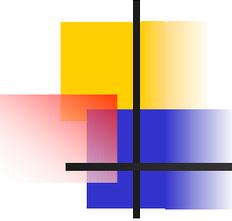


Berks County Treatment Courts

Presented
by

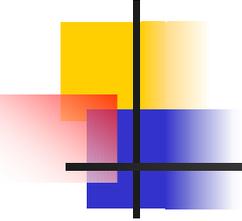
Judge Peter W. Schmehl
Brendan L. Harker, Probation Officer



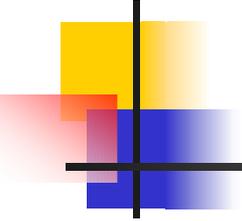
About Berks County

- 44 Townships, 30 Boroughs, 1 City
- Covers 865 Square Miles
- 375,000 residents
- 434 people per square mile
- 40% of County is considered Agricultural

The Berks County Adult Probation & Parole Criminal Justice System

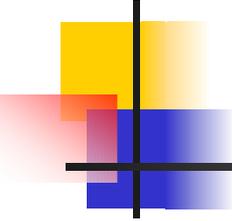


- Supervises 6,000 Individuals annually
- 23% directly related to Driving Under the Influence
- Repeat DUI Offenders account for approximately 35% of those cases
- Historically, over 70% of all DUI offenders have been identified as moderate to severe problem drinkers



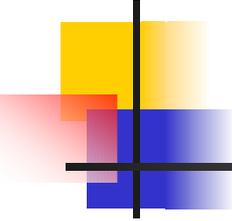
Adult Probation Office Structure

- 67 – Management, Professional & Support Staff
- 31 – Probation Officers supervise 6,000 Individuals
- 9 – Probation Officers conduct Pre-Sentence Investigations & Intake Interviews
- 4 –Community Service Probation Officers
- 1 – Institutional Parole Officer
- 13 – Office Support
- 9 – Management/Administrative



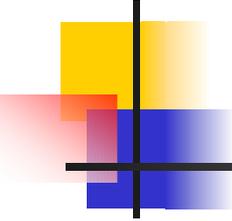
Agency Programs

- Accelerated Rehabilitative Disposition Program
- Alcohol Safe Driving Program
- DUI Treatment Court Program
- Drug Treatment Court Program
- DUI Supervision Unit
- DUS/IPP Program
- Interlock Program
- Community Service Division
- Second Time Offenders Program (DUI Offenders)



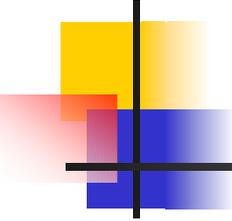
Agency Programs

- Pre-Sentence Investigation and Intake Unit
- Domestic Violence Supervision Program
- Institutional Parole Officer
- Hispanic Services
- Sexual Offenders Caseload
- Prostitution Supervision Caseload
- Electronic Monitoring
- Intermediate Punishment Program
- Operation Night Light



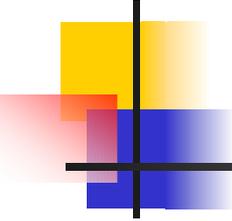
Treatment Court Team Members

- Judge/Judicial Staff
- Adult Probation Office
- District Attorney's Office
- Public Defender's Office
- TASC (CRN's and D&A Level of Care)
- SAM (Mental Health)
- CYS (Children Social Services)
- Reading Hospital (Primary Treatment)
- Domestic Relations
- BCPS Pre-Trial Bail Agency
- Easy Does It Halfway House
- YMCA Halfway House
- Berks County Prison



10 Key Components

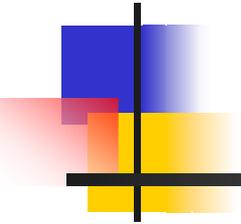
- **Key Component #1:** Drug courts integrate alcohol and other drug treatment services with justice system case processing
- **Key Component #2** Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights
- **Key Component #3:** Eligible participants are identified early and promptly placed in the drug court program
- **Key Component #4:** Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services
- **Key Component #5:** Abstinence is monitored by frequent alcohol and other drug testing

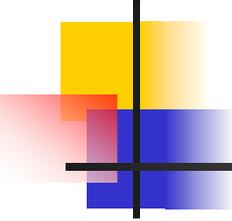


10 Key Components cont.

- **Key Component #6:** A coordinated strategy governs drug court responses to participants' compliance
- **Key Component #7:** Ongoing judicial interaction with each drug court participant is essential
- **Key Component #8:** Monitoring and evaluation measure the achievement of program goals and gauge effectiveness iv
- **Key Component #9:** Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations
- **Key Component #10:** Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court effectiveness

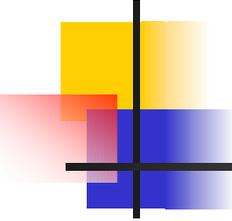
Berks County DUI Treatment Court





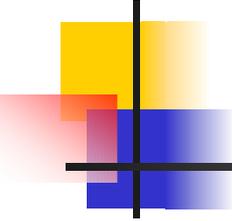
NHTSA/PennDOT

- Berks County was approached by PennDOT to participate in a National Highway Traffic Safety Administration (NHTSA) pilot project for DUI deterrents and judicial response to arrests in December 2002.



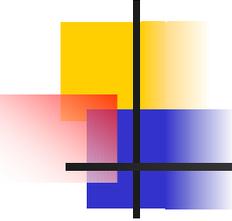
Our Response

- Berks County Court of Common Pleas responded by taking an intensive and precedent-setting look at DUI cases and developing more effective concepts for deterring offenders and rehabilitating those persons convicted of DUI crimes.



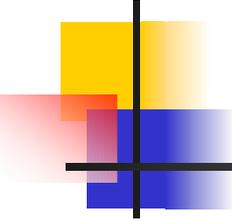
County Wide DUI Forum

- In March 2003 a County wide DUI Forum was held to identify both the positive and negative aspects of Berks County's DUI System.
- Attendees included Judges, District Justices, Probation/Parole Officers, Law Enforcement, Treatment Providers, and Legislative and Other Government Officials



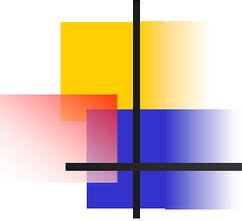
Forum Outcome Goals

- Form multi-agency sobriety checkpoints
- DUI roving patrols
- Continue to expand DUI Enforcement Programs
- Increase programs of public information and education
- Develop DUI Benchmarks & Best Practices
- Implement a DUI Treatment Court



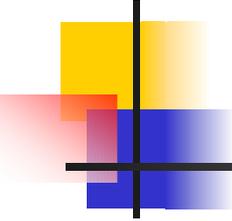
DUI Courts ...

- Provide essential, ongoing judicial interaction & intervention
- Offer a non-adversarial approach that protects due process and accountability
- Provide access to a continuum of community based services
- Require abstinence from Alcohol/Drugs which is closely monitored and tested
- Closely monitor compliance and sanctions for those who do not comply.



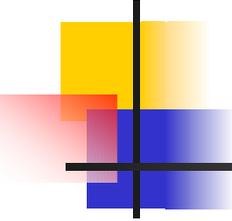
DUI Treatment Court Mission Statement-

The DUI Treatment Court is a long-term program of judicial intervention, intensive probation/parole supervision, and treatment/counseling that focuses on reducing chemical dependency and subsequent recidivism of the chemically dependent DUI Offender.



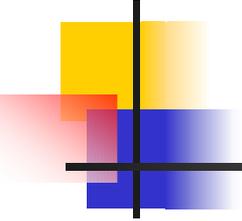
Target Population

- The hard core drunk driver has been identified as the most dangerous offender.
- 58% of alcohol-related traffic fatalities in 2000 involved drivers with a BAC of .15% or above.
- On a national level it is estimated that 50% of first time DUI offenders and 80% of second or subsequent DUI offenders will be rearrested at some point for another DUI offense



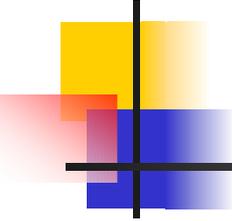
Repeat Offenders

- Despite the fact that a high percentage of the DUI offender population is required to participate in drug and alcohol treatment through state licensed drug and alcohol providers, a significant percentage of this high risk population continues to be chemically dependent and continues to have involvement with the criminal justice system.
- The DUI Treatment Court Provides a new approach to an old problem
- The DUI Treatment Court Program provides the opportunity for a more comprehensive, intensive, and long term treatment experience.



DUI Treatment Court Goals & Objectives

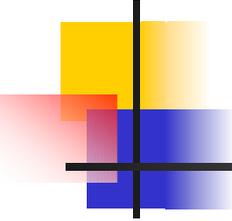
- Reduce the number of alcohol related accidents and fatalities in Berks County
- Reduce the incidence of DUI Recidivism and other drug/alcohol related criminal offenses in Berks County



Hard Core Drunk Drivers

The Century Council identifies the “Hard Core Drunk Driver” as the following...

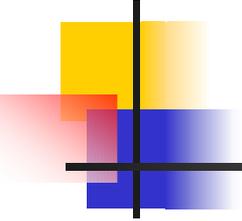
1. A driver with a BAC over .15%
2. Resistant to change
3. Has at least one prior DUI Offense



When is a Judge Not a Judge

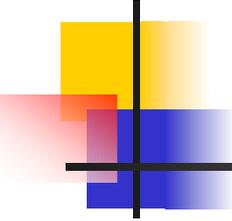
The DUI Treatment Court changes the Judge's traditional role to
"powerful motivator, confessor, task master, cheerleader, and mentor"

* Jeffrey Tauber, *Drug Courts: A Judicial Manual*



DUI Treatment Court Participation Criteria

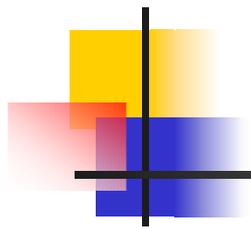
1. 3rd Offenders within 10 years
2. 3rd or Subsequent Offenders Lifetime
3. DUI Offender (1st or 2nd within 10 years) with a history of chemical dependency
4. DUI Offender (1st or 2nd within 10 years) with a high prior record score and history of chemical dependency
5. After or in lieu of a Gagnon 1 Hearing



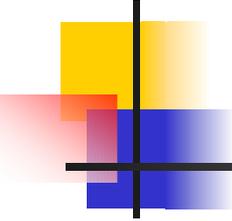
DUI Court Client Requirements

Participation in the following is mandatory

- Ongoing D&A evaluation and treatment
- Involvement with the treatment community including AA
- Full-time Employment
- Participation in community based support services as needed
- Drug & Alcohol Testing

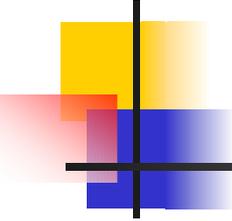


Sanctions,
Including jail time and Community Service Work
are imposed
if an offender fails to comply.



3 Phases of Supervision

- 18-24 months total program length
- Intensive Probation & Judicial Supervision
- Weekly contact between Probation/Parole Officer and Treatment Providers
- Weekly breath/urine Drug & Alcohol Testing
- Multiple AA meetings every week

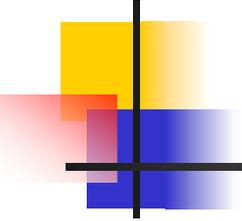


Outcome Data

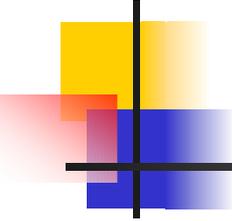
Berks County created a database for tracking and compiling Treatment Court Client's Statistical information

This information is critical to determine the effectiveness of our program

A comprehensive evaluation of our DUI Treatment Court is being Conducted by Jim Fell of Pacific Institute for Research and Evaluation (PIRE)

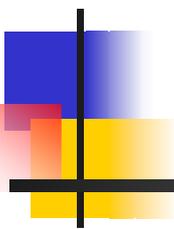


Our Control Group consists of those offenders who meet program criteria from the year 2002 who did NOT have the opportunity to participate in the DUI Treatment Court Program.



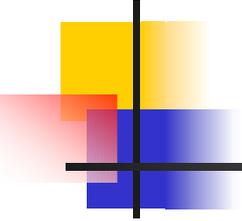
Our Commitment

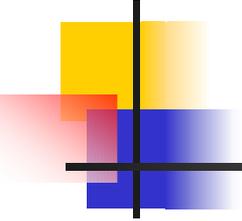
Berks County Court of Common Pleas in conjunction with Berks County's DUI Task Force is committed to Reducing the accidents, injuries and deaths Caused by the drinking driver

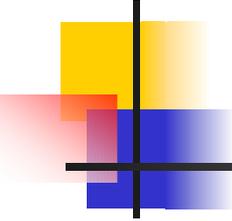


Berks County Drug Treatment Court

Judge Peter W. Schmehl
Brendan L. Harker APO

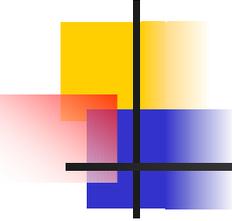
- 
-
- The Pilot Program for Drug/Mental Health Treatment Court began on January 3rd, 2005.
 - The Population consists of non-violent probation & parole violators with a history of substance abuse and/or addiction, mental illness, and/or new criminal charges

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- The caseload consists of 25 individuals, approximately 5 have been targeted for the mental health portion of the Court.
 - Clients are referred based on the following criteria:



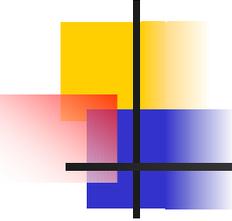
Court Criteria

- Active supervision with at least 18 months of supervision remaining
- Mental Health Clients must have at least 12 months of supervision remaining
- This time may be a combination of consecutive probations, remaining parole with probation to follow, or any combination that includes sentencing on a new charge



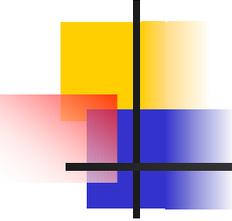
Court Criteria

- For Drug Treatment Court, client's must have a demonstrated chemical abuse and/or dependency problem. They may also carry a dual diagnosis
- For Mental Health Treatment Court, clients must have primary mental health diagnosis with or without a co-occurring chemical abuse and/or dependency problem



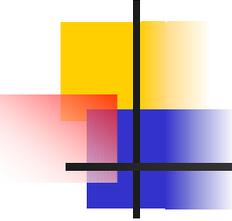
Court Criteria

- Clients must not presently be charged with a crime of violence or have ever been convicted or adjudicated delinquent of a crime of violence
- Client must be a Berks County resident
- Client must not be more appropriate for the Berks County Intermediate Punishment Program or the DUI Treatment Court Program



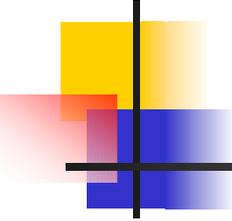
4 Phases of Drug Court

- Treatment Court consists of the following 4 phases and requirements. Promotions to subsequent phases are based on participants successfully meeting requirements listed under each phase.
- All participants will remain in the program for at least 18 months and all requirements apply to all participants.



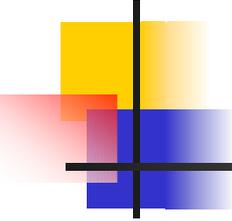
Phase 1 (3-6 months)

- Phase 1 begins after the Court accepts the client into Treatment Court.
- This phase is designed to establish abstinence, medical and/or psychiatric stabilization and provide acute treatment, case management and supervision.
- Advancement from Phase 1 to Phase 2 can only occur after the participant has been in the program for a minimum of three (3) months, has completed all requirements successfully and has tested negative with no failure to test for at least thirty days prior to phase advancement.



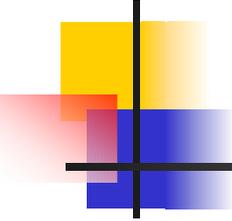
Phase 1 Requirements cont.

- Develop and implement case management plan to include goals and objectives related to education, employment and/or other necessary services
- Secure approved living arrangements
- Establish a payment plan for legal fines and costs
- If applicable, establish a child support payment plan
- Secure gainful employment or participate in other approved use time
- Explore options for appropriate use of leisure time



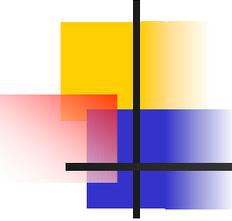
Phase 2 (2-4 months)

- Phase 2 is designed to further recovery and demonstrate positive, productive lifestyle changes.
- Advancement from Phase 2 to Phase 3 can only occur after the participant has been in Phase 2 for a minimum of two (2) months, has completed all requirements successfully and has tested negative with no failure to test for at least forty-five (45) days prior to Advancement.



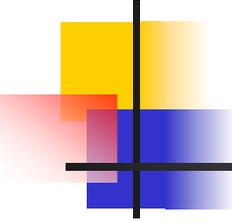
Phase 2 Requirements

- Exhibit Progress with case management plan goals
- Secure approved living arrangements
- Demonstrate consistent compliance with scheduled payment plans for legal fines and costs & child support
- Maintain gainful employment or continue in other approved use time
- Exhibit appropriate use of leisure time
- Maintain approved, stable living environment



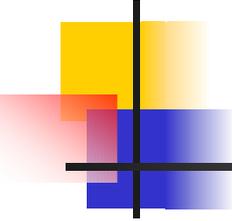
Phase 3 (2-4 Months)

- Phase 3 is designed to solidify skills learned in the first two phases.
- Advancement from Phase 3 to Phase 4 can only occur after the participant has been in Phase 3 for a minimum of two (2) months, has completed all requirements successfully and has tested negative with no failure to test for at least sixty (60) days prior to phase advancement



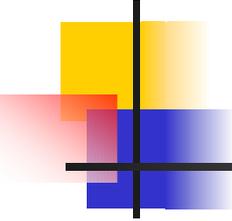
Phase 3 Requirements

- Completion of case management plan goals
- Demonstrate consistent compliance with scheduled payment plans for legal fines and costs & child support
- Maintain gainful employment or continue in other approved use time
- Exhibit appropriate use of leisure time
- Maintain approved, stable living environment
- Completion of Phase 3 project – Each participant must create a scrapbook consisting of photographs, and/or pictures cut out of magazines and narrative illustrating their life prior to treatment, i.e. active addiction and/or untreated mental health disorder (past), present life circumstances, and a vision of their life in the future.



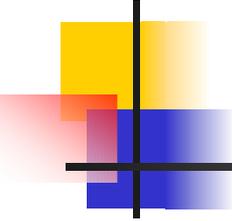
Phase 4 (2-? Months)

- Phase 4 is designed to validate the participants' progress and empower participants to grow in their recovery while decreasing their number of contacts with the Treatment Court Team
- In this Phase, participants will focus on transitioning from Treatment Court to their own recovery support systems
- Advancement from Phase 4 to Commencement can only occur after the participant has been in the Phase a minimum of 2 months, completed all Phase requirements, tested negative on all urinalysis with no failure to test



Phase 4 Requirements

- Demonstrate consistent compliance with scheduled payment plans for legal fines and costs & child support
- Maintain gainful employment or continue in other approved use time
- Exhibit appropriate use of leisure time
- Maintain approved, stable living environment
- Mentor new Treatment Court participants



Conditions for All Phases

- Maintain abstinence from alcohol and non-prescribed mood altering substances
- Regular appearances in Treatment Court
- Random home visits by APO with participants
- Regular contact with APO as directed
- Regular attendance & participation in 12-step meetings
- Comply with medication regiment as directed by prescribing physician
- Regular contact with Case Manager
- 2 times per week urinalysis/breathalyzer testing