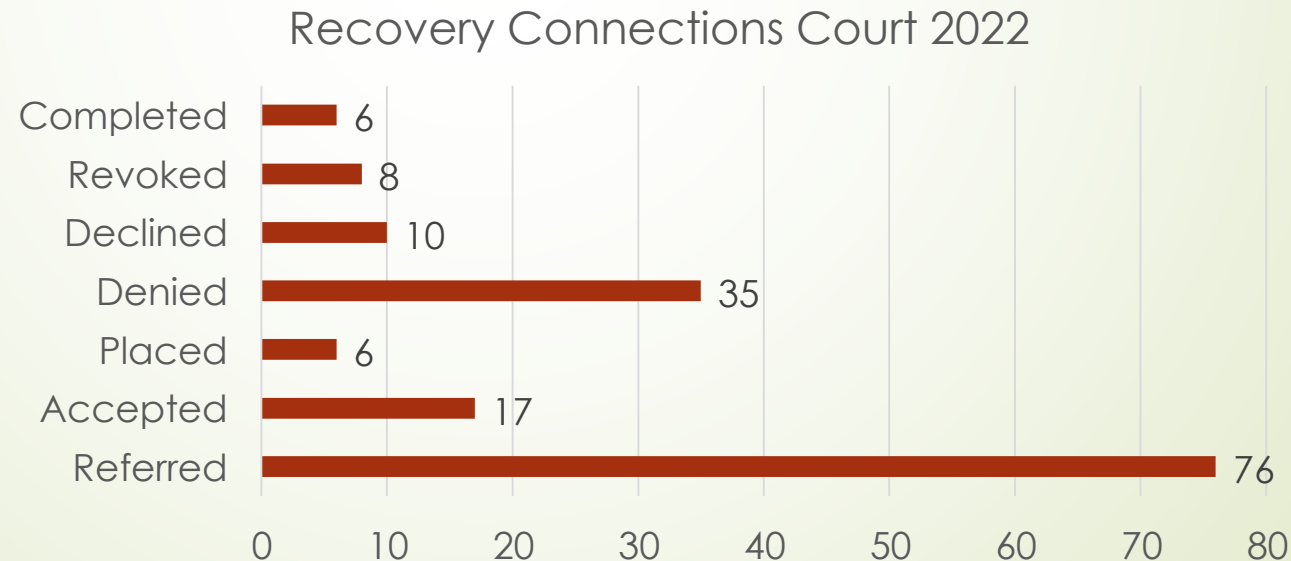


What is RCC?

- Recovery Connections Court (RCC) is a pre-sentence diversionary program designed to ensure that individuals who enter the Criminal Justice system and have a Substance use Treatment need are:
 - Connected to services quickly, and
 - Provided appropriate court-related supervision to reduce risk of overdose while pending case processing.

RCC Team & Court

- The Recovery Connections Court (RCC) Team consists of a multi-disciplinary group of court and county criminal justice staff. Members include D&A Case Management, Certified Recovery Specialist Support, and Probation contact & supervision are required throughout the program.
- These individuals support the court in its pursuit to provide structured presentencing supervision to those pending trial for their charges and help pursue a resolution through RCC or other case planning or court programming that is behavioral health focused.





RCC- Tracks and Phases

- **Participants are placed into one of two tracks:**
 - Track 1 – Those with a short/non-existent criminal history.
 - Track 2 – Those with a longer criminal history. This track will be directed to a full problem-solving court after RCC when possible.
- **Initial Referral and Orientation Phase**
 - At this phase, time may be spent in a correctional setting or within an inpatient treatment facility.
- **Phase 1**
 - Initial stabilization period and engagement into Treatment.
- **Phase 2**
 - Developing community-based recovery supports and services (housing, employment, family, legal, etc.)
- **Phase 3**
 - Transition into the community, lower therapeutic and supervisory involvement OR preparing individuals for longer-term Treatment courts.

RCC Program Completion

- Track 1 participants will finish all phases and continue probation contact.
- Track 2 participants will either
 - Move on to another Treatment court (Drug Court, Veterans Court, or Mental Health court), or
 - Be sentenced within the RCC program, will still receive oversight and case-planning for the remainder of their sentence.
 - This participant will be considered to have completed their RCC program.
- Case closure outcomes are case specific
 - Charge(s) can be expunged
 - Charge(s) can be reduced
 - Length of sentence(s) can be reduced
- The District Attorney's Office and Defense counsel both agree on the case resolution.



OVERVIEW OF DAUPHIN COUNTY DRUG COURT

The Honorable Edward M. Marsico, Jr., Presiding Drug Court Judge

Landa Porter, Esq., Deputy District Attorney, Drug Court

Heather Burd, Behavioral Health Unit Coordinator

Elizabeth Manning, Drug Court Coordinator



The Drug Court Treatment Team

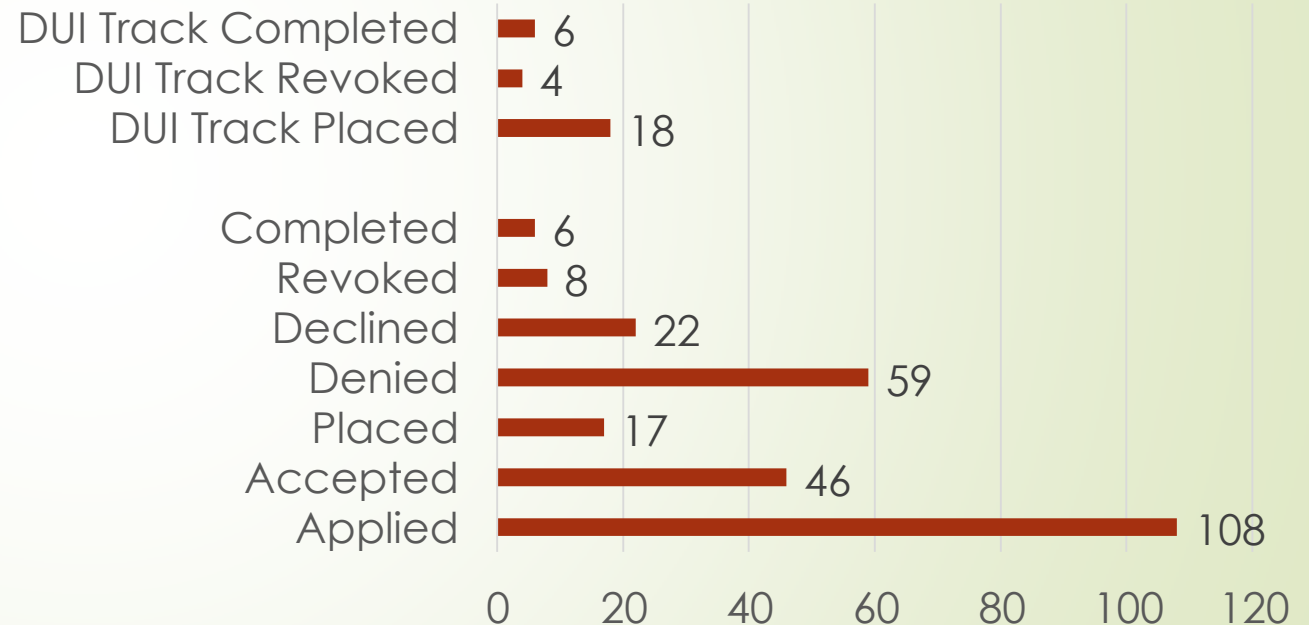


Who can make referrals to drug court?

- Self-Referrals
- Defense Counsel
- Family Members
- Magisterial District Judges
- Police Officers
- District Attorneys
- Probation Officers
- Jail Staff
- Treatment Providers
- Judges

➤ **Anyone!**

Drug Court 2022



Qualifying characteristics

- 18 years of age or older
- Resident of Dauphin County (out-of-county residents considered on a case-by-case basis based on ties to community).
- Individual is charged with offense when it appears the offense is motivated by a desire to support an alcohol/drug habit.
- The individual states to the police or Magisterial District Judge that s/he is an alcohol/drug user at the time of arrest.
- The individual's family, friends, attorney, or probation officer, etc. indicate that s/he is an alcohol/drug user.
- The individual tests positive for alcohol/drug use at the time of arrest.
- The individual tests positive for alcohol/drug use while on pretrial release.
- Currently on probation supervision and pending revocation of supervision

Referral Process – Treatment Eligibility

- Dauphin County Drug and Alcohol Services conducts a comprehensive biopsychosocial interview and level of care assessment to determine treatment needs of each applicant.
 - Must meet clinical criteria for Substance Use Disorder (Drug and/or Alcohol)
 - *Abuse vs. Dependence*
 - Co-occurring Disorders accepted on a case-by-case (referrals made to MH Court in appropriate cases)
 - Ancillary Support Services (i.e., housing, medical, child care, AA/NA meetings, education, etc.).
- If treatment eligible, will develop initial treatment plan and decision is made to accept.
- If treatment ineligible, decision to deny is communicated to defense counsel and/or referral source.

Drug Court Sentencing Tracks

Track is determined by District Attorney's Office

Incentive Track

Facts to know about this track:

For offenders who do not have significant criminal histories

Rule 600 waived pending completion or removal from the program, at which point defendant will be sentenced

EM/HA *may* be recommended or imposed for a period of time upon induction to program

Upon successful completion, charges may be amended as determined appropriate by the District Attorney's Office (determination made prior to program placement).

Sentencing occurs at completion of Phase 5 prior to entering Phase 6 (aftercare)

Standard Track

Facts to know about this track:

For offenders who do have significant criminal histories

Must enter guilty pleas and be sentenced to a Restrictive Probation sentence.

Initial portion of RP sentence *may* include Work Release, EM/HA, or a combination of both.

Applicants facing only probation/parole revocations will be considered for this track





Benefits to participating in Drug Court in lieu of traditional court process

- Community-based programming (either WR, EMHA, or probation) in lieu of incarceration in county or state facilities
- (Incentive Track) Charge amendment/reduction upon completion of program
- (Standard Track) Early discharge from supervision upon successful completion
- Fines/costs waived as statutorily permissible
- Reduced costs for probation supervision fees
- Electronic Monitoring and SCRAM/Remote Breath requirements from sentencing costs covered by program
- Strict structure and individualized treatment planning
- Evidence-based programming leading to higher likelihood of reduced recidivism



ADMINISTRATIVE OFFICE of PENNSYLVANIA COURTS

NEWS FOR IMMEDIATE RELEASE

April 8, 2021

Pennsylvania Problem-Solving Courts Study Results Show Reduction in Recidivism along with Significant Statewide Cost Savings

Program Structure

- Six (6) Phases, minimum of 26 months to complete program
- Goals of phases:
 - Achieve Stabilization→
 - Participation/Engagement in Treatment→
 - Maintenance
- Phase requirements include:
 - Court attendance (weekly at first, then bi-weekly, then monthly, then quarterly)
 - Follow recommendations of treatment case manager
 - Contacts with Certified Recovery Specialist
 - Follow rules and recommendations of Probation, including EM/HA schedules, attending appointments, curfews, drug testing, community service, etc.
 - Accumulation of clean-time by phase
- Above all else, treatment becomes priority (drug and alcohol, mental health, trauma, etc.).



The background of the entire slide is a blurred, close-up image of the American flag, showing the stars and stripes in a soft, out-of-focus manner.

OVERVIEW OF DAUPHIN COUNTY VETERANS COURT

The Honorable William T. Tully, Presiding Veterans Court Judge

Jon Clymer, Esq., Deputy District Attorney, Veterans Court

**Heather Burd, Behavioral Health Unit Coordinator/Veterans Court
Coordinator**

**Kariem Morssy, Criminal Justice Assistant, Veterans Court
Coordinator**

The Veterans Court Treatment Team



Additional Qualifying Characteristics

- Veteran of the U. S. Armed Forces (DD-214, discharge types)
- Batterers' or anger management need
- Meets one of the following clinical criteria:
 - TBI (Traumatic Brain Injury)
 - MST (Military Sexual Trauma)
 - Drug/Alcohol Addiction
 - Serious Mental Illness (SMI) diagnoses that include, but not limited to: PTSD, Major Depression, Bipolar Disorder, Schizophrenia, Schizoaffective Disorder



Referral Process – Treatment Eligibility

- The Veterans Justice Outreach Specialist (VJO) conducts a comprehensive biopsychosocial interview and level of care assessment to determine treatment needs of each applicant.
 - Must meet clinical criteria for Substance Use Disorder (Drug and/or Alcohol), Serious Mental Illness (SMI), Batterers counseling need, and/or MST treatment need
 - *Can be one treatment need, or a combination of these needs*
 - Ancillary Support Services (i.e., housing, medical, child care, AA/NA meetings, education, etc.).
- If treatment eligible, will develop initial treatment plan and decision is made to accept.
- If treatment ineligible, decision to deny is communicated to defense counsel and/or referral source.

Veterans Court Sentencing Tracks

Track is determined by District Attorney's Office

Standard and Incentive Track (same as Drug Court), But Also:

Diversionary Track

Facts to know about this track:

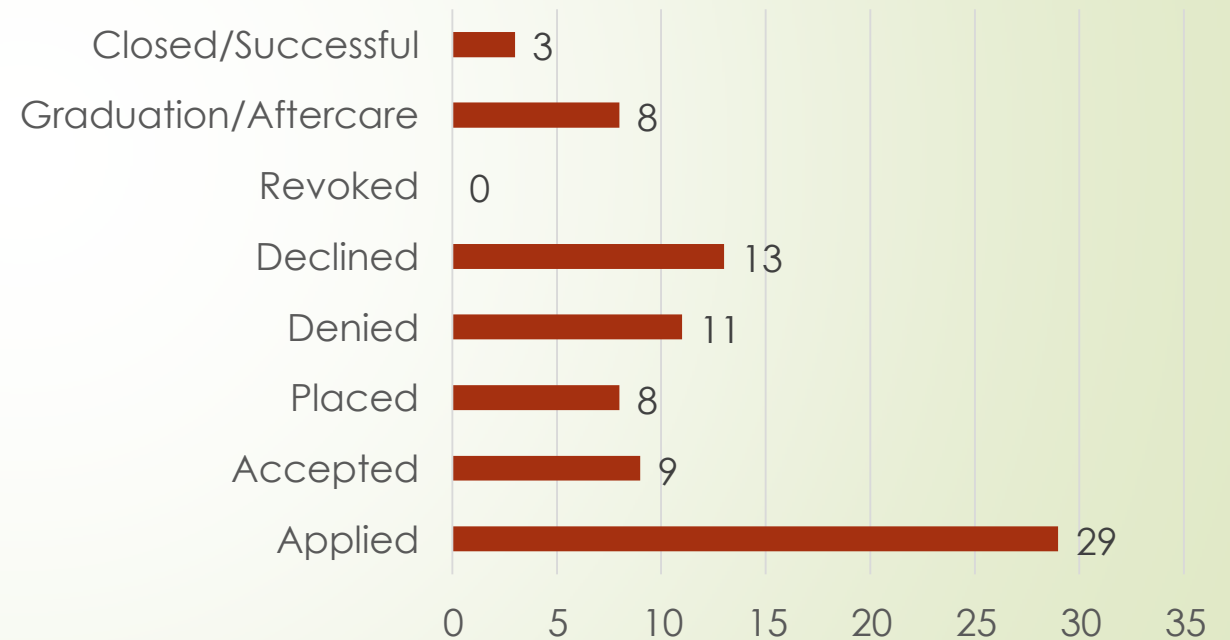
For offenders who would otherwise be ARD eligible; very limited criminal history

Rule 600 waived pending completion or removal from the program, at which point defendant may apply to expunge his/her criminal record

DUI offenders will be required to sign a Chichken affidavit upon completion


If offender withdraws or is revoked from this track, case is returned to normal court process but ARD is no longer offered.

Veterans Court 2022





Benefits to participating in Veterans Court in lieu of traditional court process

- Community-based programming (either WR, EMHA, or probation) in lieu of incarceration in county or state facilities
 - (Diversionary and Incentive Track) Charge amendment/reduction/dismissal upon completion of program
 - (Standard Track) Early discharge from supervision upon successful completion
 - Fines/costs waived as statutorily permissible
 - Reduced costs for probation supervision fees
 - Electronic Monitoring and SCRAM/Remote Breath requirements from sentencing costs covered by program
 - Strict structure and individualized treatment planning
 - Evidence-based programming leading to higher likelihood of reduced recidivism
 - **Veteran comradery**
- 



ADMINISTRATIVE OFFICE of PENNSYLVANIA COURTS

NEWS FOR IMMEDIATE RELEASE

April 8, 2021

Pennsylvania Problem-Solving Courts Study Results Show Reduction in Recidivism along with Significant Statewide Cost Savings

Program Structure

- Three (3) Phases, minimum of 12 months to graduate program
- After graduation, minimum 6 months of aftercare (excluding diversionary track)
- Goals of phases:
 - Achieve Stabilization→ Participation/Engagement in Treatment→ Maintenance
- Phase requirements include:
 - Court attendance (weekly at first, then bi-weekly, then monthly)
 - Follow recommendations of VJO
 - Follow rules and recommendations of Probation, including EM/HA schedules, attending appointments, curfews, drug testing, community service, etc.
 - Accumulation of sobriety time by phase
 - Mentor contacts
- Above all else, treatment becomes priority (drug and alcohol, mental health, trauma, etc.).



MENTORING PROGRAM

- Mentors are veterans who volunteer his/her time to serve as a prosocial, peer support as each veteran navigates through program.
- Mentor is NOT intended to fill role of counselor.
- No veteran ever stands alone.
- May discuss ongoing problems or issues of interest.
- Relationship fosters a “can do” attitude to accomplish treatment goals and program completion
- Confidential relationship to promote trust
- Same sex assignments.
- Graduates of program often come back to be mentors



Mental Health Court

Heather Burd, Behavioral Health Unit Coordinator
Elizabeth Manning, M.S., Mental Health Court Coordinator

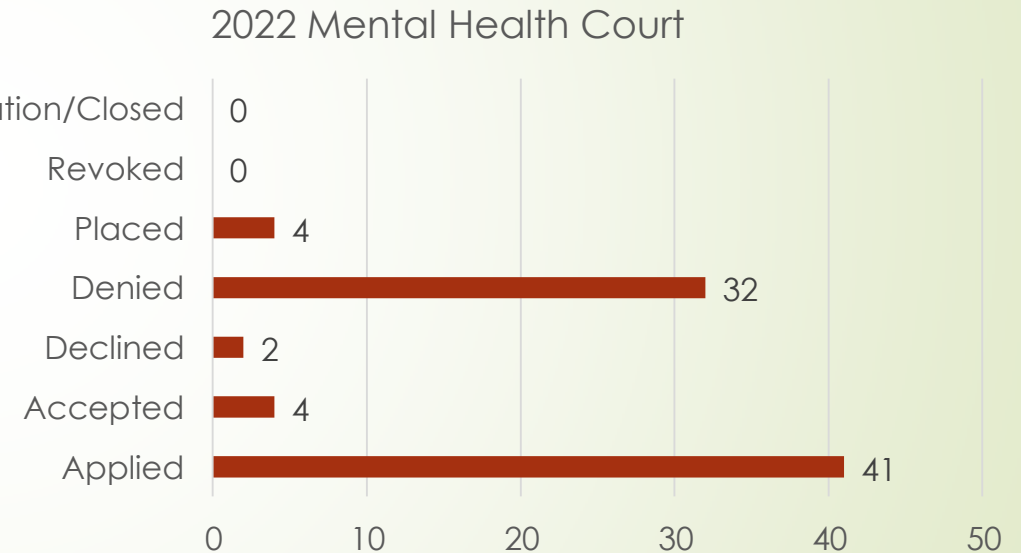


*Honorable Judge
Andrew H. Dowling*

Overview

- Provides intensive supervision, judicial monitoring, and access to treatment for offenders whose crimes are related to their severe mental illness.
- Coordinates appropriate and varying levels of treatment to its participants, including:

- Mental Health
- Drug & Alcohol
- Vocational
- Educational
- Life Skills Training



- By participating, an offender can become a productive, responsible citizen and the community will become a safer place in which to live.

Sentencing Tracks

Hybrid Incentive (Track 1)

- This track is for offenders who do not have a significant criminal history; and, if these cases were pursued in the traditional court process, the offenders would receive local sentences.
- They will be required to waive Rule 591 (relating to withdrawal of guilty plea) and 704 (sentencing within 90 days of entry of guilty plea).
- They will be sentenced on at least one of the lower-level offenses. Sentencing on the remaining counts will be deferred pending completion of the Mental Health Court program.
- Upon successful completion of the Mental Health Court program, including payments of fines, costs, and restitution, the more serious charge will be modified (reduced or dismissed, depending on the plea agreement).

Standard (Track 2)

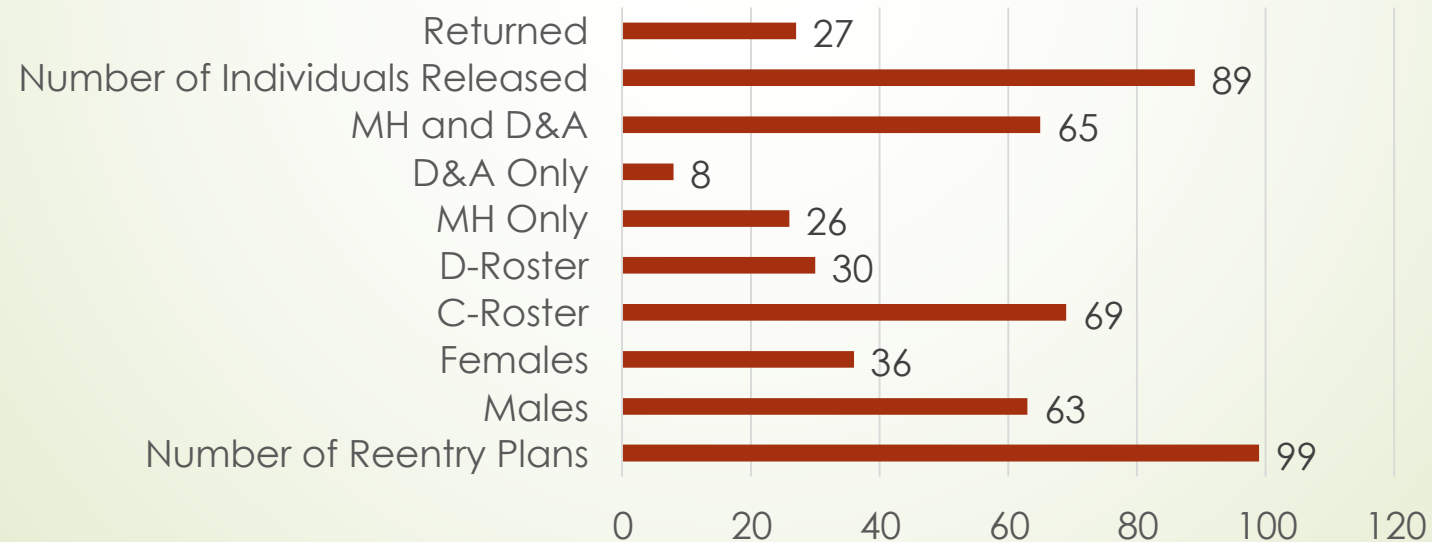
- This track is for offenders with a longer criminal history, who would otherwise be sentenced to serve a state prison sentence if the case was pursued in the traditional court process.
- The offender must enter a guilty plea and be sentenced to an Intermediate Punishment sentence.
- Applicants who are facing probation/parole revocation can be considered for this track.
- Upon successful completion of Mental Health Court program, including payments of fines, costs, and restitution, may result in the reduction or termination of any remaining supervision; however, the charges will remain the same.

Reentry Coordinators

➤ Overview

- Coordination with Reentry Service organizations
- Work Release
- Probation Services
- Team Reentry
 - Case planning for MH/Co-Occurring individuals reentering into the community.

Team Reentry Data 2022





IMPACT OF DIVERSION GOALS

- Improve outcomes for offenders currently involved in the county criminal justice system
 - Reduction of Dockets
- Prevent further penetration into the justice system, as well as reduce recidivism
- Use fiscal and other resources wisely by reserving most restrictive setting (jail) for those who present serious risk to public safety
- Begin early identification of at-risk individuals to link them with services and supports

Questions

