

Jackson County Recovery Opportunity Court

History of Jackson County's Treatment Courts

Jackson County created the nation's second Integrated Family Court (IFC) in 1998. The most basic goal of the IFC was to protect our community's most vulnerable children. The program was created to provide coordinated judicial, treatment, and social service interventions with court-related families who displayed significant multiple legal problems as well as dysfunctional adjustment problems. The IFC employed a one family / one Judge case assignment system for almost all case types. Agency providers and the court followed a comprehensive family plan, and provided a wrap-around service system delivery model.

During December of 2001, Jackson County created a Delinquency Family Drug Court using IFC and drug court key elements to adjudicate juvenile delinquency cases. The program built upon the strengths of the IFC, and benefited from a solid base of community support, and grant funding from an Edward Byrne Memorial Grant. Additionally, in October of 2002, Jackson County received a SAMSHA grant to implement a Dependency Family Drug Court to protect children of alcohol and/or drug dependent families. The Circuit Court again employed key elements of the IFC and drug courts.

During October of 2002, the Jackson County Circuit Court hosted a community forum to evaluate the possibility of merging our IFC, Delinquency Family Drug Court, and Dependency Family Drug Court into a one entity called a Community Family Court (CFC). The CFC has been recognized as a national model.

However, a significant gap persisted in the criminal justice system in making available targeted intervention services for adults with alcohol and drug addictions who did not have children involved in the dependency system. During January 2005, the Jackson County Department of Health and Human Services hosted a community Methamphetamine Summit, wherein eight strategies were drafted to reduce the use and related criminogenic behaviors of meth use. The highest rated strategy called for the creation of an Adult Drug Court (ADC). However, the Jackson County Circuit Court simply lacked sufficient judicial resources to implement another drug court.

During the 2008 special session, the Oregon Legislature enacted SB 1087, which referred to Oregon voters a referendum whether to impose mandatory sentences for certain repeat drug and property crimes. The public did approve Measure 57, which included minimum sentences for certain drug and property crimes, as well as grants to create drug courts for medium and high risk

Measure 57 eligible offenders. Due to declining state revenues, the 2009 Legislature delayed implementing the mandatory minimum prison sentences under Measure 57 for eighteen months, while continuing funding of Measure 57 drug court grants for the biennium. Drug Courts funded through Measure 57 revenues will target repeat property offenders who have presumptive probation sentences or who may have received downward departure sentences. Jackson County's Community Justice Department, in collaboration with the Circuit Court, District Attorney's Office, Public Defender's Office, and OnTrack applied for, and was awarded a maximum grant and is further designated as one of three research projects to assess the effectiveness of Measure 57 drug courts.

Recovery Opportunity Court Overview

The Jackson County Recovery Opportunity Court (Measure 57 court) operates under the jurisdiction of the Jackson County Circuit Court, in partnership with the District Attorney's Office, Public Defender's Office, OnTrack, Jackson County Community Justice Department, Oregon Community Justice Council, and other public and private agencies. Our ROC is a collaboration between the criminal justice and treatment systems, which brings together numerous and diverse organizations for the purpose of helping drug addicted offenders achieve clean and sober lifestyles and become responsible citizens. The ROC program employs and incorporates the 10 key components of drug courts along with other evidenced-based best practices. The program began receiving participants in May 2010. The Jackson County ROC is primarily a post-adjudication program. Jackson County will accept 96 people to participate in the ROC program a year. The offenders are placed on supervised probation. Program capacity for the ROC is 96 people; however, program capacity may vary subject to treatment and other funding capacities. The Community Justice Department will administer to probationers at the time of intake four assessment tests including self-assessment, TCU, LSCMI, and OCMS tests. The ROC Judge will retain number of program participant referral exemptions to ensure public safety and program integrity. Sanctioning authority will be retained by the Community Justice Department and the ROC Judge to ensure timely and appropriate sanctions while fostering the participant / ROC Judge relationship.

Recovery Opportunity Court Purpose and Goals

The purpose of the ROC program is to reduce the adverse effects of substance abuse and criminality of certain medium and high-risk offenders who reside in Jackson County. Specific goals of the ROC program include:

- Reducing drug related crime;
- Targeting criminogenic risks with targeted, appropriate, accountable, and evidenced based sanctions;
- Reducing family violence, including increasing child safety;
- Improving participant self-sufficiency, including abstinence from the use of drugs, employment and safe and drug-free housing;
- Increasing collaboration and communication of the Criminal Justice and Human Services Systems;
- Recognizing positive and pro-social behaviors by frequent applause, praise and rewards;
- Holding offenders and ourselves accountable for improving outcomes of drug related crimes;
- Focusing on payment of restitution

ROC Planning Participants and Team Members

- Judges
- Court Administration
- District Attorney's Office
- Public Defender's Office
- Community Justice
- Treatment Provider

ROC Team members, Roles and Responsibilities

The ROC Team will meet weekly prior to ROC court hearings. The team members are responsible for eligibility screening and assessments, review of participants' progress and goal setting, program evaluation and improvement, ensuring participant rights, protection of treatment information as required by Federal confidentiality laws, and reporting of program data and outcomes. The team includes the ROC Judge, Drug Court Coordinator, an attorney from the Jackson County District Attorney's Office, an attorney from the Jackson County Public Defender's Office, one or more representatives from OnTrack, and one or more representatives from the Community Justice Department. The Deputy District Attorney and Public Defender will participate in ROC staffing, however their participation during court hearings is discretionary.

ROC Program Entry Criteria

The purpose of the ROC program is to provide post-adjudication intensive drug court services to medium and high-risk drug dependent property offenders who are placed on supervised probation or post-prison supervision. ROC program eligibility includes:

- Conviction of one or more of the following eligible felony property crimes and placement on supervised probation:
 - Aggravated Theft in the first degree
 - Burglary in the first degree
 - Robbery in the third degree
 - Identity Theft
 - Aggravated Identity Theft
 - Theft in the first degree
 - Unauthorized Use of a Motor Vehicle
 - Mail Theft or Receipt of Stolen Mail
 - Burglary in the second degree
 - Criminal Mischief in the first degree
 - Computer Crime
 - Forgery in the first degree
 - Criminal Possession of a Forged Instrument in the first degree
 - Fraudulent Use of a Credit Card
 - Possession of a Stolen Vehicle
 - Trafficking in Stolen Vehicles

- TCU Risk Assessment score of medium to high risk;
- The participant must be drug dependent;
- There must be room in the program;
- Participant may have no holds or outstanding warrants from another jurisdiction;
- Participants must not pose a clear and present danger to public safety;
- Participants must have the mental capacity to benefit from treatment;
- All other pending cases must be resolved;
- The Oregon State Board of Parole and Post-Prison Supervision or the Local Supervisory Authority may impose ROC as a condition of post-prison release

Note: In recognition of the need to retain some flexibility to occasionally exclude persons who do pose a clear and present danger to public safety, or do not have the mental capacity to benefit from treatment; individuals may be excluded from the ROC program by the judge.

Additionally, the District Attorney's office may choose to extend an offer for ROC to selected offenders. If the offender accepts an offer, he/she will be subject to the same rules as other ROC participants, except that he/she will be required to sign all appropriate documents allowing sanctions, and giving up statutory and constitutional rights. Admission into ROC by voluntary applicants will be determined by the ROC judge.

ROC Jurisdictional Model(s)

ROC program participants are placed on supervised probation to the Jackson County Community Justice Department. If the participant fails to comply successfully with the terms and conditions of his or her probation or ROC program, the Parole/Probation Officer, in collaboration with the ROC judge, may impose a sanction subject to the probationer voluntarily waving his or her right to counsel and court appearance. Providing a ROC program participant does not waive his or her rights when there is an alleged violation, the ROC participant retains the right to counsel, including court appointed counsel, and a probation violation hearing before the ROC judge.

While it is the general purpose of the ROC program to create a non-adversarial environment that encourages participant accountability, program success, sobriety, and compliance with the law, all due process rights shall be preserved and honored.

The ROC Team shall provide incentives and rewards to foster participant commitment to the program and increase opportunities for long-term sobriety and program success. Additionally, participant accountability requires payment of court imposed financial obligations and orders, restitution, ROC program fees, urinalysis fees and Community Justice Supervision fees.

Other jurisdictional models may be employed to match specific offender and ROC program requirements as necessary. However, these placements may not be eligible for Measure 57 Drug Court reimbursements.

ROC Operations

The ROC Judge will review program reporting requirements and expectations with program participants.

When new participants attend treatment orientation, they will be informed of treatment expectations and complete the relevant treatment paperwork, including 'releases of information' (ROI), which allow the ROC participant programs to communicate and monitor participant progress. Treatment shall begin immediately. Under the Oregon Criminal Justice Council Measure 57 Intensive Drug Court Grant Program requirements, treatment is limited to a single provider, OnTrack of Medford Oregon. Participants may not select an alternative provider for alcohol and drug treatment. Participants in need of detoxification and/or residential treatment will be referred to programs providing those services by OnTrack, who will coordinate and monitor all outpatient and inpatient treatment services.

ROC participants will be initially scheduled for ROC status hearings weekly, and future appearance scheduling will be subject to a phased approach based on participant performance and requirements. At each ROC status hearing, a treatment report is provided to the court by the treatment agency. The P.O. will provide an update as to the participant's compliance with probation. The purpose of ROC status hearings is to monitor the participant's compliance with treatment requirements, community conduct, treatment progress, monitor payments toward fines, fees and victim restitution and set future treatment and program goals.

At each court appearance, the date for the next ROC status hearing is set and the participant signs the notice of the next appearance. The notice also lists all directives, which the Judge has given to the participant, and the participant is provided a copy.

The ROC uses a system of benchmarks (expectations of progress) and graduated sanctions to enforce treatment compliance. Recognizing that participants vary in their abilities, and that some encounter special barriers to their progress, this system provides guidelines but allows for flexibility.

The ROC also uses positive incentives as well as sanctions to reinforce compliance. Positive incentives include public praise, calling 'good report' cases early in the docket, extending the length of time between court appearances, and special awards and incentives. Regarding negative sanctions, the ROC Judge retains primary authority over the imposition of a continuum of sanctions for drug court participants. In collaboration with the ROC Judge, and consent of the program participant, Community Justice may impose sanctions. Examples of ROC sanctions include more frequent court appearances, writing a paper and reading it during a court session, increased frequency of treatment attendance, increased attendance at self-help sober community support groups, being called later in the court docket, community service, road crew, jail time, etc. The list of sanctions and rewards is attached as Appendix 1.

ROC Phases

The treatment model utilized will include a four-phase program as delineated below:

Phase One:

This phase is a minimum of the first four weeks in the program. During this phase, the participant will be required to attend court every week, to UA randomly during the week, to comply with treatment obligations, “Phase 1 group” attend one meeting a week (must attend 4 weeks to graduate phase), to attend at least two community-based self-help sober support groups per week, to meet with the probation officer and to comply in all other respects with the orders of the ROC judge.

The participant may transfer to Phase Two upon 30 days verified continuous abstinence and upon agreement among the ROC team. Upon transfer, the participant will receive a certificate, a handshake from the judge, and a draw from the rewards basket.

Phase Two:

This phase may last from 4-6 months. During this phase, the participant will attend treatment, support groups and meet with the probation officer as required. UA’s will be random. Client will use a UA “Hot-Line” call line to be notified for UA request. Required attendance at court will be reduced. The participant will be expected to begin seeking a permanent sponsor(s). The participant will be expected to remain employed, be searching for employment if not employed. Client will identify debt and create a payment schedule for court fees, fines, UA’s and restitution, and obtain stable housing. In the alternative to employment, the participant may be required to obtain further education, including a GED. The participant will be expected to seek out support for ongoing recovery including recreational, social and education or vocational opportunities. The participant will be expected to report to the Court his/her progress in this regard. The participant will establish a list of goals for himself/herself and share progress toward these goals at each court appearance. The participant will receive a reward for 90 days, 180 days and one-year periods of sobriety in the program. These rewards will only be given once. The participant will receive rewards for achievement of individual goals.

The participant is eligible for transfer to Phase Three upon a minimum of 60 days documented continuous abstinence and agreement of the ROC team. Requirements may include a demonstrated understanding of recovery and the need for continued sobriety and recovery, understanding of the consequences of continued use of alcohol or controlled substances, evidence of a sponsor or similar mentor, verified continuing attendance at self-help sober support meetings, payments on financial obligations, verified schooling, work or work search, stable and safe housing. Upon transfer to Phase Three, the participant will receive a certificate, a handshake from the judge and a draw from the incentive basket.

Phase Three:

This phase will last 6-8 months. Upon failure to achieve the requirements of Phase Three within a reasonable time, the participant may be stepped down to Phase Two until the ROC team deems the participant ready for reentry into this phase.

During this phase, the participant will attend treatment – as needed (Aftercare, Phase 4 Groups & 1on 1's etc.), PO meetings, and court appearances as required. All these obligations will be on a stepped-down basis. The participant will be expected to be employed full time or seek work full time, unless excused, or to attend school, to regularly attend at least two self-help sober support groups per week, have stable and safe housing, and be compliant with payment of fines, fees and restitution. The participant will be expected to obtain a permanent sponsor(s) or recovery mentor. Client If appropriate, the participant will write an accountability letter and will have an accountability meeting with any willing victim.

The participant will volunteer to act as a peer support person for a new entrant into ROC court. The ROC team may impose any other requirements prior to graduation. The Client must have ROC Court Fee paid in full prior to moving to Phase 4.

Phase Four:

This phase will last 4-6 months. This is the final phase before graduation. Client is attending court hearings once a month basis. During this phase, the participant will attend treatment – as needed (Aftercare, Phase 4 Groups & 1on 1's etc.), PO meetings, and court appearances as required. All these obligations will be on a stepped-down basis. The participant will be expected to be employed full time or seek work full time, unless excused, or to attend school, to regularly attend at least two self-help sober support groups per week, have stable and safe housing, and be compliant with payment of fines, fees and restitution. Client will be required to complete Phase 4 project, 20 hours volunteer project. Client must submit to a polygraph test a month in advance to graduation date. Client must have 6 months verified sobriety to apply for graduation from ROC.

Eligibility for graduation:

A participant may graduate upon successful completion of Phase Four. The minimum period of time in program before graduation is 18 months. The participant may have his/her probation terminated upon graduation, depending on the recommendation of the team. The team members must agree that the participant qualifies for graduation. The participant must have at least 6 months continuous abstinence, have all drug court fees paid, have an established payments plan for supervision and UA fees if not already paid, have an established payment plan for any other fines, fees and restitution, and have a written plan for continued maintenance of life-long sobriety and recovery.

Termination of Participation in ROC

Participants may be terminated from participation in ROC upon a consensus of the ROC team. If the team cannot reach a consensus, the judge will make the final decision. Generally, termination will be a consequence of failure to maintain sobriety, failure to attend court, treatment or PO sessions failure to remain a law abiding citizen, or for other failure to abide by the rules of court. A termination order will be entered. A participant who has been terminated will have a court date set. A motion alleging violation of probation will be filed by the P.O. The case will then proceed as a probation violation in the normal course. Probation hearings may be before the ROC judge or any other judge as scheduled. The participant may be readmitted into ROC upon a consensus of the team. In some circumstances, the participant will be mandated into ROC following probation revocation or as a post-prison supervision requirement.

Case Transfers

Admission into the ROC program is limited to participants under supervised probation by the Jackson County's Community Justice Department, or who are on post-prison supervision in Jackson County, and therefore Jackson County residents. At the discretion of the ROC Judge and Community Justice Department, participants in good standing with the program may be permitted to transfer to another Measure 57 Drug Court program in Oregon. Likewise, transfer from another Measure 57 Drug Court may be allowed. Such requests are reviewed by the ROC Team prior to approval. The transfer protocols established by the Oregon Association of Drug Court Professionals shall be followed before sending and receiving transfer cases.

Neither transfer to Drug Courts outside the State of Oregon nor out-of-state transfers into the Jackson County ROC program are permitted without approval of the supervisory authority.

Specific ROC Team Member Responsibilities

ROC Drug Court Judge

Participates as a member of the ROC Team and presides over the Recovery Opportunity Court;

- Convenes ROC court hearings, initiates orders and directives from the bench, consistent with the National Drug Court 10-Key Components and the ROC Team;
- Retains final authority for ROC program admissions, sanctions, and rewards for Measure 57 eligible offenders;
- Participates in the administration, planning and management of the ROC Team;
- Works with the Court Coordinator to guide and direct ROC staff;
- Attends local, state and national drug court related meetings, conferences and associations;
- Directs policies and procedures of the ROC, with the assistance of the ROC Team;
- Supports and assists the ROC Coordinator in identifying local, state and national resources to support the ROC program;
- Attends staffing's.

Recovery Opportunity Court Coordinator

- Participates as a member of the ROC Team and other community and resource committees to support the needs of the Recovery Opportunity Court;
- Provides administrative support to the Recovery Opportunity Court;
- Prepares records and manages individual and aggregate records and materials in the Oregon Treatment Court Management System (OTCMS).
- Maintains administrative records;
- Evaluates program strengths and weaknesses, participant's needs in the program and makes suggestions for improvement to the ROC Team;
- Evaluates, assesses, and advises the ROC judge on admission of all potential ROC program participants selected to ensure community safety and program integrity;
- Schedules and convenes ROC meetings and retreats;
- Assists the ROC Judge, and the Steering Committees in developing and revising ROC policies, procedures, and practices;
- Attends all Recovery Opportunity Court hearings and provides administrative support to ensure that all monitoring and case management needs are coordinated with team members, provider agencies and community-based service organizations working with ROC participants;
- Develops, oversees, and monitors all reporting requirements of the ROC;
- Works with the ROC Team to develop public information and community education strategies so that community linkages are created and maintained, and remain productive;
- Ensures both process and outcome evaluation functions for ROC participants are in place and functioning;
- Remains current with best practices for Drug Court programs and treatment, and will monitor the intensive outpatient treatment provider and collateral services to the ROC to maintain consistency and a high quality of care;
- Attends staffing.

District Attorney

- Participates as a member of the ROC Team;
- Attends ROC staffing's, subject to adequate District Attorney resources and attorney availability;
- Evaluates, assesses, and advises the ROC judge on admission of all potential ROC program participants selected to ensure community safety and program integrity;
- Participates in making suggestions to streamline and improve operations;
- Attends national, state and local trainings, technical assistance, meetings and conferences, particularly those that address the District Attorney's role in responsibilities in the ROC;
- Evaluates the program to ensure public safety needs;
- Keeps the District Attorney's office advised as to all protocols and procedures of ROC;
- Generally, the Deputy District Attorney assigned to ROC will not be expected to attend weekly ROC court hearings, due to limited resources and availability.

Defense Attorney

- Participates as a member of the ROC Team;
- Evaluates, assesses, and advises the ROC judge on admission of all potential ROC program participants selected to ensure community safety and program integrity;
- Makes suggestions in streamlining and improving operations;
- Attends national, state and local trainings, technical assistance, meetings and conferences, particularly those that address the Defense Attorney's role in responsibilities in the ROC;
- Evaluates the program to ensure participants' due process rights;
- Attends staffing;
- Screens cases for eligibility into ROC;
- Keeps the public defenders advised as to all protocols and procedures of ROC;
- Generally, the Public Defender assigned to ROC will not be expected to attend weekly ROC court hearings, due to limited resources and availability.

Community Justice (Probation and Parole)

- Participates as a member of the ROC Team;
- Attends ROC staffing and court hearings;
- Evaluates, assesses, and advises the ROC judge on admission of all potential ROC program participants selected to ensure community safety and program integrity;
- Reports to the ROC Team about participant compliance and progress;
- Attends local, state and national conferences and trainings, particularly those focused on the needs of Drug Court;
- Assists Treatment Providers and the Drug Court Coordinator as needed;
- Keeps appropriate statistical and other information necessary to report on the performance of ROC.
- Provides supervision and monitors housing, employment, and program compliance of participants;
- Screens cases for eligibility into ROC.

OnTrack

- Participates as a member of the ROC Team;
- Evaluates, assesses, and advises the ROC judge on admission of all potential ROC program participants-selected to ensure community safety and program integrity;
- Attends ROC staffing, communicates participant progress in a timely manner to other ROC Team members;
- Makes suggestions on streamlining and improving operations;
- Follows best practice guidelines, OARS and other rules and regulations in regards to adult alcohol and other drug treatment;
- Attends ongoing trainings, meetings and events for treatment and drug court;
- Assists the Drug Court Coordinator and Probation Officer as needed;
- Attends ROC court hearings.