



# SAN FRANCISCO COMMUNITY JUSTICE CENTER



Community Justice Center  
Superior Court of California  
County of San Francisco

## POLICIES AND PROCEDURES MANUAL

January, 2018

# Contents

INTRODUCTION .....	3
POLICIES.....	3
Mission.....	3
Goals.....	3
Guiding Principles.....	4
CJC Region.....	5
Community Involvement.....	5
Funding.....	5
Data Collection and Evaluation.....	5
CONFIDENTIALITY .....	6
PROCEDURES .....	7
Location, Hours of Operation, Court Schedule.....	7
Personnel .....	7
CASELOAD.....	9
ELIGIBILITY .....	9
CASE FLOW .....	10
Referrals .....	10
CJC SUITABILITY .....	11
In Custody Triage/Preliminary Suitability, Hall of Justice.....	11
Getting a client from custody into treatment or to an appointment on day of release	12
Assessments (Out of Custody) .....	12
Risk Assessments.....	13
Defendants Who Fail to Appear for Assessment.....	15
Out-of-County Clients .....	16
TREATMENT PLAN .....	16
Case Management and Progress Reports.....	17
CASE PATHS .....	18
Phases .....	18
Neighborhood Court.....	18

Misdemeanor Diversion .....	19
Drug Diversion .....	19
Deferred Entry of Judgment .....	19
Motion to Revoke Probation .....	19
Voluntary Participation .....	19
Community Service.....	19
Bench Warrant Clients Returning to Calendar.....	21
CALENDAR STRATIFICATION .....	21
DRUG TESTING.....	22
MEASURING COMPLIANCE.....	23
Administration of Sanctions & Incentives .....	23
General principles from the Center for Court Innovation.....	25
GROUPS .....	25
CASE CONFERENCING .....	26
Purpose .....	26
Preparatory Procedures .....	27
Case Conference Procedure .....	27
Procedure for Court .....	28
FELONY PROBATION CASES .....	28
Completion of CJC-SFAPD Condition/ Voluntary Participation .....	30
CJC EXIT.....	31
Successful Completion of CJC .....	31
Discharge Planning .....	31
Unsuccessful Termination from CJC .....	31
Probation Revocation.....	32
Closing Client Records/Ending CJC Episodes in the Database .....	32
Returning Clients.....	33
APPENDICES.....	34

# INTRODUCTION

The San Francisco Community Justice Center (CJC) is a collaborative court that demonstrates a true partnership among community stakeholders and city partners. A two year planning effort explored the innovative practice of a community based criminal court that would offer social services to defendants in an effort to curb their criminal behavior and improve their lives. Working in partnership with the Center for Court Innovation during the early planning stages, the CJC was launched in March 2009 to offer a community-focused intervention that had been missing from the existing criminal justice system.

The CJC is a collaborative court of the Superior Court of San Francisco, County of San Francisco, created in partnership with the District Attorney's Office, Public Defender's Office, Department of Public Health (DPH), Human Services Agency (HSA), Adult Probation Department (APD), the San Francisco Bar Association and its defense counsel, and various other city agencies and community groups. The CJC has expanded the problem-solving justice model to target high-need, high-risk offenders in the Tenderloin, South of Market, Union Square, and Civic Center neighborhoods.

The CJC differs from other collaborative courts in several ways: it offers immediacy from arrest to contact with the court; social service referrals for substance abuse, mental health, and primary care are provided on-site; community service hours in lieu of a plea for eligible cases; restorative justice projects that allow participants to give back to the community where the crime occurred; and an open door policy allows for community feedback through community meetings. Services at the CJC Service Center are available for all San Francisco residents regardless of their criminal justice involvement.

## POLICIES

### Mission

*The Community Justice Center of the Superior Court of California, County of San Francisco, responds to the needs of participants and the central city community with a philosophy that CARES – Community, Accountability, Responsiveness, Efficiency, and Support. The CJC reduces barriers for people with the goal of improving their lives.*

### Goals

The primary goals of the CJC are to:

- Improve the lives of CJC participants and the surrounding community

- Reduce recidivism
- Increase public safety

The long term goals of the CJC program are to:

- Broaden community engagement in the community court model
- Create opportunities for CJC participants to engage in pro-social activities through volunteerism and community service
- Provide linkages to substance and mental health treatment
- Address issues of homelessness and joblessness
- Introduce alternatives to criminal thinking and behavior

Working with community based treatment programs and organizations, the CJC is able to link individuals with appropriate treatment and service options.

### Guiding Principles

The CJC will accomplish its primary goals by doing the following:

- **Promote Participant Accountability:** Rigorously monitor compliance with Court orders and provide clear consequences for non-compliance, as well as, decrease the time between offense and Court appearance.
- **Enhance Information:** Improve information and communication regarding defendants, victims, and the context of crimes to help judicial officers make more informed decisions.
- **Evidence-Based Programming:** Promote the use of evidence-based practices among treatment staff, attorneys, probation officers and judicial officers in sentencing and monitoring. Evidence-based practice refers to the use of research and scientific studies to determine the best practices in the field.
- **Individualize Justice:** Use evidence-based risk and needs assessment instruments to create tailored, alternative sanctions.
- **Engage with Respect:** Treat participants with dignity and recognize their due process rights.
- **Involve the Community:** Engage community members to help identify, prioritize, and solve problems, thereby increasing public trust.
- **Foster Collaboration:** Encourage cooperation among government agencies and community organizations to find creative solutions to local problems.
- **Evaluate Progress:** Collect and analyze data to assess outcomes, process, and cost benefits.

## CJC Region

The CJC adjudicates eligible (non-violent) felonies and misdemeanors that occur in the Tenderloin, South of Market, Union Square, and Civic Center neighborhoods. The region of the CJC is bordered by Bush Street on the north, Kearny and Third Streets on the east, Harrison Street on the south, and Otis and Gough Streets on the west. *(See Appendix A: Address Range for Streets within CJC District)*

## Community Involvement

Community partnerships and input are central to the goals and daily operations of the CJC. Community members, government agencies, and service organizations are engaged in an on-going dialogue directed toward strengthening the community as a whole.

- I. **CJC Community Meetings:** The CJC convenes regular meetings to facilitate appropriate communication between the Superior Court, city agencies, and the community regarding the operations of the CJC. Participants include community representatives, the CJC Coordinator and Judge, representatives of collaborating government agencies, the Mayor's Office, and the San Francisco Board of Supervisors.
- II. **Open Door Policy:** The CJC Service Center is open to the public five days a week and is available to all San Francisco residents.
- III. **CJC Service Partners:** Community organizations partner with the CJC to provide both onsite and offsite services. *(See Appendix B: List of Community Organizations that Partner with CJC)*

## Funding

The CJC Service Center is funded by the City & County of San Francisco, as well as from State and sometimes Federal grants. The CJC facility at 555 Polk Street has received certification to bill state Medi-Cal resources for reimbursement of services rendered by Medi-Cal eligible clients.

## Data Collection and Evaluation

The CJC will regularly collect data and conduct regular performance review and surveys to assess its operations and progress toward program goals.

## **I. Surveys**

Prior to implementation the CJC conducted a survey of residents, merchants and visitors in the CJC Region regarding key issues such as public safety, social services, public trust and confidence, and awareness of the CJC. The CJC surveys clients at intake and completion regarding perceived fairness and impact of the CJC. *(See Appendix C: Executive Summary of Community Justice Center Baseline Survey)*

## **II. RAND STUDY**

In 2014 The RAND Corporation completed a study that measured whether the CJC reduces the risk of being rearrested within one year of being arrested, using clients seen at CJC between March 2009 and September 2012. The study found an 8.9 percent to 10.3 percent reduction in the probability of being rearrested within one year for CJC participants.

## **III. CJC Electronic Database**

All clinical and Court operations are recorded in the CJC database. The database, accessible by the CJC Judge and CJC staff, provides information regarding defendants' offenses, scheduled Court dates, Court orders, treatment plans, community service, group attendance, and case dispositions. *(See Appendix D: Database Confidentiality Statement)*

- The administrative staff enters all misdemeanor citations referred to the CJC as well as incoming felony cases. Case information, including appearance, case developments, incentives and dispositions are updated at every court hearing.
- Department of Public Health treatment staff enter client information, including assessment data and the initial treatment plan, as well as regular progress reports and referral activity.

## **IV. Performance Evaluation**

On a regular basis, statistics on clinical and Court operations are compiled with data from the CJC database. This information is used to assess strengths and weaknesses and improve operations and policy development.

# **CONFIDENTIALITY**

No statement or information procured from statements made by the defendant to any Probation Officer, collaborative court staff, program case manager, service provider, or any member of the collaborative court team, including the Judge and District Attorney, that is made during the course of referral to or participation in a collaborative court, shall be admissible in any subsequent

action or criminal proceeding in this jurisdiction or shared with any individual, agency, or entity outside of the collaborative court. Additionally, urinalysis results shall not be used in any subsequent action or criminal proceeding in this jurisdiction or shared with any individual, agency, or entity outside of the collaborative court. Disclosures required under the law (e.g. Tarasoff warnings) are exempted from this provision. (See *Appendix E: Collaborative Court Confidentiality Admonition?*)

## PROCEDURES

### Location, Hours of Operation, Court Schedule

The **CJC Court**, designated Department 8 (M08), is located at 575 Polk Street.

#### *Hours of Operation*

- In-custody cases are heard from 8:30 a.m. to 10:00 a.m., Monday through Thursday at the Hall of Justice, located at 850 Bryant Street in Department 23.
- Out-of-custody cases are heard from 1:30/2:00 p.m. to 3:30/4:00 p.m., Tuesdays and Thursdays at 575 Polk Street.

The **CJC Service Center** is located next door to the Court at 555 Polk Street, 2nd Floor. The Service Center provides services to the public, including health, mental health, substance abuse, education and vocational training, shelter and housing assistance, and government benefits.

Also located at the Service Center is the CJC staff workspace, assessment offices, group rooms, meeting space, and other resources. All CJC staff, including the Coordinator, Department of Public Health, Probation Officer, District Attorney, and Public Defender have offices and workspace in the Service Center.

#### *Hours of Operation*

- The CJC Service Center is open to the public from 8:30 a.m. to 4:30 p.m., Monday through Friday.
- Drop-in Hours for individual assessments are from 2:00 p.m. to 3:30 p.m., Monday through Friday. Individuals may also schedule appointments at the front desk.

### Personnel

The CJC is the collaborative effort of several governmental and community agencies, whose employees together provide leadership, services, and judicial



components to the CJC. The CJC receives support for programmatic and policy decisions by the Superior Court's Collaborative Court staff. (See Appendix F: Organizational Chart)

### *The CJC Team*

**Judge:** A San Francisco Superior Court Judge hears all Department 8 cases. As head of the CJC team, the Judge regularly reviews case status reports detailing each participant's compliance with the treatment plan, administers sanctions and incentives to increase each participant's accountability, to enhance the likelihood of long-term compliance, and insures timely resolution of legal issues for all cases.

**CJC Coordinator:** The Coordinator is responsible for the overall administration and coordination of the CJC. In partnership with community stakeholders, and in collaboration with the City & County of San Francisco, the CJC Coordinator ensures that the Court and social service functions of the CJC are operating efficiently and effectively.

**Department of Public Health (DPH) Providers:** DPH certified social workers and health workers provide psychosocial assessments and on-going case management for CJC clients. DPH providers link the client with appropriate resources and service organizations as well as lead onsite support groups.

**District Attorney:** Dedicated representatives of the San Francisco District Attorney prosecute Department 8 cases. The role of the D.A. is to review new cases and work closely with the team to negotiate dispositions that address both the defendant's criminal history and social needs.

**Adult Probation Department (APD):** One dedicated San Francisco APD officer and one probation aide oversee and monitor probationers with Department 8 cases.

**Public Defender/Defense Attorney:** The Public Defender, or defense counsel, represents and counsels clients in all court proceedings and seeks to find solutions that will minimize the participant's exposure to incarceration, and mitigate the consequence of a criminal conviction.

**Human Services Agency (HSA) Providers:** HSA staff help CJC clients apply for and acquire food stamps, shelter, Medi-Cal, and County Adult Assistance Programs (CAAP) income, including General Assistance (GA).

**San Francisco Police Department (SFPD):** The SFPD cites directly to CJC for certain misdemeanor offenses. These citations are generated by the Northern, Southern, Tenderloin, and Central districts.

**Courtroom staff:** A Court clerk, Court reporter, and Deputy Sheriffs serve the CJC Court.

## CASELOAD

Cases at the CJC should both 1) have a connection to the CJC Region and 2) meet CJC legal eligibility guidelines (see Page 10). The CJC does not adjudicate cases outside San Francisco County.

**Connection to the CJC Region:** Cases in which the offense occurred in the CJC Region, the defendant resides in or is homeless in the CJC Region, or the crime otherwise has a connection to the CJC Region may be referred to the CJC for adjudication.

**Offense Types:** The CJC hears a wide array of both misdemeanor and felony cases as outlined in the eligibility guidelines.

If a defendant is eligible or more suited for other Collaborative Courts, such as Behavioral Health Court, Veterans Justice Court, Young Adult Court, or Drug Court, the CJC team will discuss the matter and possible different courses of action, if appropriate.

## ELIGIBILITY

### I. Residence Eligibility

Participants who will be case managed by the Department of Public Health must be residents of San Francisco.

### II. Suitability Requirement

Participant must be connected to the CJC region as specified in the Caseload section above and be willing to participate in treatment and/or services.

### III. Legal Eligibility (*See Appendix G: Collaborative Courts Eligibility Guidelines*)

# CASE FLOW

## Referrals

- **Court Referral:** If the client is willing to participate at the CJC, San Francisco Superior Court judicial officers, probation officers, defense counsel, or assistant district attorneys may refer eligible cases to the CJC (M08):
  - **In custody matters**, including MTRs, are referred to the Hall of Justice (HOJ)/M08 at 8:30 AM for disposition and determination of CJC eligibility and suitability.
  - **Out of custody matters** are referred to 575 Polk Street/M08 at 1:30 PM determination of eligibility/suitability Monday, Tuesday, Wednesday, and Thursday.
  - **Misdemeanor Citation:** SFPD and BART officers can cite individuals in the CJC District directly to 575 Polk Street. The case will be set within 10 days for SFPD cites and 20 days for BART cites.
  - **Re-referral:** CJC defendants who are re-arrested for eligible cases are re-referred to the CJC/M08 for determination of CJC suitability.

**First Appearance after Citation:** A defendant's first appearance at the CJC occurs within 8 to 10 days after the arrest or citation. Court dates for BART citations will be set approximately 20 days after citation. Defendants unable to pay for an attorney are appointed a public defender.

**Immediate Connection with Services:** Following first appearance, if the defendant wishes to participate in the CJC, he/she is immediately referred to the CJC Service Center for an assessment. Defendants whose misdemeanor citations have been dismissed are referred to the CJC Service Center on a voluntary basis.

**Second Appearance:** The second appearance typically occurs one week after the first appearance. Based on the CJC assessment and treatment plan, the CJC Judge, in consultation with other team members, determines an appropriate case path.

**Subsequent Appearances:** The CJC Judge schedules subsequent status hearings to monitor compliance with the determined case path. Defendants at high risk of re-offense should initially have Court dates no less than once a week.

**Disposition:** Upon successful completion of case path objectives, the defendant's case will reach a disposition based on the eligibility guidelines or diversion criteria. For cases that require a waiver, those cases will be resolved on a case-by-case basis. CJC case dispositions may include: a dismissal which terminates court jurisdiction; a plea withdrawal that occurs after the time period expires of a

deferred entry of judgment and erases the agreed upon terms for probation, imprisonment or the use of a guilty plea as a prior conviction; reduction of the length of the probation term; successful completion of probation; early successful termination of probation, pre-trial diversion, drug diversion, pleas; and suspended sentence with condition of participation in the CJC.

**Termination:** If it is determined that a participant will be unable to complete the objectives set forth in his/her case he/she may be terminated from the CJC. The legal disposition of the matter will be based on the current status of the case and an appropriate legal outcome will be negotiated or sentence imposed, if applicable. (See Appendix H: Basic Flow Chart)

## CJC SUITABILITY

CJC clinical staff (Department of Public Health case managers) will make a suitability recommendation, once legal eligibility has been established.

A defendant must agree to three conditions to be suitable for the CJC:

- (1) Attend Court as ordered
- (2) Meet with case manager regularly as ordered
- (3) Follow the recommendations of the Treatment Plan.

### ***Failure to Appear***

If a defendant fails to appear numerous times on one case without good cause, the Judge may refer the case to another criminal department.

### **In Custody Triage/Preliminary Suitability, Hall of Justice**

CJC clinical staff conduct in custody assessments at the Hall of Justice (HOJ) from 8:30-9:30 AM, Monday - Thursday.

- The judge, attorneys, and assigned case manager for the morning court session will review the calendar in advance of court and read client assessment updates in the database.
- Deputies will bring clients on the morning calendar to the holding cells by 8:30 am.
- The case manager will arrive in court at 8:30 to check the database on any added participants, and interview clients to determine suitability. Before the interview/screening, the DPH case manager will obtain a release of information so that clinical eligibility can be shared with the team. (See Appendix I: DPH Authorization to Release Protected Health Information form)
- If s/he is an existing client, suitability will be evaluated by past CJC performance, reasons for the FTA or new arrest that resulted in custody

status, and client's willingness and ability to participate. New clients will have a triage evaluation for clinical suitability, which will be shared with the judge, prosecutor and defense counsel and will be based on the following:

- A clear reason for unsuitability will be stated in the Preliminary Suitability form to other team members and entered into the database for future reference.
- Where possible, conditions for OR, and other judge's orders will be noted in the database by the case manager for future tracking purposes, as well as other pertinent data, such as aliases, co-defendants, veteran status, parole supervision, etc.

### **Getting a client from custody into treatment or to an appointment on day of release**

In addition to an OR release, there are three ways of getting a client directly from custody into treatment:

1. **Arrange through ACM for direct transport.** The judge will order this while the client is in custody at least seven calendar days prior to transport. The client will have already been accepted into a program and ACM will pick up the client from CJ2 and take them to the program, and then be relieved the following court date.
2. **DPH case manager escorts.** Most DPH case managers have jail clearance and can escort a client to treatment when deemed necessary. The court will sign a transportation order prior to the anticipated release and schedule a next court date to not fall on the day of release.
3. **Mentor And Peer Support mentor escorts.** If the participant has one assigned his/her MAPS mentor could escort the client to treatment or other services from jail.

### **Assessments (Out of Custody)**

**Assessment:** The CJC assessment is the cornerstone of the work with new clients. It differs from a traditional psychosocial assessment in that it is designed specifically to address the behavior(s) of the individuals who are appearing in Court, particularly those related to their arrest.

At the assessment meeting between the client and DPH provider, the provider gathers basic information on the Initial Risk Assessment form, as well as information regarding the reason for arrest or citation, income, dollar amount of drug use, and other relevant data.

Assessment should be completed within one week of the participant's first Court date. Ideally, following first Court appearance, the defendant will be immediately referred next door to the Service Center for a same-day assessment.

Clients are also referred to an HSA provider for government assistance programs that could be of benefit.

CJC clinical staff conduct out of custody assessments, Monday-Friday at 2:00 PM.

- When defendants are ordered to be assessed in Court, they should go upstairs immediately after their court appearance.
- If a defendant does not go to the Service Center or does not wait to be assessed on the day the assessment is ordered, the defendant should return the next day at 2:00 PM.
- If the defendant returns for the assessment on their next Court date, the CJC case manager will instruct the client to go to Court. The Judge will order the client to be assessed.
  - The assessment results will not be made available to the team until the next Court date, however the client should get started on tasks as soon as possible after assessment.
  - The case manager will enter an Initial Treatment Plan stating that defendant was assessed, providing a brief overview of the client, and delineating the proposed treatment plan.

### **Risk Assessments**

A deputy probation officer (DPO) is specifically assigned to administer risk and needs assessment instruments ("assessment") on all CJC participants who are ordered to be assessed. The Judge will order assessment for those participants who have not been assessed by Adult Probation, unless exempted by the Judge. The assessment tools are the short-form Correctional Offender Management Profiling for Alternative Sanctions (COMPAS); the long form COMPAS for probation clients; the TCU Drug Screen II; and the Correctional Mental Health Screen (CMHS) for men and women. The referral process and sharing of information is outlined as follows:

- The CJC Judge makes the referral for the assessments at the first appearance, and the client is sent for a clinical assessment with a DPH case manager. (*See Appendix J: Referral for Risk Assessment*)
  - If the participant is already on felony probation, the DPO checks APD records to see if a risk assessment has been completed within the past six months. If so, the results of that assessment are distributed to the team, and a new assessment is not ordered.

- For clients not on felony probation, once an Initial Treatment Plan is developed, defense counsel will review the treatment plan and advise the client regarding the terms of participation in CJC, including the Court requirement to complete a risk assessment and the pertinent release forms.
- If defense counsel and participant agree to the risk assessment interview, the participant or counsel calls the DPO to make an appointment immediately to schedule the risk assessment appointment with the DPO. If the participant does not agree to the risk assessment, the case will go back to criminal court.
- An APD Release of Information must be signed by the participant prior to the risk assessment by the DPO. Defense counsel may be present for all assessments conducted by the Adult Probation Department and all communication with the DPO. Every effort will be made to schedule appointments for the risk assessment interview within one week of the Initial Treatment Plan. The assessment is to be conducted within two weeks of the Initial Treatment Plan.
  - If Defense counsel so notifies the DPO, the Probation Department will not contact or speak to non-probationers for any reason, including obtaining a release or conducting an assessment, without the presence of defense counsel.
  - The participant must present the signed release to the DPO on or before the assessment.
  - If the participant is on felony probation without a current risk assessment, the participant will make an appointment for a full, long-form assessment per APD procedures. If the participant is not on felony probation, s/he will be required to complete a short form assessment.
- The DPO conducting the assessments will distribute a copy of the COMPAS bar chart to the DPO Court Officer and Coordinator who will share with the assigned case manager and defense attorney. Those receiving the bar chart are prohibited from duplicating or distributing the information. The results may be discussed with the CJC team, when discussing the treatment plan.
- The DPO conducting the assessments prepares a written summary of the assessments and disseminates the summary to the Judge, DA, PD, DPO Court Officer, program manager, and senior case manager of the CJC.
  - DPO Court Officer will be present during the case conferencing. If there is a request for any further information from the Probation Department, including a full COMPAS assessment, defense counsel must be notified

and may be present for any additional assessments conducted on non-probationers.

In order to avoid transportation challenges and provide efficiency, every effort will be made to conduct assessments at CJC one afternoon each week. Should a client fail to report for the COMPAS assessment appointment, the DPO will inform the Court of the client's failure to comply with the Court order.

### Confidentiality

The Court and partner agencies will abide by the confidentiality requirement in our eligibility guidelines and related MOUs.

- No statement or information procured from statements made by the defendant to any Probation Officer, collaborative court staff, program case manager, service provider, or any member of the collaborative court team, including the Judge and District Attorney, that is made during the course of referral to or participation in a collaborative court, shall be admissible in any subsequent action or criminal proceeding in this jurisdiction or shared with any individual, agency, or entity outside of the collaborative court. Additionally, urinalysis results shall not be used in any subsequent action or criminal proceeding in this jurisdiction or shared with any individual, agency, or entity outside of the collaborative court.

Adult Probation has also confirmed their confidentiality procedures.

- APD will not disclose non-probationers' specific responses to COMPAS questions, nor will we disclose any statements made by non-probationers during the assessment process. The data from COMPAS assessments for non-probationers will not be entered or stored in APD's case management system. It will be accessible through Northpointe; however, it will only be utilized in aggregate form for research purposes. Further, APD fully complies with the City's Sanctuary Ordinance and does not assist federal immigration authorities as outlined in the Administrative Code and Departmental Policy.

### **Defendants Who Fail to Appear for Assessment**

"Failure to Appear for Assessment" includes situations in which the defendant never goes to the Service Center to be assessed by CJC clinical staff, as well as situations in which the defendant goes upstairs, but does not wait to be assessed.

- If a defendant fails to get assessed during the first week of CJC participation, or any time thereafter, the judge may order the defendant to appear again in two business days.



- The defendant will continue to be ordered back every two days, as appropriate, until s/he gets assessed. After a significant period of failing to be assessed, the judge may terminate client from CJC.

### Out-of-County Clients

Residence of client will be determined by information in police report unless other proof to the contrary is shown.

All new CJC defendants wishing to participate at the CJC will be referred for a full clinical assessment.

If the client asserts out-of-county residency:

- The clinician will indicate in the Initial Treatment Plan that the client is out-of-county.
- Once out-of-county residency is verified by the Court, and if DPH will no longer provide case management services to the client, the client will be referred to community service hours/diversion program or returned to criminal court for case adjudication. If there is no proof that the client is an out-of-county resident – for example, if the client is homeless – then full CJC services will be provided.
- Human Services Agency (HSA) staff may also be able to help determine the client's residency.

## TREATMENT PLAN

Based on the assessment, the DPH provider creates a treatment plan for the defendant that targets the behavior underlying the offense and addresses other needs. Usually this includes referral to appropriate community providers, public resources, and/or group meetings.

Treatment plans are flexible and adjusted based on a client's individual needs and goals. They take into account the client's baseline functioning, individual capabilities, and holistic needs including addiction level, physical, mental, and spiritual interests. Treatment plans are altered to reflect the client's progress.

Examples of treatment plan components include:

- attendance of support group meetings
- addressing criminal thinking
- attendance of out-patient or residential drug treatment programs
- referral to and use of mental health services

- application for and acquisition of public benefits such as SSI, GA, and Food Stamps
- regular drug testing
- application for and acquisition of shelter/housing
- furtherance of education
- career development and vocational training
- referral to groups and services at APD's Community Assessment and Service Center (CASC).

The assessment and treatment plan are provided to the Judge, District Attorney, and Defense Counsel at/or before the next Court date. The Judge considers this information in assessing progress and determining a case path for the client. (*See Appendix K: DPH Confidentiality & Consent Forms/Privacy Protocol*)

### **Case Management and Progress Reports**

Following initial assessment, the DPH provider monitors the client's progress in fulfilling the treatment plan. This includes regular communication with the client and community treatment providers. Progress and referrals are reported in the CJC database and shared with all CJC team members prior to court hearings.

The assigned case manager will prepare a clinical update for all clients on calendar by 10:15 am the morning of court. If the case manager has a planned absence, s/he will arrange in advance with another case manager to prepare updated reports. In the event of an unplanned absence, the Officer of the Day will make best efforts to provide a report on the absent case manager's clients by checking the case manager's mailbox for any sign-in sheets, and checking the database for group attendance. In the event that the Officer of the Day is absent, the absent case manager's back-up will update client reports. A list of the Officer of the Day rotation and each case manager's back-up will be available to all staff by the CJC Coordinator.

If a participant has court and her/his case manager is out, the court will send the client to see the Officer of the Day immediately after court for a check-in.

If the client is on probation, the APD officer will provide a written report on the client's compliance and progress.

# CASE PATHS

After considering all relevant information, including the CJC assessment and treatment plan, the CJC Judge, in consultation with the District Attorney and Defense Counsel, sets an appropriate case path for the individual defendant.

## Phases

In cases where substance abuse is an issue and the treatment team recommends phases for treatment and recovery, phases may be employed. Clients who are assessed for clinical services (i.e. excluding community service) will be monitored through designated phases of treatment and compliance. All CJC clients assessed for treatment are required to complete the same Pre-Treatment Phase. Clients charged with misdemeanor offenses are expected to complete Phase 1 while those charged with felony offenses are expected to complete all three Phases, including discharge planning as a part of their final phase.

These are general standards; special defendants or circumstances may warrant deviations. *(See Appendix L: CJC Phases)*

Pre-Treatment	Phase 1	Phase 2	Phase 3
<b>Misdemeanor (Unresolved)</b>			
<b>Misdemeanor Probation</b>			
<b>Felony (Unresolved)</b>			
<b>Felony Probation</b>			
<b>Felony MTR</b>			
<b>Deferred Entry of Judgment</b>			

## Neighborhood Court

If the individual is amenable and eligible, the CJC Court can refer a defendant who is not arraigned to one of San Francisco’s Neighborhood Courts, a program of the District Attorney’s Office, for a hearing. The Tenderloin and SOMA Neighborhood Court Panels are comprised of neighborhood citizens who review the defendant’s case and discuss the crime’s impact on the neighborhood at large. If the defendant attends the Neighborhood Court hearing and completes its recommendations, the charges are discharged. *(See Appendix M: Neighborhood Court Referral)*

### **Misdemeanor Pre-Plea and Diversion**

The CJC Court requires the defendant to engage with the CJC for three to six months while working toward objectives outlined in the treatment plan. Frequent status hearings are scheduled to monitor progress, which will decrease with continued compliance.

### **Drug Diversion**

The CJC Court requires the defendant to engage with the CJC for a period of three to six months while working toward objectives outlined in the treatment plan. Frequent status hearings are scheduled to monitor progress, which will decrease with continued compliance.

### **Deferred Entry of Judgment**

The participant will enter a guilty or no contest plea and will engage with the CJC for three months if charged with a misdemeanor offense and three to twelve months if charged with a felony offense, as outlined in the treatment plan. Frequent status hearings are scheduled to monitor progress, which will decrease with continued compliance.

### **Motion to Revoke Probation**

When there is a felony MTR pending, the participant shall make an admission to the violation upon commencing participation in treatment, unless there is an agreement to the contrary. The CJC Court then monitors the defendant for the remainder of his or her mandated clinical treatment, with compliance hearings at which the case manager and Probation Officer provide progress reports.

### **Voluntary Participation**

Clients who have had probation reinstated and completed CJC may choose to work time off probation by continuing with their treatment plan, as determined by Court with recommendations from the District Attorney and/or APD, if applicable.

Failure to appear in Court may result in the issuance of a bench warrant, unless the client is a voluntary participant. No bench warrant shall issue for a voluntary participant. Voluntary participation cases will be taken off calendar in the event of a no show or lack of program compliance.

### **Community Service**

Community service can be ordered in several instances:

- Petty theft cases – usually 24 hours as deemed appropriate by the Judge;
- To supplement a client's treatment plan to include pro-social activities, particularly in later phases of treatment;
- As a sanction for clients who are not compliant with their treatment plans.

For clients who do not complete the ordered community service, Sheriff's Work Alternative Program (SWAP) may be ordered as a sanction. SWAP may also be ordered or stayed as a negative incentive.

New clients, except those who are Neighborhood Court, will be sent to the CJC Service Center for an assessment by a DPH case manager and will be given a one week future court date. The case manager will meet with the client to determine the appropriate clinical intervention, including the option of community service. If community service is determined clinically appropriate, the case manager will make the recommendation in the client's Initial Treatment Plan, which will be presented at case conferencing and the legal appropriateness of the recommendation will be discussed. If community service is approved, the hours will be assigned by the judge in court and the client will be given four weeks to complete them. The client will be sent to the CJC Service Center to meet with their case manager to discuss community service agencies.

Community service agencies that are not on the CJC list may be approved on a case-by-case basis and will require verification of hours through direct contact with the agency and/or hours worked documented on company letterhead. (*See Appendix N for list of CJC community service providers.*)

Case managers must follow up with clients for reports on hours completed or reasons why clients may need more time. The case manager will make recommendations to the team on sanctions, incentives, and length of time until the next court date in the court report. The court report will also include the following:

- Date the community service was ordered
- Number of hours (per week, if applicable, and total) ordered
- Number of hours completed and where
- Whether the hours completed have been verified through documentation (e.g. letterhead, phone contact with the agency)

Clients will be required to turn in verification of their hours worked at least a week prior to their court date.

Clients who have completed their community service hours and provided appropriate documentation and completed ID processing (when required) can have their appearance in court waived and the defense attorney may appear 977 on their behalf.

CJC has community service agreements with several organizations, with a goal of clients giving back to the community in which they were arrested.

The judge will assign community service and the client will be able to choose which partner organization best fits her/his scheduling. S/he will then make arrangements to complete the community service before her/his next court date. The judge can approve community service performed at organizations that do not have agreements with the CJC on a case-by-case basis.

### **Bench Warrant Clients Returning to Calendar**

Clients who wish to be added back to the court calendar to have bench warrants recalled may request a new calendar date from their defense attorney, case manager, or Deputy Probation Officer. Phone contact will be accepted on a case-by-case basis. For clients who come to court to put themselves back on the CJC calendar, the court clerk will direct them to the CJC Service Center to obtain the Return to Calendar slip.

The CJC staff person (attorney, case manager, or DPO) who has contact with the client, will fill out a Return to Calendar slip and provide copies to: the court clerk, the case manager/DPO, the ADA, the database specialist, court coordinator, and the defense attorney. A “next court date” slip will be provided to the client. *(See Appendix O Return to Calendar slip)* New court dates will be assigned as soon as possible from the date of contact, and will be delivered to the court clerk no later than 3:30 pm.

If the client has been in bench warrant status or out of contact with case management staff for more than 60 days and the request is made through the defense attorney, the attorney will make every effort to ensure that the client sees his/her case manager or Deputy Probation Officer for a check-in and an update. The update will be provided to the court for the upcoming court date by the case manager or DPO regarding recent contact (or lack thereof), suitability for BW recall, and suitability for continuance in CJC.

Clients who have been away from CJC for more than 60 days need to request a return to calendar through their defense attorneys, and a clinical reassessment and progress report will be made to the court only in the event that the client remains at CJC.

## **CALENDAR STRATIFICATION**

Studies show that mixing high risk clients with low-risk clients can actually increase recidivism among the latter. For that, reason CJC will endeavor to stratify its calendar (and several clinical groups) according to risk/needs principles to optimize outcomes.

# DRUG TESTING

As part of the intake and initial assessment that CJC clients are required to complete, DPH case managers will gather information regarding clients' history of substance use, as well as the severity of current drug use in order to create appropriate treatment plans.

Following the assessment, and where it is clinically indicated, a client may be drug-tested within the first seven (7) days of intake to provide the case managers with information in order to develop an individualized treatment plan.

Clients' use of substances will be evaluated according to the newly-revised DSM-5 categories for substance use disorders. These categories are mild, moderate and severe. The criteria outlined in the DSM-5 will inform and guide the case managers in determining clients' use of substances.

## **Severe Substance Use Disorder**

Clients deemed to have a severe substance use disorder will be ordered to submit to randomized drug testing at least twice per week throughout their time at the CJC unless they are in residential treatment. Results of testing will be used to adjust treatment plans to address the clients' needs as they progress through the program.

## **Moderate Substance Use Disorder**

Clients deemed to have a moderate substance use disorder may be asked to submit to randomized drug testing throughout their time at the CJC. Results of testing will be used to adjust treatment plans to address the clients' needs as they progress through the program.

## **Mild Substance Use Disorder**

Clients deemed to have a mild substance use disorder may be asked to submit to drug testing on the day of court if a DPH case manager determines that testing is clinically appropriate.

- ✓ *Clients will be tested by DPH staff using an instant saliva test which will allow the case managers and the court to respond immediately to the results of the test.*
- ✓ *Results of testing will be entered in the database by DPH staff.*
- ✓ *Participants not case-managed by DPH staff must sign a release prior to submitting drug tests for the CJC.*

Participants not managed by DPH staff must sign a release prior to submitting drug tests for CJC.

# MEASURING COMPLIANCE

Each time a CJC case manager enters a Progress Report or Case Management note in the database, he/she should also define the level of the client's compliance:

- **In Compliance:** Client has completed 100% of assigned tasks
- **Noncompliance:** Client has completed none of the assigned tasks (0%)
- **Partial Compliance:** Client has completed some of the assigned tasks (less than 100%, more than 0%)
  - Persistent "Partial Compliance" may be sanctioned with a high level sanction normally reserved for Non Compliance.
- If the client is in Non- or Partial Compliance, the case manager should state the reason at the end of the Progress Report.
- In order to demonstrate compliance and consistent treatment engagement, clients are required to bring written proof to their case managers (or the Officer of the Day if the case manager is unavailable) no later than one day before the next Court appearance.
- For clients who are unable to comply with their treatment plan due to being in the hospital, having an important appointment, or other verifiable valid absence, compliance may be noted as "CM Note" and may not be factored negatively into that client's compliance score.

## *Failure to Appear*

- If a client is in compliance and fails to appear, the Judge may stay a bench warrant.
- If a client is in partial or noncompliance, the bench warrant will be issued as deemed appropriate by the Judge.

## Administration of Sanctions & Incentives

**The CJC uses a system of incentives and sanctions to help clients change their behavior in positive ways so that they can succeed in the program.**

- Incentives and sanctions are recommended by the case manager based on the client's compliance with their treatment plan and completion of ordered tasks. The case manager assesses each client's capacity to complete tasks given their needs and circumstances.
- Incentives and sanctions are discussed during case conferencing. All parties are encouraged to weigh in on the application of appropriate responses to client behavior, including extenuating circumstances.
- The **Judge** makes the final determination of which specific incentive or sanction to administer.



SOME EXAMPLES OF INCENTIVES FOR COMPLIANCE  
(in order of increasing magnitude)

Judicial Praise	Combined
Applause/Candy	
Call First	
Decreased Frequency in Court	
Star of the Day/ Fish Bowl	
Time off Probation	
Reduction of felony to misdemeanor	
Early Case Resolution	
Certificate	

SOME EXAMPLES OF SANCTIONS FOR NON COMPLIANCE  
(in order of increasing magnitude)

<b>Admonishment: Reminder of CJC Requirements</b>
<b>Assignment/Reflection</b> (e.g. think about what you will do to get into compliance and explain this to the court)
<b>Increased Frequency of Court</b>
<b>Negative Incentive</b> (e.g. two days of SWAP stayed pending compliance)
<b>Community Service</b>
<b>SWAP</b>
<b>Remand</b>
<b>File MTR (at DA/APD discretion; if applicable)</b>
<b>Termination</b>

*SANCTIONS & INCENTIVES: BEST PRACTICES (D. MARLOWE)*

1. **Certainty:** Respond to every target behavior/ progress report with a sanction (noncompliance) or an incentive (in compliance).
2. **Immediacy:** Respond to good and bad behaviors as soon as possible. The effects of sanctions and incentives degrade exponentially as time passes.
3. **Magnitude & Escalation:** Moderate responses are more effective than minimal or severe. Increasing the magnitude (escalation) of sanctions and incentives as behaviors ratchet up is more important than the specific sanction or incentive administered.
4. **Fairness**
  - a. Court response should be proportional to the behavior.
  - b. Treat like people in like circumstances similarly (consistency). Punish the act, not the individual.

- c. Procedural Justice: Allow client to speak and explain. Be able to provide rationale to the client.
- d. Provide clients with written information in the participant handbook about the sanctions and incentives in advance, so they know what to expect.

*Remember, rewards are more effective than sanctions in facilitating behavioral change.*

### **General principles from the Center for Court Innovation**

- Use judicial and clinical responses in a coordinated way to motivate adherence to an individualized treatment plan.
- Individualize judicial and clinical responses to progress in and non-compliance with treatment.
- One person's sanction is another person's reward!
- Keep the concept of sanctions and rewards distinct from treatment – don't "punish" by increasing the intensity of treatment or "reward" by decreasing its intensity.
- The nature of incentives and sanctions will reflect the style of the court judge and team.

### **Interventions and Sanctions related to drug testing**

For clients whose use is increasing, the following interventions will be considered, on a individualized basis and based on drug/s of choice and mental health factors:

- Increased frequency of drug testing
- Increased frequency of treatment groups
- Voluntary use of medication (Suboxone, methadone, etc.)
- Intensive Outpatient Treatment
- Community Detox
- Residential treatment

Clients who tamper with drug tests or refuse to test, the following sanctions will be considered:

- SWAP
- Remand for no more than 48 hours, or over the weekend.
- Termination from CJC

## **GROUPS**

DPH clinical staff will determine which groups are needed and provide them as staffing allows. All groups will be evidence- and curriculum-based. Group attendance will be noted in the CJC database by the group facilitator.

A clinician may reserve the right to terminate group therapy at his/her discretion. Reasons for termination include, but are not limited to: conflicts of interest; safety and/or personal security concerns; the patients' needs are outside of the clinicians scope of competence or practice; or some other form of critical incident.

## CASE CONFERENCING

### **Purpose**

Case Conferencing provides access to all relevant information about a case in a collaborative environment with the goal of creating optimal treatment structure, and ultimately, changing lives. Case conferencing occurs daily from 1:00 to 2:00 p.m. followed by the court session at 2:00 p.m. The CJC Team discusses calendared cases and related programmatic and administrative issues, including the following:

1. Prosecutor, defense counsel, and APD input concerning initial treatment plans and court reports
2. Program acceptance
3. Movement in program phases
4. Implementation and frequency of drug testing
5. Potential impediments to clients' successful treatment
6. Implementation of incentives and sanctions
7. Case resolution
8. Program graduation
9. Program terminations
10. Coordination of clinical, therapeutic, psycho-social, and legal services

### **Principles**

- The collective expertise of team members is the cornerstone of the CJC model. Team members include the CJC Judge; Prosecutor; Public Defender/Private Attorneys; CJC Coordinator; Adult Probation Officer; DPH Case Managers ; Administrative Staff
- Although the Judge is the final decision maker, team consensus is the goal. Differences of opinion will be resolved by using the Team Working Agreement. It is vital that each team member understand the role of every other team member, respect their individual areas of expertise, and learn to communicate effectively.
- At times, a decision made in case conferencing may change due to additional information presented in court.
- Programmatic or administrative issues which are not easily resolved during case conferencing are deferred to another time so as not to distract from the team's focus on participant issues.

*(See attached Appendix P: CJC Team Working Agreements)*

### **Preparatory Procedures**

The CJC Coordinator, Administrative Staff, or Case Manager will act as “Lead”, and prepare the calendar for case conferencing and for duties in court on a rotating basis. The Lead will facilitate case conferencing unless the CJC Judge opts to do so.

Case Managers update and complete client court reports by 10:15 am daily. The Deputy Probation Officer will complete reports by 10:45 pm and deliver copies on pink paper to the prosecutor and the judge.

Administrative staff will print out all reports at 10:15 a.m. daily and distribute copies to: CJC Judge; and District Attorney. PDF reports will be emailed to the Public Defender’s office.

The CJC Administrative Staff will ensure that all clients on calendar have completed and current reports in advance of case conferencing.

The CJC Administrative Staff will compile a list of clients in compliance for the CJC Judge to call first in court and a list of potential remands. This will be distributed to the CJC Case Manager and Judge prior to court. The CJC Administrative Staff will distribute the list of potential remands to the Sheriff’s deputies as soon as possible.

The team member who is acting as lead that day (Case Manager, Coordinator, or Administrative Staff) will review each client report in advance and note cases that need discussion (e.g. initial treatment plans, graduates, clients who have markedly improved or have problems, possible remands, non-compliance issues), and track return to court dates. S/he will also update any changes to client orders as they are discussed in case conferencing.

The Deputy District Attorney and Deputy Public Defender will review case files in advance of case conferencing to identify cases for possible resolution. A copy of the day’s calendar will be available in the conference room for private attorneys to access. Attorneys will come to case conferencing prepared to discuss clients and will receive oral updates on clients’ progress. Team members will discuss sanctions, incentives, and case resolution.

### **Case Conference Procedure**

1:00 – 2:00 pm

The team member who is acting as lead that day (Judge, Case Manager, Coordinator, or Administrative Assistant) will go through the calendar in case conferencing. Client cases will be called for discussion in the following order:

1. By line number, skipping clients whose case managers or attorneys have not yet arrived.
2. By attorney arrival: clients of defense attorneys who are present will be called in order of attorney arrival.

Special attention will be paid to clients who are facing serious sanctions, are on calendar for review of their initial treatment plan, have complex clinical or legal issues, have pending case resolution, or have other noteworthy items for discussion, such as graduation.

Attorneys who phone in for client updates will not be put on speaker phone.

They will talk to a case manager who can orally relay the court report.

When there is insufficient time to discuss all cases needing a decision, or if the defense attorney is not present, discussions will take place at a sidebar in the courtroom or in chambers.

Issues that arise in case conferencing that are not related to that day's calendar will be noted and tabled for discussion at a later staff or policy meeting.

### **Procedure for Court**

The Lead will be responsible for tracking decisions made in case conferencing and monitoring results in court. Responsibilities in court include:

- Updating client orders as they occur in court, including return to court date;
- Distributing orders and assessment forms to clients as they exit court;
- Engaging in sidebar discussions regarding clients, representing clinical best practices;
- Applauding, handing out candy, and gift cards;
- Filling out tracking sheet for each gift card distributed;
- Tracking notable events in court and conveying information to case managers for tracking and monitoring purposes (e.g. threatened remand, negotiated settlement, return to probation, return to HOJ) that may not show up in the database.

## FELONY PROBATION CASES

Depending on the status of the case, felony probationers at the CJC are primarily case managed by CJC clinical staff (DPH) with supplemental information on probationers sometimes provided by the Adult Probation Department (SFAPD).

**All CJC Felony Probationers are expected to complete the CJC treatment plan as recommended by APD and the case manager:**

- **Felony Probationer:** If there is no motion to revoke probation (MTR) and the defendant's probation is active, DPH is the primary case manager:
  - DPH maintains clinical jurisdiction of the defendant, however, the defendant is required to report to his/her Deputy Probation Officer (DPO), as ordered by APD.

- If the defendant is on a specialized caseload (i.e. Sex Offender, Domestic Violence, Intensive Supervision, 1170, PRCS, Homeless, etc.), the defendant is required to report to his/her assigned DPO.
  - DPH will provide the updated Progress Report and recommendation to the Court.
    - The Adult Probation will also report on a probationer's compliance with Probation and can submit recommendations to the Court regarding the probation order.
- **When a CJC client has a court number that is a 3455(a) PC PRCS violation**
  - For PRCS clients who are in CJC on a 3455(a) PC only and they fail to appear, APD should be notified and they will issue their own warrant.
  - For a PRCS client who is in CJC on a new matter that the DA is moving on (ie a new court # that is either an open case or new MTR) the Court can issue a bench warrant on that number without causing confusion because it is an open matter.
  - Failures to appear by PRCS clients should always be reported Lead to the PRCS supervisor for a warrant to be issued and the 3455(a)PC case ordered off calendar.
- If a probationer has a new arrest and an MTR is filed, a clinical re-assessment will be ordered and the treatment plan will be updated, as appropriate.
- At any point in this process, when probation is reinstated, the Court may order the probation grant to be tolled to the new expiration date pursuant to People v, DePaul and People v. Tapia cases, and the Court will state the new termination date for the record.
  - **Transfer to the Community Assessment and Services Center (CASC).** In some instances, it may be determined that a client's needs may be better served if they receive services through APD's CASC. In these cases the CJC Deputy Probation Officer will make arrangements with the client's DPO for a referral and the DPH CJC case manager will share diagnosis and treatment information with the DPH contact at the CASC. Clients may participate in CJC and CASC treatment and services simultaneously. For clients remaining on the CJC calendar, the CJC Deputy Probation Officer will coordinate with the CJC DPH case manager to facilitate reporting on clients' CASC participation for each court appearance.
  - **PRCS:** While a client is under PRCS supervision, the DPH case manager will work closely with the CJC DPO to coordinate services and monitor compliance with both court orders and APD supervision:
    - The defense attorney, DPH case manager, or CJC coordinator will notify the CJC DPO and/or PRCS supervisor of the client's appearance into CJC and the supervisor will have input as to the client's eligibility to participate.

- When a PRCS client is accepted into CJC, the PRCS supervisor by the CJC DPO will be informed of the client's treatment plan and will relay their expectations of compliance under APD supervision.
- Should a PRCS client be arrested, the CJC DPO will ensure that the PRCS supervisor is notified.
- Any termination of a PRCS client from CJC - whether successful or unsuccessful - will be relayed to the PRCS supervisor.

### **Completion of CJC-SFAPD Condition/ Voluntary Participation**

- **Completion of CJC-SFAPD Condition:** Probationers with a CJC Condition are eligible to complete that condition when the case manager reports full clinical compliance and stability, upon agreement from the team.
  - When a client completes the CJC condition, the DPO should select "Completion of CJC/SFAPD Conditions" from the Overall Compliance drop down menu to memorialize the milestone in the Contact Log of the database.
- **Voluntary Participation:** Once the CJC/SFAPD condition is completed, the Judge may inform the probationer that he/she may choose to successfully complete the CJC (ending CJC participation and monitoring), or continue as a Voluntary Participant:
  - Voluntary participation allows probationers to continue to work time off of the probation term through treatment engagement and compliance.
    - While a voluntary participant, the client is expected to come to Court as ordered and report to the DPO as directed.
      - If the client misses Court, the Judge will put the case over a week.
      - The DPO may recommend that the client be removed from calendar.
      - If the client chooses to remove him/herself as a voluntary participant prior to the end of the probation term, the client should inform the DPO or case manager prior to court or the Judge at a court appearance, and s/he will be taken off the CJC calendar and instructed to report to APD.
  - At any point in this process, when probation is reinstated, the Court will order the probation grant to be tolled to the new expiration date pursuant to People v, DePaul and People v. Tapia cases, and the Court will state the new termination date for the record.

# CJC EXIT

## Successful Completion of CJC

Once a CJC client completes the required treatment plan, and meets the relevant Successful Completion Criteria, the clinician or DPO managing the case will recommend Successful Completion to the team.

The legal outcome of the case will be based on the eligibility guidelines or diversion criteria. If there was a waiver for participation, then the legal outcome will be based on a negotiated disposition. And exit interview will be conducted, the client may receive a gift card and a certificate, and the client database record will be closed as a "Successful Completion."

## Discharge Planning

Discharge Plans are to be completed for all successful CJC clients prior to the Successful Completion date

- The Court orders a Discharge Plan in anticipation of successful completion of CJC. When ordered, the Court will send up an assessment note stating, "Discharge Plan."
- The Discharge Plan should be completed by the clinician in the case of non-probationers and/or deputy probation officer in the case of felony probationers managing the case at the time of successful completion of CJC.
- Discharge Plan Process:
  - o The clinician/DPO meets with the client to discuss: Client's plan/goals re: primary issues, treatment, pro-social connections in the community post-CJC.
  - o The clinician administers an Exit Interview and Client Satisfaction Survey and gives it to administrative staff for tracking.
  - o The clinician/DPO enters a note in the Contact Log of the database describing the Discharge Plan for the client. The plan will be noted in the database as a report to the team on the expected graduation date. Also select the following in the Contact Log:
    - Type of Contact: "Done-Discharge Plan"
    - Status: "Graduating!"
- Graduating on the spot without notice or a discharge plan is highly discouraged. The court will consider an exception when the facts and circumstances of a case warrant such a disposition

## Unsuccessful Termination from CJC

A client may be terminated from CJC, which may occur when the client re-offends, stops coming to court appearances, breaks CJC rules, tampers with a



drug test, or has left a treatment program and refuses to return. In these circumstances, the case is returned to the original criminal department for adjudication. If a defendant re-offends or is re-arrested, his continued participation in the program is subject to the express consent of all members of the team both as to the new case and the pre-existing case. The judge will make the final determination.

If the case is a deferred entry of judgment (DEJ) case, the sentence will be imposed at the CJC/M08.

### **Probation Revocation**

If a motion to revoke (MTR) requires a hearing to determine whether probation was revoked, the case may be referred back to the appropriate criminal court.

### **Closing Client Records/Ending CJC Episodes in the Database**

Client database records should be closed when the current CJC episode is ending. This occurs when the client is no longer at the CJC (for one of the reasons listed below), or when the client transfers from DPH to SFAPD.

- **Successful Completion:** When a client has 1) successfully completed the treatment plan and/or any conditions of probation; 2) meets the relevant Successful Completion Criteria; 3) the case has been disposed, and 4) the client has no further CJC obligations.
- **Community Service Completion:** When a client has successfully completed all community service hours and the case has been dismissed.
- **Case Dismissed:** When a client's case (generally an infraction case) is dismissed, but the client has not successfully completed.
- **Transfer to Probation:** When the supervision of a client is transferred to the Adult Probation Department, once their CJC case (CJC condition or MTR) is resolved.
- **Unsuccessful Termination:** When a client has failed to engage in treatment, and failed to meet the obligations of the CJC and the case is returned to the Hall.
- **No Contact (30 Days or More):** When a client has had no contact with the case manager for 30 or more days, the case manager will close the episode.
- **Return to HOJ Processing:** When a defendant wishes to fight the case or go to trial, and the case is returned to criminal court for case processing.
- **New Charge/ Ineligible:** When a client is charged with a new case that is not legally eligible for the CJC.
- **Probation Expiration:** When a client's probation term expires during CJC participation.
- **Case not charged.** For all discharges prior to arraignment.

**No Contact:** It is the policy of the CJC to close a treatment episode if there has been no contact between clinical provider and client for 60 days or more.

- Clinical providers should review their caseload on a monthly basis to assess records to be closed.  
Prior to closing probationer records for no contact, the clinician should check in with the DPO.

### **Returning Clients**

- Defendants returning to the CJC, after ending a CJC treatment episode for any reason, are to be referred back to the previous/original clinical provider for review if the episode is no more than 90 days old.
- Participants who have been away from CJC for any reason longer than 90 days will be referred for a new assessment.
- Clients who return after graduating from CJC (excluding pretrial diversion) within five years will require a waiver from the District Attorney's office.

# APPENDICES

- A. Address Range for Streets within CJC District
- B. Community Organizations that Partner with CJC
- C. Executive Summary: Community Justice Center Baseline Survey
- D. Database Confidentiality Statement
- E. Collaborative Court Confidentiality Admonition
- F. Organizational Chart
- G. 2016 Collaborative Court Eligibility Guidelines
- H. Basic Case Flow Chart
- I. DPH Authorization to Release Protected Health Information form
- J. Referral for Risk Assessment
- K. DPH Confidentiality & Consent Forms/Privacy Protocol
- L. CJC Phases
- M. Neighborhood Court Referral
- N. Community Service Info sheet
- O. Return to calendar slip
- P. Team Working Agreements

**Address Range for Streets  
within CJC District**

**CJC district is bounded by  
Gough Street, Bush Street,  
Kearny Street & 3<sup>rd</sup> Street,  
and Harrison Street**

**Address Range of  
Major Streets**

3 <sup>rd</sup> Street	000-300
4 <sup>th</sup> Street	000-400
5 <sup>th</sup> Street	000-400
6 <sup>th</sup> Street	000-600
7 <sup>th</sup> Street	000-400
8 <sup>th</sup> Street	000-400
9 <sup>th</sup> Street	000-400
10 <sup>th</sup> Street	000-400
11 <sup>th</sup> Street	000-400
12 <sup>th</sup> Street	(all)
13 <sup>th</sup> Street	000-300
Bush Street	400-1700
Eddy Street	000-1000
Ellis Street	000-1100
Fell Street	000-300
Folsom Street	700-1700
Franklin Stret	000-1600
Fulton Street	000-400
Geary Blvd	000-1300
Golden Gate Ave	000-800
Gough Street	000-1600
Grant Avenue	000-400
Grove Street	000-400
Harrison Street	700-1700
Hayes Street	000-400
Howard Street	700-170

Hyde Street	000-900
Ivy Street	000-300
Jones Street	000-900
Kearny Street	000-300
Larkin Street	000-1200
Leavenworth Street	000-900
McAllister Street	000-700
Market Street	700-1700
Mason Street	000-700
Mission Street	700-1700
Oak Street	000-200
O'Farrell Street	000-1200
Page Street	000-100
Polk Street	000-1300
Powell Street	000-600
Post Street	100-1400
So Van Ness Ave	000-200
Stockton Street	000-500
Sutter Street	200-1500
Turk Street	000-900
Taylor Street	000-800
Van Ness Avenue	000-1400

**Major Locations**

- Moscone Center
- Union Square
- Market Street
- Civic Center
- UN Plaza

## Miscellaneous Address Range for Smaller Streets

Ash Street	(all)	Lapu Lapu	(all)
Bernice Street	(all)	Larch Street	(all)
Berwick Place	(all)	Laskire Street	(all)
Brady Street	(all)	Lech Walesa	(all)
Breen Place	(all)	Linden Street	000-100
Brush Place	(all)	Lily Street	000-100
Cedar Street	(all)	Mabini Street	(all)
Chelsea Place	(all)	Maiden Lane	(all)
Clara Street	(all)	Mark Lane	(all)
Claude Lane	(all)	Mary Street	(all)
Clemintina Street	200-500	Minna Street	200-1200
Cleveland Street	(all)	Moss Street	(all)
Columbia Square	(all)	Myrtle Street	(all)
Compton Place	(all)	Natoma Street	200-1200
Cotton Street	(all)	Norfolk Street	(all)
Cyril Magnin Street	(all)	Olive Street	(all)
Daniel Burnham Ct.	(all)	Otis Street	(all)
Dore Street	(all)	Peter Yorke Way	(all)
Elm Street	(all)	Plum Street	(all)
Elwood Street	(all)	Rausch Street	(all)
Falmouth Street	(all)	Redwood Ally	(all)
Fern Street	000-400	Ringold Street	(all)
Gordon Street	(all)	Rizal Street	(all)
Grace Street	(all)	Robert Kirk Lane	(all)
Harlan Place	(all)	Rose Alley	000-100
Harriet Street	000-200	Russ Street	(all)
Hemlock Street	(all)	Scott Alley	(all)
Heron Street	(all)	Security Pacific Place	(all)
Hickory Street	000-200	Sheridan Street	(all)
Isis Street	(all)	Shipley Street	000-300
Jennifer Place	(all)	Starr King Way	(all)
Jessie Street	000-900	Sumner Street	(all)
Juniper Street	(all)	Tandang Sora Street	(all)
Kissling Street	(all)	Tehama Street	200-500
Lafayette Street	(all)	Washburn Street	(all)
Langton Street	(all)	Willow Street	(all)

## Appendix B

### Community Organizations that Partner with the CJC

*Glide Foundation*: provides health care, mental health and substance abuse treatment groups.

*Clean Slate Clinic (Public Defender's Office)*: Helps people "clean up" their criminal records. Provided on-site at CJC the first and third Monday of every month (excluding holidays).

*St. Anthony Foundation*: connects uninsured clients with medical and dental services, as well as computer technical programs and an on-site life skills group.

*La Casa De Las Madres*: healthy relationships workshop onsite.

*Neighborhood Court (DA's office program)*: a panel of neighborhood citizens who hear the cases of referred CJC defendants. They discuss the crime's impact on the neighborhood and offer the appropriate restitution or community service.

*Tenderloin Housing Clinic*: THC currently leases close to 1,600 units in sixteen hotels, and owns one 55-unit Apartment building for low-income tenants that formerly resided in SRO hotels. All tenants receive an array of supportive services through our on-site case management teams and property management staff.

*Tenderloin Workforce Center (Human Service Agency)*: assists with job placement for clients on County Adult Assistance Programs (CAAP).

*San Francisco City College- Second Chance Program*: offers on-site counseling for participants who are interested in pursuing higher education at City College.

*Department of Public Works*: assists the CJC Community Service Program by taking CJC clients out into the community for clean-up.

*San Francisco Clean City Program*: provides assistance to the CJC Community Service Program.

*North of Market/ Tenderloin Community Benefit District(s)*: provides information and outreach to property owners and community stakeholders about the CJC.

*Bank on San Francisco*: connects participants with banking services and free tax preparation.

*Precita Eyes Mural Project*: provides assistance to the CJC Community Service Program.

*Community Housing Partnership*: collaboration that ensures the CJC as a Safe Haven site.

*Sheriff's Community Programs Division at 70 Oak Grove*: provides on-site groups and relapse prevention support to help the formerly incarcerated support their rehabilitation and recovery as they transition back into society.

*Court Accountable Homeless Services (Pre-Trial Diversion)*: provides on-site anger management, harm reduction and relapse prevention groups.

*SF Rescue Mission*: provides assistance to the CJC Community Service Program.

*UC Hastings College of the Law*: redefines legal education through an experiential, interdisciplinary, and international approach to the law. Students and staff support CJC programs and clientele.

Superior Court of California  
County of San Francisco  
Office of Collaborative Justice Programs

Community Behavioral Health Services  
City and County of San Francisco  
Department of Public Health



# Community Justice Center Baseline Survey

## *Executive Summary*

The San Francisco Community Justice Center (CJC) is a neighborhood-based collaborative court of the Superior Court of California, County of San Francisco. The CJC partners with community-based organizations to resolve local problems, improve community well being, reduce the recidivism cycle of offenders, and build confidence in the judicial system.

The Office of Collaborative Justice Programs (OCJP) contracted with the Department of Public Health Community Behavioral Health Services (CBHS) to conduct a baseline community survey. The aim of the survey is to measure the attitudes of residents and visitors in the CJC region towards Community Environment, Safety, Social Services, Public Trust and Confidence, and Awareness of the Community Justice Center. The OCJP will use this initial data sampling to compare perceptions of key issues in the CJC region over time.

To effectively represent the community, CBHS utilized a three-pronged approach, including a phone survey, a street survey of passersby, and a business survey. In total, 394 surveys were collected in November and December 2008.

### **Community Environment**

Homelessness and drugs stood out as the most pressing issues: 85 percent of respondents cited homelessness, and 71 percent cited drugs, as serious or very serious problems. Sixty-eight percent of respondents said that the quality of affordable housing in the region was poor or very poor.

### **Safety**

While 68 percent of respondents felt safe walking in the CJC region during the day, a majority (53 percent) found it dangerous at night. Many respondents wrote of serious crime issues that they had experienced first hand, 20 percent stated that they had been the victim of a crime in the region in the past year. Respondents also expressed concerns about the area's homeless population, gangs and rampant drug activity.

### **Social Services**

The area under study is rich in a variety of social services such as health (medical), mental health and substance abuse services, however, many respondents had either not heard of, or had a neutral opinion of the services available.

Medical services in the CJC region were the most favored, with 36 percent stating that they were excellent or good.

When given a chance to specify what services they would like to see, respondents cited housing services (35 percent) and job training/placement services (33 percent) as the most needed.

### **Public Trust and Confidence**

People appear to trust the police somewhat; however, they feel negatively towards the courts. While 43 percent of respondents felt confident that the police would respond appropriately when called, only 25 percent expressed trust in the courts.

Conversely, 44 percent stated that they did not believe that the courts appropriately handle criminal suspects, and 28 percent said that they had little or no confidence in the police.

### **Awareness of the Community Justice Center**

All the demographic groups within the study area felt similarly: the CJC is a positive development.

Fifty-nine percent were positive or very positive about its opening, while only eight percent expressed any negative sentiment toward the CJC.





# SAN FRANCISCO COMMUNITY JUSTICE CENTER



## Community Justice Center Database Confidentiality Statement

I, \_\_\_\_\_, an employee of \_\_\_\_\_, a partner agency of the Community Justice Center, duly recognize my legal and ethical responsibility to the confidentiality of the San Francisco Community Justice Center (CJC), and hereby agree to the following rules of conduct regarding my use of the CJC database:

1. **I will only access, discuss, or divulge CJC client information as required for the performance of my job duties.**
2. **The CJC database maintains internal logs of data accessed, indicating who added or edited information.** I may be asked to justify my use of specific information contained in the CJC database.
3. Individuals requiring access to CJC information systems will be given a user ID and password. **It is my responsibility to maintain the confidentiality of client information to which I have access.** Under no circumstances will I allow my user ID or password to be used by or disclosed to other persons. If I suspect that someone else has knowledge of my user ID or password, I will notify the CJC Coordinator and/or the Office of Collaborative Justice Programs.
4. I will access the CJC database on a secure computer, and in a secure location, in order to protect the client information contained therein.
5. I will only print information from the CJC database as required for the performance of my job duties. I will only print such information on a secure printer. I will store printed information securely. I will destroy any printed information that I no longer need.

**Violation of state and federal laws regarding patient privacy may subject you to substantial monetary penalties and/or make you the subject of a civil or criminal action** pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the California Medical Information Act, the Welfare and Institutions Code, and other federal and state privacy laws.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_



# Superior Court of California County of San Francisco

**MICHAEL YUEN**  
COURT EXECUTIVE OFFICER

## SAN FRANCISCO COLLABORATIVE COURTS CONFIDENTIALITY ADMONITION

San Francisco Collaborative Courts conduct regular, multi-disciplinary case conferences in which lawyers and clinicians participate. During these meetings, clients' clinical and legal information is shared for purposes of assessment and treatment. All case conference participants must maintain the confidentiality of all clients' information, regardless of the participant's individual legal or clinical relationship to any particular client.

Collaborative Court clients sign a consent permitting release of confidential information to all collaborative court team members. Information obtained during the case conference is NOT to be released to anyone who is not a Collaborative Court team member. Information obtained in the case conference is not to be used against any client in this or any future court proceeding outside of this collaborative court.

I, the undersigned, hereby agree not to divulge any information or records concerning any Collaborative Court client in accordance with the above admonition and without proper authorization from the client in accordance with state and federal law.

---

Print Name

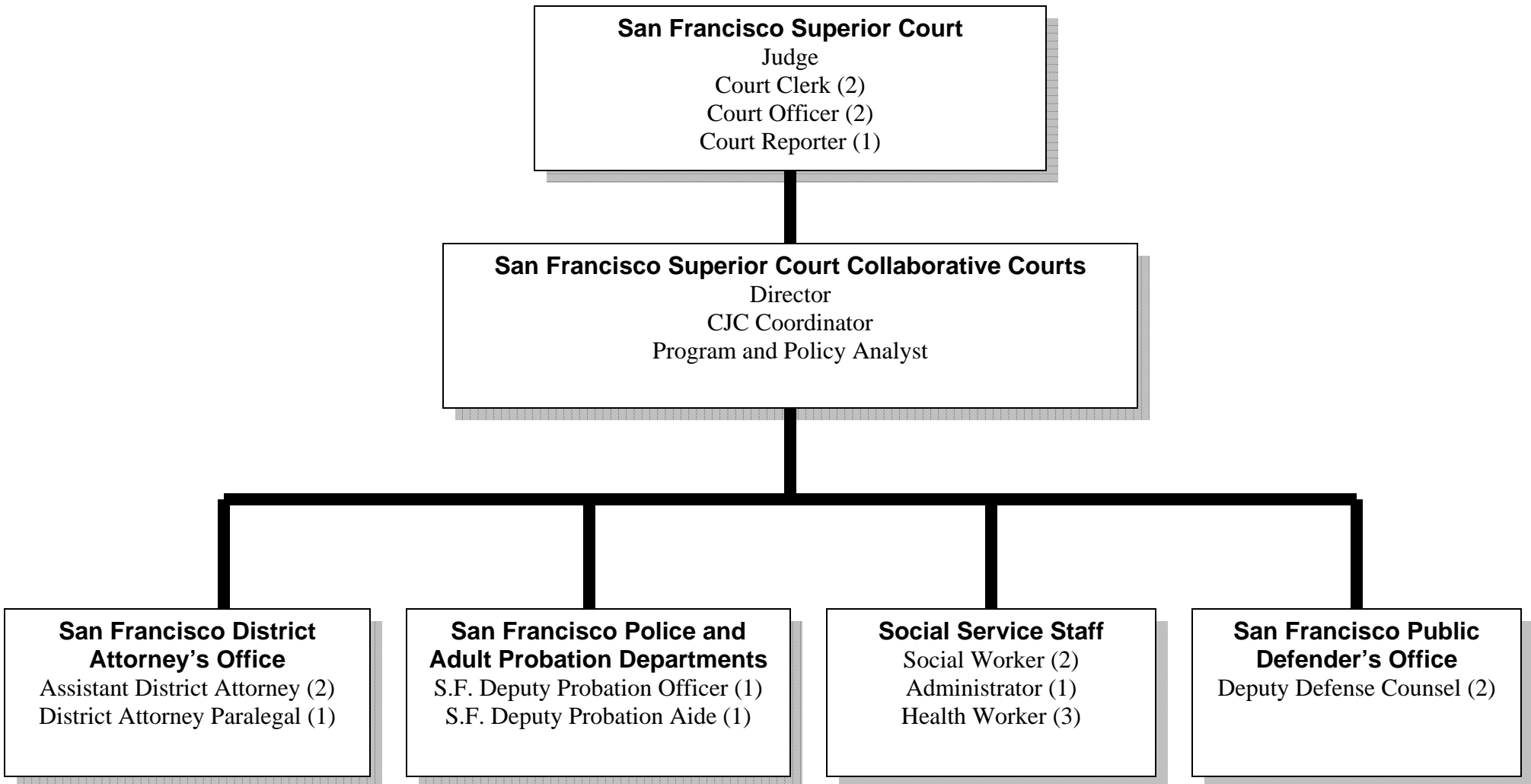
---

Signature

---

Date

# Community Justice Center Organizational Chart



**SAN FRANCISCO COLLABORATIVE COURT Eligibility Guidelines**  
**Community Justice Court, Drug Court, Young Adult Court,**  
**Misdemeanor Behavioral Health Court**  
**June 1, 2016 – December 31, 2016**

**I. Residence Eligibility**

Community Justice Court: Participants who will be case managed by the Department of Public Health must be residents of San Francisco.

Drug Court: No residency requirement.

Young Adult Court: No residence restriction; however, given YAC's limited capacity, priority will be given to individuals with connections to San Francisco, including family and other supports.

Misdemeanor Behavioral Health Court: Participants who will receive Department of Public Health-funded services must be residents of San Francisco.

**II. Suitability Requirement**

Community Justice Court: Participant must be connected to the CJC region as specified in the CJC Policy Manual.

Drug Court: Participant must have a serious underlying substance abuse problem.

Young Adult Court: Participant must be 18-25 years of age.

Misdemeanor Behavioral Health Court: Participant must have a severe and persistent mental illness connected to the offense.

**III. Referral Process**

The SFDA will require its ADAs to obtain approval from their Managing Attorneys to refer cases in the following situations:

- Any felony case that cannot be referred as an open matter (e.g. not eligible on a pre-plea or DEJ basis) per collaborative court eligibility guidelines;
- Any case with disqualifying conditions per these guidelines;
- Any case referred post-preliminary hearing in which a victim testifies.

**IV. Legal Eligibility**

**A. Misdemeanor Offenses**

1. All misdemeanors are eligible on a pre-plea basis, **except** the following:  
(1) drunk driving or other driving offenses, (2) gang allegations, (3) hate crimes, (4) domestic violence, (5) elder abuse, (6) crimes involving

children, and (7) gun and weapon cases, (8) offenses with potential sex offender registration requirements, including but not limited to PC 243.4, 290, 314.1 and 647.6, (9) stalking cases, (10) arson cases, (11) cases that have been reduced to a misdemeanor over the objection of the District Attorney pursuant to 17(b) for felony charges that are not pre-plea eligible.

2. The above-enumerated misdemeanor offenses are eligible following a grant of probation only upon approval of the collaborative court judge. The District Attorney may offer a deferred entry of judgment (DEJ) disposition on a case-by-case basis. The case must be resolved and plea entered within six (6) weeks of commencing participation in the collaborative court for the individual to be eligible.
3. Unless waived by the District Attorney, an individual charged with four or more pre-plea eligible misdemeanor cases\* will be eligible for collaborative court following a grant of probation only. All cases must be resolved and plea(s) entered within six (6) weeks of commencing treatment in the collaborative court for the individual to be eligible.
4. Once a client who has been referred to a collaborative court is arrested or cited for an additional offense, the judge may initiate an evaluation of legal suitability to remain on a pre-plea basis.

#### **B. Felony Offenses**

1. The following felony charges are eligible on a **pre-plea basis**, providing that the individual does not have any disqualifications listed below. Quantities or amounts indicated pertain to individual cases.
  - i. Sale or Possession for Sale Offenses, including Health & Safety Code sections 11351, 11351.5, 11352, 11359, 11378, 11378.5, or 11379 involving less than 5 grams of controlled substances (or less than 2 ounces of marijuana):
  - ii. Felony Theft Offenses, including Penal Code sections 459 2<sup>nd</sup>, 475, 487(a)&(c), 496, or 666, where the restitution amount is under \$2000.
  - iii. Felony Auto Offenses, including Penal Code section 459 2<sup>nd</sup> and Vehicle Code section 10851 where the restitution amount is under \$2000.
  - iv. Vandalism Offenses, including Penal Code section 594, where the restitution amount is under \$2000.

2. The following felony charges are eligible on a **DEJ basis**, providing that the individual does not have any disqualifications listed below. The case must be resolved and plea entered within six (6) weeks of commencing treatment in the collaborative court for the individual to be eligible. Quantities or amounts indicated pertain to individual cases.
  - i. Sale or Possession for Sale, including Health & Safety Code sections 11351, 11351.5, 11352, 11359, 11378, 11378.5, or 11379 involving between 5 and 20 grams of controlled substances (or between 2 and 5 ounces of marijuana).
  - ii. Felony Theft, including Penal Code sections 459 2<sup>nd</sup>, 475, 487(a)&(c), 496, or 666, where the restitution amount is between \$2000 and \$4000.
  - iii. Felony Auto Offenses, including Penal Code section 459 2<sup>nd</sup> and Vehicle Code section 10851 where the restitution amount is between \$2000 and \$4000.
  - iv. Vandalism offenses, including Penal Code section 594, where the restitution amount is between \$2000 and \$4000.
  - v. Assault (245)(a)(4).
  - vi. For YAC only: Robbery (211 2<sup>nd</sup>) with no weapon or injury. In all other collaborative courts, the District Attorney must expressly consent to having a robbery (211 2<sup>nd</sup>) charge in the collaborative court.
3. All other felonies with a probationary disposition are eligible for referral to collaborative court following the grant of probation. The District Attorney may offer a DEJ disposition on a case-by-case basis. The case must be resolved and plea entered within six (6) weeks of commencing treatment in the collaborative court for the individual to be eligible.
4. Unless waived by the District Attorney, an individual charged with **three or more open eligible felony cases**\* will be eligible for collaborative court following a grant of probation only. All cases must be resolved and plea(s) entered within six (6) weeks of commencing treatment in the collaborative court for the individual to be eligible.
5. Unless waived by the District Attorney, all **co-defendant cases**, regardless of the charge, require guilty pleas with a DEJ or grant of probation prior to the admission into collaborative court for all "eligible" case-types. For situations in which one defendant is collaborative court eligible and the other is not, the qualifying co-defendant will not be admitted into the collaborative court unless the District Attorney handling the matter agrees

---

\* Cases involving multiple events will be considered as separate cases.

to the severance that would result from the co-defendant's admission into collaborative court.

6. **Motions to Revoke Probation, Mandatory Supervision, and PRCs:**
  - i. If a defendant is on supervision for an offense that is ineligible for collaborative court, the individual is presumptively not eligible to participate in collaborative court.
  - ii. For all supervision cases, the defendant shall make an admission to the violation upon commencing participation in collaborative court, unless there is an agreement to the contrary. If the defendant does not complete the collaborative court program, the defendant will be subject to all potential consequences of the negotiated sentence or revocation.

**C. Disqualifying Conditions.** If a disqualifying condition exists, the District Attorney may agree to waive the limitation on a case-by-case basis. Disqualifying conditions include the following:

1. Current offense(s) involving the use of a firearm.
2. Prior successful completion<sup>†</sup> of the same collaborative court within 5 years.
3. Prior conviction of or sustained petition for a "strike" (serious or violent felony pursuant to Penal Code section 667.5(c) and 1192.7(c) offense) within eight years of the current offense.
4. Active membership in an organized street gang, as determined by the District Attorney with input from defense counsel.
5. Current offenses in which great or serious bodily injury is alleged. Penal Code section 245(a)(4) alone is not an allegation of serious bodily injury.

#### **D. Plea/Probation Reductions**

Negotiated benefits of successful completion of collaborative court shall include the following, unless there is a negotiated disposition to the contrary at the time the participant enters:

1. For **pre-plea cases (diversion):**
  - Dismissal of a case pursuant to PC 1000.5/1001.7 and sealing of arrest and related court files and records pursuant to PC 851.90/1001.9;
2. For **post-plea cases (DEJ):**
  - The reduction of a felony plea to a misdemeanor conviction for 17(b) eligible offenses;

---

<sup>†</sup> This does not apply to individuals completing Pretrial Diversion at a collaborative court.

- The withdrawal of a plea to a strike offense in lieu of additional terms agreed to by the parties;
  - The withdrawal of a plea and dismissal pursuant to PC 1000.3/1000.9 and sealing of arrest and related court files and records pursuant to PC 851.90; and
3. For **probation cases**:
- Reduction of length of probation term pursuant to PC 1203.3 and permanent stay of fines, fees and conviction pursuant to PC 1203.4;
  - The reduction of a felony plea to a misdemeanor conviction for 17(b) eligible offenses.

#### **E. Restitution Requirement**

For any case involving loss of or damage to property or person, restitution will be ordered.

#### **F. Parallel Actions**

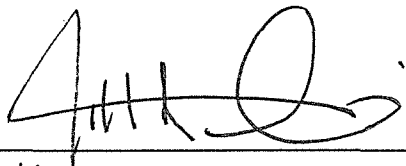
For cases in which there are parallel actions related to the criminal case (e.g. asset forfeiture matters), those matters must be resolved within six (6) weeks of commencing treatment in the collaborative court for the individual to be eligible.

### **V. Confidentiality**

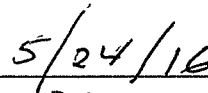
No statement or information procured from statements made by the defendant to any Probation Officer, collaborative court staff, program case manager, service provider, or any member of the collaborative court team, including the Judge and District Attorney, that is made during the course of referral to or participation in a collaborative court, shall be admissible in any subsequent action or criminal proceeding in this jurisdiction or shared with any individual, agency, or entity outside of the collaborative court. Additionally, urinalysis results shall not be used in any subsequent action or criminal proceeding in this jurisdiction or shared with any individual, agency, or entity outside of the collaborative court. Disclosures required under the law (e.g. *Tarasoff* warnings) are exempted from this provision.



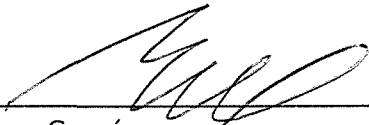
The parties hereto do mutually agree to the San Francisco Collaborative Court Eligibility Guidelines by this Memorandum of Understanding.



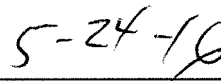
Jeff Adachi  
San Francisco Public Defender



Date



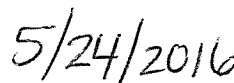
George Gascón  
San Francisco District Attorney



Date



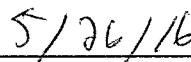
Karen Fletcher  
San Francisco Chief Adult Probation Officer



Date



John K. Stewart  
Presiding Judge, San Francisco Superior Court



Date

**SAN FRANCISCO COLLABORATIVE COURT Eligibility Guidelines**  
**Community Justice Court, Drug Court, Young Adult Court,**  
**Misdemeanor Behavioral Health Court**  
**ADDENDUM 12/13/17**

*Note: changes to the original language are marked in italics.*

**Open Cases (this policy replaces IV.A.3 and IV.B.4):**

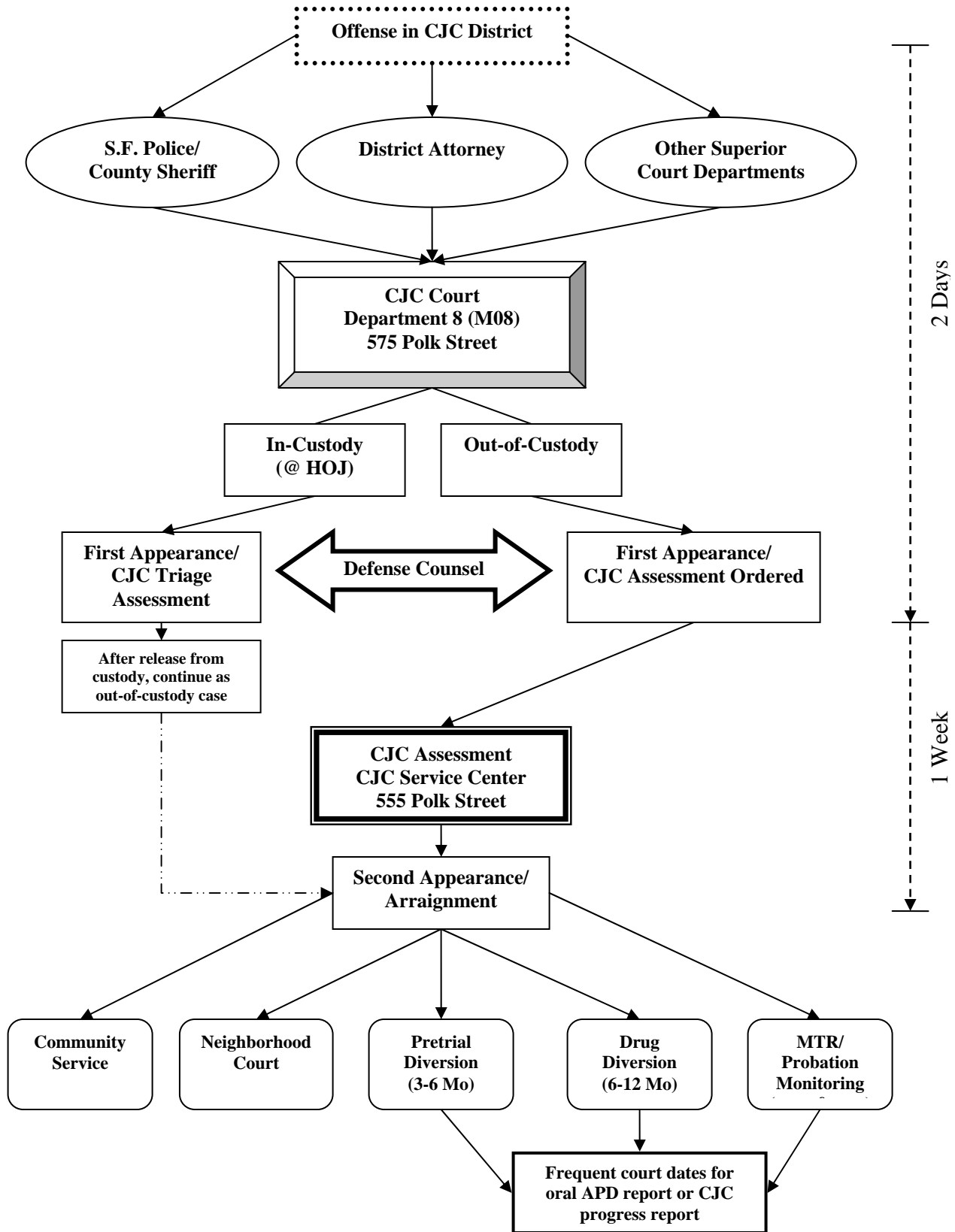
*A participant can have a total of four (4) open, pre-plea eligible cases, of which no more than two (2) are felonies.*

Unless waived by the District Attorney, an individual charged with more than *four (4) open cases or more than two (2) open felony cases* will be eligible for collaborative court following a grant of probation only. All cases must be resolved and plea(s) entered within six (6) weeks of commencing treatment in the collaborative court for the individual to be eligible.

**Motions to Revoke Probation, Mandatory Supervision, and PRCS (this policy replaces IV.B.6.ii AND applies to both misdemeanors and felonies):**

For all supervision cases, the defendant shall *resolve the violation within 3 weeks of commencing treatment* in the collaborative court, unless there is an agreement to the contrary. If the defendant does not complete the collaborative court program, the defendant will be subject to all potential consequences of the negotiated sentence or revocation.

CJC Basic Case Flow Chart





## San Francisco Department of Public Health

Behavioral Health Services

### AUTHORIZATION TO RELEASE PROTECTED HEALTH INFORMATION FORM

Failure to provide ALL information marked \* may invalidate this authorization

Client Name*	Date of Birth*
Aliases	SS Number

I authorize Department of Public Health (DPH) staff of the Community Justice Center to disclose my protected health information for purposes of placing me in treatment programs and satisfying the reporting requirements of my participation in the Community Justice Center mandated program.

Information shared about me may include: Mental Health history, alcohol/drug use history, HIV/AIDS test results/history, sexually-transmitted diseases history, developmental disabilities, toxicology screening results, compliance with my treatment plan, and barriers to successful completion of my treatment plan.

The DPH Community Justice Center staff may share my protected health information with staff at any or all of the following agencies as needed to fulfill the purposes of this authorization: Office of the Public Defender, Office of the District Attorney, California Department of Corrections and Rehabilitation-Parole and Community Services Division, Adult Probation Department, Superior Court of California, Sheriff's Department, Police Department, Bureau of Narcotics Enforcement, Federal Bureau of Investigations, US Federal Probation, Drug Enforcement Agency, Child Protective Services, Adult Protective Services, and Office of the Conservator. I understand that Community Justice Center staff may sometimes be asked to share my health information during public court hearings when my case is heard; and that individuals attending these public court hearings may have access to my health information.

Unless I revoke this authorization, **my authorization will expire upon 30 days following my discharge from the Community Justice Center Program.**

In order to participate in this voluntary program, I understand and agree to the following:

1. Authorizing this disclosure of my health information is voluntary. However, if I refuse or revoke my authorization, I will not be allowed to participate in the Community Justice Center Program.
2. I may cancel this authorization at any time by notifying a staff member of Community Justice Center. I also understand that when I give or cancel my consent, it is effective from that date forward, and not retroactively.
3. Healthcare organizations are bound by rules that govern the use and disclosure of protected health information. If I am disclosing my health information to someone who is not legally required to keep it confidential, it may be re-disclosed and may no longer be protected by law.
4. I have a right to receive a copy of this authorization.

Signature	Date Signed
CJC Client:	
CJC Staff:	
Guardian/Conservator: (If Client is unable to sign)	



# SAN FRANCISCO COMMUNITY JUSTICE CENTER



**YOU MUST MAKE AN APPOINTMENT FOR A RISK ASSESSMENT  
IMMEDIATELY**

CALL Sabrina Shumake, Collaborative Court Liaison  
564 6<sup>th</sup> St, 2<sup>nd</sup> Floor, San Francisco, CA 94103  
Phone: 415-241-4244 | Fax: 415-241-4201  
Email: [Sabrina.Shumake@sfgov.org](mailto:Sabrina.Shumake@sfgov.org)

Your appointment:      Mon              Tue              Wed              Thu              Fri

Time: \_\_\_\_\_



# SAN FRANCISCO COMMUNITY JUSTICE CENTER



**YOU MUST MAKE AN APPOINTMENT FOR A RISK ASSESSMENT  
IMMEDIATELY**

CALL Sabrina Shumake, Collaborative Court Liaison  
564 6<sup>th</sup> St, 2<sup>nd</sup> Floor, San Francisco, CA 94103  
Phone: 415-241-4244 | Fax: 415-241-4201  
Email: [Sabrina.Shumake@sfgov.org](mailto:Sabrina.Shumake@sfgov.org)

Your appointment:      Mon              Tue              Wed              Thu              Fri

Time: \_\_\_\_\_



San Francisco Department  
of Public Health

SFDPH Summary Notice  
of HIPAA Privacy Practices  
and Acknowledgement of Receipt

NAME  
DOB  
MRN  
PCP

Patient ID / Addressograph

**Full Notice:** You have been provided the Full Notice of HIPAA Privacy Practices. Please read it carefully. You can also find it at: <https://www.sfdph.org/dph/comupg/oservices/medSvs/HIPAA/HIPAAsummaries.asp>.

**Who will follow the rules in this notice:** All DPH and contract provider employees, DPH affiliates, as well as staff assigned to DPH by the University of California at San Francisco, must follow these rules.

**You have the right to:** (Please see possible restrictions in the "Full Notice of Privacy Practices".)

- Ask to see, read and/or obtain a copy of your health record (charges may be necessary).
- Ask to correct information that you believe is wrong in your health record.
- Ask that your health information not be shared with certain individuals.
- Ask that your health information not be used for certain purposes; for example, research.
- Ask that copies of your health record be sent to someone (charges may be necessary).
- Be informed about who has read your record (for reasons other than treatment, payment and program improvement purposes).
- Specify where and how DPH employees may contact you.

**DPH may use and disclose your health information to improve your treatment.**

- To improve the quality of care you receive, health information may be shared between treatment providers, including your health information regarding mental health, substance abuse, HIV/AIDS, sexually transmitted diseases (STD), and developmental disabilities.
- There are circumstances when health information about you will not be shared unless you first give your permission for it to be shared; such as services received in substance abuse treatment agencies.

**If you believe your privacy rights have NOT been maintained** while receiving DPH services, you may file a complaint. If you have concerns about how your health information might be (or has been) shared, please speak with your provider or contact either of the following: (1) Secretary of U.S. Dept. of Health and Human Services, Office of Civil Rights, Attn: Regional Manager, 50 United Nations Plaza, Rm. 322, San Francisco, CA 94103. (2) DPH Office of Compliance and Privacy Affairs, 101 Grove St., Room 330, San Francisco, CA 94102, or call toll-free 1-855-729-6040. You will not be penalized in any way for filing a complaint.

I acknowledge receipt of the SF Department of Public Health "Full Notice of HIPAA Privacy Practices."

SIGNATURE OF PATIENT/RESIDENT/CLIENT OR THEIR REPRESENTATIVE		DATE
PRINT NAME	IF REPRESENTATIVE, SPECIFY RELATIONSHIP	INTERPRETER IF APPLICABLE

STAFF/WITNESS: If written acknowledgement is NOT obtained, please complete the following:

<input type="checkbox"/> Unable to sign <input type="checkbox"/> Declined to sign <input type="checkbox"/> Other, Describe:	
SIGNATURE OF STAFF WITNESS	DATE
PRINT NAME	DEPARTMENT/ORG



# SAN FRANCISCO COMMUNITY JUSTICE CENTER



## CJC Phases

The **Community Justice Center** is implementing a **Phased Treatment Model** that aligns case impact of court appearances, and enhance treatment planning. The model envisioned here is the first stage of Phased Treatment implementation. In the future, the model will evolve towards evidence-based practice and incorporate risks and needs, matching the level of supervision, monitoring and treatment expectations with defendants' risk of recidivism and criminogenic needs.

All CJC clients assessed for treatment are required to complete the same Pre-Treatment Phase. Depending on the charge, clients are also expected to complete 1, 2 or 3 additional Phases.

This document provides detailed guidelines regarding the specific Phase requirements, treatment goals, sanctions and incentives for each of the following case types. Clients progress through the Phases as they achieve the goals of their Treatment Plan. If a client is arrested, he/she returns to Phase 1.

**These are general standards; special defendants or circumstances may warrant deviations.** Collaboratively, the team may pursue alternative treatment plans or different phase requirements in certain cases.

Pre-Treatment	Phase 1	Phase 2	Phase 3
Infraction Page 2			
Misdemeanor (Unresolved)	Page 3		
Misdemeanor Probation	Page 5		
Felony (Unresolved)	Page 8		
Felony Probation	Page 11		
Felony MTR	Page 14		
DEJ: 11352; 11351; 11350	Page 17		

## INFRACTION (No Probation)

<b>⊛REQUIRED PHASES</b>	Pre-Treatment Phase 1
<b>Duration of CJC Participation (all Phases)</b>	2 weeks-2 months
<b>Legal Benefits of Successful Completion</b>	Case dismissal
<b>Case by case basis</b>	Complaint withdrawn

“If you comply with your treatment plan and the orders of the court, you will leave the criminal justice system in a better position. Each case disposition is determined on a **case by case** basis. If you are successful, your **infraction** case may be dismissed or the complaint may be withdrawn. If you have questions, please ask your attorney.”

<b>⊛PRE-TREATMENT PHASE</b>	
<b>Phase Duration</b>	1-2 weeks
<b>Frequency of Court Appearances</b>	Weekly
<b>Phase Completion Criteria</b>	Assessment (within 1 week)
<i>Shelter extensions &amp; rescheduled GA appointments are not available until Assessment has been completed</i>	Intake survey GA appointment

<b>⊛PHASE 1</b>	
<b>Phase Duration</b>	Minimum: 1 week Maximum: 2 months
<b>Frequency of Court Appearances</b>	Weekly
<b>Treatment Plan Focus &amp; Goals</b> <i>Connect to needed services</i>	GA Shelter/housing Service linkages Meet with case manager as instructed Court appearances
<b>Incentives</b>	Applause/candy Call First Star of the Day Reduced frequency of court Early Phase 1 completion Successful CJC completion
<b>Sanctions</b>	Reminder of CJC requirements Assignment Increased frequency of court Community service (2-4 hours) Extend Phase 1 Termination
<b>Legal Action</b>	Resolve case once Successful Completion Criteria have been met
<b>Successful CJC Completion Criteria</b>	Achieve Treatment Plan goals 2 consecutive weeks in compliance 2 consecutive weeks consistent treatment engagement Complete Exit Survey & Discharge Plan



## MISDEMEANOR (Unresolved; No Probation; No MTR)

<b>⊛REQUIRED PHASES</b>	Pre-Treatment Phase 1 Phase 2
<b>Minimum CJC Participation (all Phases)</b>	8-10 weeks (max: 9 months)
<b>Legal Benefits of Successful Completion</b> Case by case basis	Complaint withdrawn Diversion Deferred entry of judgment Dismissal Expungement
<p>“If you comply with your treatment plan and the orders of the court, you will leave the criminal justice system in a better position. Each case disposition is determined on a <b>case by case</b> basis. If you are successful, your <b>misdemeanor</b> case may be diverted, you may be eligible for a deferred entry of judgment, the complaint may be withdrawn, or the case may be dismissed. Eventually, you may be eligible to have the case expunged. If you have questions, please ask your attorney.”</p>	

<b>⊛PRE-TREATMENT PHASE</b>	
<b>Phase Duration</b>	Assessment through Orientation
<b>Frequency of Court Appearances</b>	Weekly
<b>Phase Completion Criteria</b> <i>Shelter extensions &amp; rescheduled GA appointments are not available until Orientation has been completed</i>	Assessment (within 1 week) Orientation (within 2 weeks) Intake survey GA appointment

<b>⊛PHASE 1</b>	
<b>Phase Duration</b>	3 weeks-3 months Minimum: 3 weeks
<b>Frequency of Court Appearances</b>	Weekly
<b>Treatment Plan Focus &amp; Goals</b> <i>Short-term goals, connect to needed services</i>	Weekly in-person check-ins with case manager (CM) Written proof of follow through to CM UAs to determine baseline use Court appearances
<b>Incentives</b>	Applause/candy Call First Star of the Day Reduced frequency of court Honor Roll Eligibility for CJC Outings Gift card Early Phase 1 completion Phase 1 completion
<b>Sanctions</b>	Reminder of CJC Requirements Assignment Increased frequency of court Community service (2-4 hours)

	SWAP Remand Extend Phase 1 Termination
<b>Phase 1 Completion Criteria</b>	3 consecutive weeks in compliance 3 consecutive weeks consistent treatment engagement
<b>Phase 2</b>	
<b>Phase Duration</b>	5 weeks-6 months Minimum: 5 weeks
<b>Frequency of Court Appearances</b>	Bi-weekly
<b>Treatment Plan Focus &amp; Goals</b> <i>Medium-term goals, engage in needed services</i>	Weekly in-person or phone check-ins with case manager Written proof of follow through to CM Following Treatment Plan/ active engagement in services UAs to reduce use Court appearances
<b>Incentives</b>	Applause/candy Call First Star of the Day Reduced frequency of court Honor Roll Eligibility for CJC Outings Gift card Eligibility for Motivational Incentives Early Phase 2 completion Successful CJC Completion
<b>Sanctions</b>	Reminder of CJC Requirements Assignment Increased frequency of court Community service (2-4 hours) SWAP Remand Extend Phase 2 Return to Phase 1 Termination
<b>Legal Action</b>	DA & Defense work on disposition
<b>Successful CJC Completion Criteria</b>	Achieve Treatment Plan goals 5 consecutive weeks in compliance (at least 3 consecutive in compliance Progress Reports) 5 consecutive weeks consistent treatment engagement Complete Exit Survey & Discharge Plan

## MISDEMEANOR PROBATION (All)

<b>❖REQUIRED PHASES</b>	Pre-Treatment Phase 1 Phase 2 Phase 3
<b>Minimum CJC Participation (all Phases)</b>	5-6 months
<b>Legal Benefits of Successful Completion</b>	Reduction of charge
<b>Case by case basis</b>	Early successful probation termination 17b motion: felony reduced to misdemeanor

“If you comply with your treatment plan and the orders of the court, you will leave the criminal justice system in a better position. Each case disposition is determined on a **case by case** basis. If you are successful on **misdemeanor probation**, your charge may be reduced and/or your probation may be terminated early. If you have questions, please ask your attorney.”

<b>❖PRE-TREATMENT PHASE</b>	
<b>Phase Duration</b>	Assessment through Orientation
<b>Frequency of Court Appearances</b>	Weekly
<b>Phase Completion Criteria</b> <i>Shelter extensions &amp; rescheduled GA appointments are not available until Orientation has been completed</i>	Assessment (within 1 week) Orientation (within 2 weeks) Intake survey GA appointment

<b>❖PHASE 1</b>	
<b>Phase Duration</b>	3 weeks-3 months Minimum: 3 weeks
<b>Frequency of Court Appearances</b>	Weekly
<b>Treatment Plan Focus &amp; Goals</b> <i>Short-term goals, connect to needed services</i>	Weekly in-person check-ins with CM Written proof of follow through to CM UAs to determine baseline use Court appearances
<b>Incentives</b>	Applause/candy Call First Star of the Day Reduced frequency of court Honor Roll Eligibility for CJC Outings Gift card Early Phase 1 completion Phase 1 completion
<b>Sanctions</b>	Reminder of CJC Requirements Assignment Increased frequency of court Community service (2-4 hours) SWAP Remand Extend Phase 1 Termination

*Misdemeanor Probation, Cont.*

<b>Phase 1 Completion Criteria</b>	3 consecutive weeks in compliance 3 consecutive weeks consistent treatment engagement
<b>Phase 2</b>	
<b>Phase Duration</b>	5 weeks-6 months Minimum: 5 weeks
<b>Frequency of Court Appearances</b>	Bi-weekly
<b>Treatment Plan Focus &amp; Goals</b> <i>Medium-term goals, engage in needed services</i>	Weekly in-person or phone check-ins with CM, as ordered Written proof of follow through to CM Following Treatment Plan/ active engagement in services UAs to reduce use Court appearances
<b>Incentives</b>	Applause/candy Call First Star of the Day Reduced frequency of court Honor Roll Eligibility for CJC Outings Gift card Eligibility for Motivational Incentives Time off Probation Early Phase 2 completion
<b>Sanctions</b>	Reminder of CJC Requirements Assignment Increased frequency of court Community service (2-4 hours) SWAP Remand Extend Phase 2 Return to Phase 1 Termination
<b>Legal Action</b>	DA & Defense work on disposition
<b>Phase 2 Completion Criteria</b>	5 consecutive weeks in compliance (at least 3 consecutive in compliance Progress Reports) 5 consecutive weeks consistent treatment engagement

*(Cont. on next page)*

*Misdemeanor Probation, Cont.*

**Phase 3**

<b>Phase Duration</b>	3-12 months Minimum: 3 months
<b>Frequency of Court Appearances</b>	Every 3+ weeks
<b>Treatment Plan Focus &amp; Goals</b> <i>Long-term goals, maintain treatment engagement, build self-sufficiency</i>	Monthly in-person check-ins with case manager Vocational/ educational engagement Permanent housing Pro-social activities, including volunteerism Court appearances No new arrests
<b>Incentives</b>	Applause/candy Call First Star of the Day Reduced frequency of court Honor Roll Eligibility for CJC Outings Gift card Eligibility for Motivational Incentives Time off probation Early Phase 3 completion Successful CJC Completion
<b>Sanctions</b>	Reminder of CJC Requirements Assignment Increased frequency of court Community service (2-4 hours) SWAP Remand Extend Phase 3 Return to Phase 2 or 1 Termination
<b>Successful CJC Completion Criteria</b>	Achieve Treatment Plan goals 3 consecutive months in compliance 3 consecutive months consistent treatment engagement Complete Exit Survey & Discharge Plan

## FELONY (Unresolved; No Probation; No MTR; including DEJ)

<b>❖REQUIRED PHASES</b>	Pre-Treatment Phase 1 Phase 2 Phase 3
<b>Minimum CJC Participation (all Phases)</b>	5-6 months; up to one year for DEJ cases
<b>Legal Benefits of Successful Completion</b> Case by case basis	Plea with probation Deferred entry of judgment Drug diversion Reduction of charge Dismissal Expungement

“If you comply with your treatment plan and the orders of the court, you will leave the criminal justice system in a better position. Each case disposition is determined on a **case by case** basis. If you are successful, your **felony** case may be eligible for a deferred entry of judgment, you may be offered drug diversion, you may be able to plea with probation, or the charges might be reduced or dismissed. Eventually, you may be eligible to have the case expunged. If you have questions, please ask your attorney.”

<b>❖PRE-TREATMENT PHASE</b>	
<b>Phase Duration</b>	Assessment through Orientation
<b>Frequency of Court Appearances</b>	Weekly
<b>Phase Completion Criteria</b> <i>Shelter extensions &amp; rescheduled GA appointments are not available until Orientation has been completed</i>	Assessment (within 1 week) Orientation (within 2 weeks) Intake survey GA appointment

<b>❖PHASE 1</b>	
<b>Phase Duration</b>	3 weeks-3 months Minimum: 3 weeks
<b>Frequency of Court Appearances</b>	Weekly
<b>Treatment Plan Focus &amp; Goals</b> <i>Short-term goals, connect to needed services</i>	Weekly in-person check-ins with CM Written proof of follow through to CM UAs to determine baseline use Court appearances
<b>Incentives</b>	Applause/candy Call First Star of the Day Reduced frequency of court Honor Roll Eligibility for CJC Outings Gift card Early Phase 1 completion Phase 1 completion
<b>Sanctions</b>	Reminder of CJC Requirements Assignment

	Increased frequency of court Community service (2-4 hours) SWAP Remand Extend Phase 1 Impose Sentence (DEJ) Termination
<b>Phase 1 Completion Criteria</b>	3 consecutive weeks in compliance 3 consecutive weeks consistent treatment engagement

## Phase 2

<b>Phase Duration</b>	5 weeks-6 months Minimum: 5 weeks
<b>Frequency of Court Appearances</b>	Bi-weekly
<b>Treatment Plan Focus &amp; Goals</b> <i>Medium-term goals, engage in needed services</i>	Weekly in-person or phone check-ins with CM, as ordered Written proof of follow through to CM Following Treatment Plan/ active engagement in services UAs to reduce use Court appearances
<b>Incentives</b>	Applause/candy Call First Star of the Day Reduced frequency of court Honor Roll Eligibility for CJC Outings Gift card Eligibility for Motivational Incentives Early Phase 2 completion Phase 2 completion
<b>Sanctions</b>	Reminder of CJC Requirements Assignment Increased frequency of court Community service (2-4 hours) SWAP Remand Extend Phase 2 Return to Phase 1 Impose Sentence (DEJ) Termination
<b>Legal Action</b>	Resolve case, plea or DEJ
<b>Phase 2 Completion Criteria</b>	5 consecutive weeks in compliance (at least 3 consecutive in compliance Progress Reports) 5 consecutive weeks consistent treatment engagement

(Cont. on next page)

*Felony, Cont.*

**Phase 3**

<b>Phase Duration</b>	3-12 months Minimum: 3 months
<b>Frequency of Court Appearances</b>	Every 3+ weeks
<b>Treatment Plan Focus &amp; Goals</b> <i>Long-term goals, maintain treatment engagement, build self-sufficiency</i>	Monthly in-person check-ins with case manager Vocational/educational engagement Permanent housing Pro-social activities, including volunteerism Court appearances
<b>Incentives</b>	Applause/candy Call First Star of the Day Reduced frequency of court Honor Roll Eligibility for CJC Outings Gift card Eligibility for Motivational Incentives Early Phase 3 completion Successful CJC Completion
<b>Sanctions</b>	Reminder of CJC Requirements Assignment Increased frequency of court Community service (2-4 hours) SWAP Remand Extend Phase 3 Return to Phase 2 or 1 Impose Sentence (DEJ) Termination
<b>Successful CJC Completion Criteria</b>	Achieve Treatment Plan goals 3 consecutive months in compliance 3 consecutive months consistent treatment engagement Complete Exit Survey & Discharge Plan



## FELONY PROBATION/ CONDITION OF PROBATION (No MTR)

<b>⊛REQUIRED PHASES</b>	Pre-Treatment Phase 1 Phase 2 Phase 3
<b>Minimum CJC Participation (all Phases)</b>	5-6 months <i>Depending on APD; Recommended: 12-18 mos.</i>
<b>Legal Benefits of Successful Completion Case by case basis</b>	Reduction of charge Early successful probation termination 17b motion: felony reduced to misdemeanor Expungement
<p>"If you comply with your treatment plan and the orders of the court, you will leave the criminal justice system in a better position. Each case disposition is determined on a <b>case by case</b> basis. If you are successful on <b>felony probation</b>, your charge may be reduced and/or your probation may be terminated early. Eventually, you may be eligible to have the case expunged. If you have questions, please ask your attorney."</p>	

<b>⊛PRE-TREATMENT PHASE</b>	
<b>Phase Duration</b>	Assessment through Orientation
<b>Frequency of Court Appearances</b>	Weekly
<b>Phase Completion Criteria</b> <i>Shelter extensions &amp; rescheduled GA appointments are not available until Orientation has been completed</i>	Assessment (within 1 week) Orientation (within 2 weeks) Intake survey GA appointment

<b>⊛PHASE 1</b>	
<b>Phase Duration</b>	3 weeks-3 months Minimum: 3 weeks
<b>Frequency of Court Appearances</b>	Weekly
<b>DPH Action</b>	DPH is the primary case manager
<b>Treatment Plan Focus &amp; Goals</b> <i>Short-term goals, connect to needed services</i>	Weekly in-person check-ins with CM Written proof of follow through to CM APD Intake/ Check ins, as ordered UAs to determine baseline use Court appearances
<b>Incentives</b>	Applause/candy Call First Star of the Day Reduced frequency of court Honor Roll Eligibility for CJC Outings Gift card Early Phase 1 completion Time off Probation Phase 1 completion

***Felony Probation, Cont.***

<b>Sanctions</b>	Reminder of CJC Requirements Assignment Increased frequency of court Community service (2-4 hours) SWAP Remand Extend Phase 1 File MTR Termination
<b>Phase 1 Completion Criteria</b>	3 consecutive weeks in compliance 3 consecutive weeks consistent treatment engagement
<b>APD Action</b>	Once Phase 2 advancement is approved, the DPH clinician will transfer case management to the DPO.

**☉Phase 2**

<b>Phase Duration</b>	5 weeks-6 months Minimum: 5 weeks
<b>Frequency of Court Appearances</b>	Bi-weekly
<b>APD Action</b>	APD is primary case manager
<b>Treatment Plan Focus &amp; Goals</b> <i>Medium-term goals, engage in needed services</i>	Weekly check ins with DPO at CJC and/or HOJ as ordered Written proof of follow through to DPO If ordered, check ins with CM Following Treatment Plan/ active engagement in services UAs to reduce use Court appearances No new arrests
<b>Incentives</b>	Applause/candy Call First Star of the Day Reduced frequency of court Honor Roll Eligibility for CJC Outings Gift card Eligibility for Motivational Incentives Time off Probation Early Phase 2 completion Phase 2 completion
<b>Sanctions</b>	Reminder of CJC Requirements Assignment Increased frequency of court Community service (2-4 hours)

	SWAP Remand Extend Phase 2 Return to Phase 1 File MTR Termination
<b>Phase 2 Completion Criteria</b>	5 consecutive weeks in compliance (at least 3 consecutive in compliance Progress Reports) 5 consecutive weeks consistent treatment engagement
<b>Phase 3</b>	
<b>Phase Duration</b>	3-12 months Minimum: 3 months
<b>Frequency of Court Appearances</b>	Every 3+ weeks
<b>APD Action</b>	APD is primary case manager
<b>Treatment Plan Focus &amp; Goals</b> <i>Long-term goals, maintain treatment engagement, build self-sufficiency</i>	Monthly in-person check-ins with DPO Vocational/educational engagement Permanent housing Pro-social activities, including volunteerism Court appearances No new arrests
<b>Incentives</b>	Applause/candy Call First Star of the Day Reduced frequency of court Honor Roll Eligibility for CJC Outings Gift card Eligibility for Motivational Incentives Time off probation Early Phase 3 completion "Maintenance" or "Voluntary" Supervision Successful CJC Completion
<b>Sanctions</b>	Reminder of CJC Requirements Assignment Increased frequency of court Community service (2-4 hours) SWAP Remand Extend Phase 3 Return to Phase 2 or 1 File MTR Termination
<b>Successful CJC Completion Criteria</b>	Achieve Treatment Plan goals 3 consecutive months in compliance 3 consecutive months consistent treatment engagement

---

Completion of CJC/APD Condition  
Complete Exit Survey & Discharge Plan

---

**⊛ "Maintenance" or "Voluntary" Supervision**

---

Once Phase 3 and CJC/APD condition are completed, probationer may choose to continue to be monitored by CJC to work additional time off of the probation term

---

<b>Treatment Plan Focus &amp; Goals</b>	Continue to engage in services Report to DPO and attend court as directed
---	--

---

<b>Incentives</b>	Time off probation
-------------------	--------------------

---

<b>Sanctions</b>	Put over for notice File MTR Remove from Calendar
------------------	---

---

<b>Successful CJC Completion Criteria</b>	Complete Exit Survey & Discharge Plan
---	---------------------------------------

---

## FELONY MTR

<b>⊛REQUIRED PHASES</b>	Pre-Treatment Phase 1 Phase 2 Phase 3
<b>Minimum CJC Participation (all Phases)</b>	5-6 months <i>(depending on APD recommendation)</i>
<b>Legal Benefits of Successful Completion</b>	Reduction of charge
<b>Case by case basis</b>	Early successful probation termination
<p>“If you comply with your treatment plan and the orders of the court, you will leave the criminal justice system in a better position. Each case disposition is determined on a <b>case by case</b> basis. If your <b>MTR</b> is resolved and you are successful on <b>felony probation</b>, your charge may be reduced and/or your probation may be terminated early. If you have questions, please ask your attorney.”</p>	

<b>⊛PRE-TREATMENT PHASE</b>	
<b>Phase Duration</b>	Assessment through Orientation
<b>Frequency of Court Appearances</b>	Weekly
<b>Phase Completion Criteria</b> <i>Shelter extensions &amp; rescheduled GA appointments are not available until Orientation has been completed</i>	Assessment (within 1 week) Orientation (within 2 weeks) Intake survey GA appointment

<b>⊛PHASE 1</b>	
<b>Phase Duration</b>	3 weeks-3 months Minimum: 3 weeks
<b>Frequency of Court Appearances</b>	Weekly
<b>DPH Action</b>	DPH is the primary case manager
<b>Treatment Plan Focus &amp; Goals</b> <i>Short-term goals, connect to needed services</i>	Weekly in-person check-ins with CM Written proof of follow through to CM UAs to determine baseline use Court appearances
<b>Incentives</b>	Applause/candy Call First Star of the Day Reduced frequency of court Honor Roll Eligibility for CJC Outings Gift card Early Phase 1 completion Phase 1 completion
<b>Sanctions</b>	Reminder of CJC Requirements Assignment Increased frequency of court Community service (2-4 hours) SWAP Remand

	Extend Phase 1 Termination
<b>Phase 1 Completion Criteria</b>	3 consecutive weeks in compliance 3 consecutive weeks consistent treatment engagement
<b>Phase 2</b>	
<b>Phase Duration</b>	5 weeks-6 months Minimum: 5 weeks
<b>Frequency of Court Appearances</b>	Bi-weekly
<b>DPH Action</b>	DPH is the primary case manager
<b>Treatment Plan Focus &amp; Goals</b> <i>Medium-term goals, engage in needed services</i>	Weekly in-person or phone check-ins with CM, as ordered Written proof of follow through to CM Following Treatment Plan/ active engagement in services UAs to reduce use Court appearances
<b>Incentives</b>	Applause/candy Call First Star of the Day Reduced frequency of court Honor Roll Eligibility for CJC Outings Gift card Eligibility for Motivational Incentives Early Phase 2 completion Phase 2 completion
<b>Sanctions</b>	Reminder of CJC Requirements Assignment Increased frequency of court Community service (2-4 hours) SWAP Remand Extend Phase 2 Return to Phase 1 Termination
<b>Legal Action/ APD Action</b>	Upon recommendation to complete Phase 2: DA, Defense and APD determine to resolve MTR; reinstate probation. Once Phase 2 advancement is approved, and probation reinstated, the DPH clinician will transfer case management to the DPO.
<b>Phase 2 Completion Criteria</b>	5 consecutive weeks in compliance (at least 3 consecutive in compliance Progress Reports) 5 consecutive weeks consistent treatment engagement

(Cont. on next page)

*Felony MTR, Cont.*

**Phase 3**

<b>Phase Duration</b>	3-12 months Minimum: 3 months
<b>Frequency of Court Appearances</b>	Every 3+ weeks
<b>APD Action</b>	APD is primary case manager
<b>Treatment Plan Focus &amp; Goals</b> <i>Long-term goals, maintain treatment engagement, build self-sufficiency</i>	Monthly in-person check-ins with CM Vocational/ educational engagement Permanent housing Pro-social activities, including volunteerism Court appearances No new arrests
<b>Incentives</b>	Applause/candy Call First Star of the Day Reduced frequency of court Honor Roll Eligibility for CJC Outings Gift card Eligibility for Motivational Incentives Time off probation Early Phase 3 completion "Maintenance" or "Voluntary" Supervision Successful CJC Completion
<b>Sanctions</b>	Reminder of CJC Requirements Assignment Increased frequency of court Community service (2-4 hours) SWAP Remand Extend Phase 3 Return to Phase 2 or 1 File MTR Termination
<b>Successful CJC Completion Criteria</b>	Achieve Treatment Plan goals 3 consecutive months in compliance 3 consecutive months consistent treatment engagement Completion of CJC/ APD Condition Complete Exit Survey & Discharge Plan

**"Maintenance" or "Voluntary" Supervision**

Once Phase 3 and CJC/ APD condition are completed, probationer may choose to continue to be monitored by CJC to work additional time off of the probation term

<b>Treatment Plan Focus &amp; Goals</b>	Continue to engage in services Report to DPO and attend court as directed
---	--

<b>Incentives</b>	Time off probation
<b>Sanctions</b>	Put over for notice File MTR Remove from Calendar
<b>Successful CJC Completion Criteria</b>	Complete Exit Survey & Discharge Plan





George Gascón  
District Attorney

Name: \_\_\_\_\_  
Incident No: \_\_\_\_\_  
Date: \_\_\_\_\_

The District Attorney's Office has determined that you may be eligible to resolve your case in a **Neighborhood Courts** hearing.

If you choose to participate, Neighborhood Courts will hear your case and resolve it quickly. There may be a fee for participating in Neighborhood Courts. After successful completion of the Neighborhood Court's directive, your case will be discharged (dismissed). For additional benefits please see the back of this sheet.

**You must, however, take responsibility for your role in the incident. If you want to dispute what happened, Neighborhood Courts cannot hear your matter and the case will be returned to the regular criminal justice process. The hearing is confidential and the statements you make will not be used in any future criminal proceeding.**

**IF YOU WANT TO PARTICIPATE IN NEIGHBORHOOD COURTS, YOU MUST CALL  
415-517-4806 WITHIN FIVE (5) DAYS OF RECEIVING THIS LETTER.**

If you reach our voicemail, please leave a message with your name and contact information. If you do not have a telephone, please go to the:

- **District Attorney's Office (Monday through Friday only)**
- **850 Bryant Street, Room 322, SF, CA 94103**

If you do not complete Neighborhood Courts, your case will proceed in the criminal court system, and you must appear on your next court date.

**IF YOU CHOOSE NOT TO PARTICIPATE IN THE PROGRAM, IF YOU FAIL TO APPEAR FOR YOUR HEARING, OR YOU FAIL TO COMPLETE YOUR NEIGHBORHOOD COURTS DIRECTIVE, YOU MUST APPEAR IN SUPERIOR COURT AS DIRECTED BY THE JUDGE.**

May2015

**BENEFITS OF PARTICIPATING AND COMPLETING NEIGHBORHOOD COURTS**

- No conviction.

Note: Your arrest will remain on your record unless it is sealed. See below.

- May petition to have your arrest sealed if you are not arrested or cited for another criminal offense within two years of completion of your obligations in Neighborhood Courts. Contact the Clean Slate Program at the Public Defender's office for further instructions. Clean Slate can be reached at (415) 553 - 9337.
- Saves time as the hearing is resolved in usually 20 minutes or less compared with the traditional court system. In Neighborhood Court you also don't need to hire an attorney.
- Neighborhood Courts are located in the neighborhoods of San Francisco, not at the CJC or Hall of Justice. Hearing sessions are conducted in the morning (10am), afternoon (1pm), and at night (6pm).
- Participation will not affect future Pre Trial Diversion eligibility.
- Referrals for support services are available.
- You are able to take responsibility and pay back the community harmed by performing community service activities in the impacted neighborhood.
- An administrative fee is assessed on a sliding scale basis, per SF ordinance 87-06:
  - Individuals whose annual income is below \$54,000 pay no administrative fee.
  - Individuals whose annual income is at or above \$54,000 pay an administrative fee of \$115.
  - Please call 415-517-4806 for more information.

**If you have legal questions:** You can speak to a defense attorney at no cost to you by calling the Public Defender's Office at (415) 553-1671. Ask for the Attorney of the Day.



# SAN FRANCISCO COMMUNITY JUSTICE CENTER



## CJC Community Service Client Information

- You are responsible for setting up your community service hours with the provider recommended for you.
- You should complete at least 4 to 8 hours per week. If you do not complete your hours on time, the court will issue a sanction. The sooner you complete all of your hours, the better.
- You must bring your sign in sheet or other documentation of hours to your next court appearance (see other side).

Your community service provider, total required hours and deadline for completion will be assigned at your court appearance and noted at the top of your sign in sheet (see other side). In order to complete your community service, go to the address listed below for your assigned community service provider. Please direct all questions about your hours to Stephanie or your attorney prior to your next court appearance.

### **Glide Foundation**

330 Ellis Street  
(415) 674-6031  
Contact: Ryan Shipley  
Office hours: 10:00 AM to 12:00 PM  
*Intake required before service can begin.  
Weekend hours available.*

### **Donaldina Cameron House**

920 Sacramento Street  
(415) 781-0401 x120  
Contact: Mary Leong  
*Cantonese, Mandarin, and Vietnamese  
speakers welcome.  
Please call before your first visit.*

### **Precita Eyes Mural Project**

2981 24<sup>th</sup> Street  
(415) 285-2287  
Contact: Cindy  
Mon-Fri 10:30 AM- 5:00 PM  
*No weekend hours*

### **SF Rescue Mission**

136 Turk Street  
(415) 441-1628  
Contact: Clint Ladine or Carlos Jackson  
*Spanish speakers welcome.*

### **Self-Help for the Elderly**

407 Sansome Street  
(415) 677-7600  
Contact: Annie Yu  
*Cantonese and Mandarin speakers welcome.  
Intake hours: 9:00 am – 2:00 pm weekdays  
Please call before your first visit*

### **San Francisco Food Bank**

900 Pennsylvania Avenue  
(415) 282-1907  
Contact: George Gracia  
*Please call before your first visit.*

### **St. Vincent de Paul Society of San Francisco**

525 5<sup>th</sup> Street  
(415) 977-1270 Ext. 108  
Contact: Denneah Fobbs  
Mon-Fri: 9:00am-5:00p Please call before your first visit.

555-575 Polk Street, San Francisco, CA, 94102  
(415) 202-2810  
*(updated 1/31/12)*



# SAN FRANCISCO COMMUNITY JUSTICE CENTER



## Community Service Sign In Sheet

<b>Participant Name:</b>	<b>Hours Assigned:</b>
<b>DOB:</b>	<b>Deadline:</b>
<b>Community Service Provider:</b>	

*To be completed by Community Service Provider:*

Shift Date	Hours Completed	Provider Staff Name (Print)	Provider Signature



# SAN FRANCISCO COMMUNITY JUSTICE CENTER



## RETURN TO CJC CALENDAR

*In order to reappear at CJC to request a bench warrant recall, a CJC case manager, defense attorney, or Deputy Probation Officer must complete and sign this slip for you.*

Today's Date: \_\_\_/\_\_\_/\_\_\_  
M M D D Y Y

Court Date: \_\_\_/\_\_\_/\_\_\_  
M M D D Y Y

CJC Client Name: (First) \_\_\_\_\_ (Last) \_\_\_\_\_

CJC Court Number: \_\_\_\_\_

CJC Case Manager/Officer of the Day/DPO Sign Off: \_\_\_\_\_



# SAN FRANCISCO COMMUNITY JUSTICE CENTER



## RETURN TO CJC CALENDAR

*In order to reappear at CJC to request a bench warrant recall, a CJC case manager, defense attorney, or Deputy Probation Officer must complete and sign this slip for you.*

Today's Date: \_\_\_/\_\_\_/\_\_\_  
M M D D Y Y

Court Date: \_\_\_/\_\_\_/\_\_\_  
M M D D Y Y

CJC Client Name: (First) \_\_\_\_\_ (Last) \_\_\_\_\_

CJC Court Number: \_\_\_\_\_

CJC Case Manager/Officer of the Day/DPO Sign Off: \_\_\_\_\_

# CJC TEAM WORKING AGREEMENTS

We, the CJC Team, agree to use these stated behaviors both inside our formal meetings and in informal office situations. In addition, we will review and assess ourselves periodically as to our usage (personally and as a team) and recognize these behaviors when they are demonstrated. We will share these agreements with new members and gain their understanding and commitment. This document can only be amended by CJC Team action.

## Our Agreements For Working Together Are:

Meetings will start and end on time

- Late arrivals will ask a question, if required, to be able to join the discussion easily
- Go at end of meeting

Conflict management process behaviors

- Use I-messages. I speak from my own experience
- Seek to understand the other person before being understood
- No one over-talking the other, one person speaks at a time
- Ask questions for clarity
- Remain seated
- Make eye contact
- Low tone of voice
- Speak up when noticing group dynamics, saying "I'm noticing that the conversation is getting heated..." etc.
- When I am bothered by something, I will speak up
- Expect disagreement on a daily basis when presenting client perspective
- Leader/others take an active role in resolving escalated feelings (defusing, speaking up and noticing group and individual behavior)
- We are establishing a safe place to be vulnerable; avoid participating in gossip, i.e., talking about people who are not in the room
- I am accountable for what I say & do
- When asked...I will stop

Decision-Making Outcomes (Case Management process)

- I feel heard
- What happens here is what happens in court
- Note: We can expect that there may be exceptions
- "Why" is explained
- Close the communications loop! Get back to others with the information
- Probation informed of/ updated before case conferencing

# CJC TEAM WORKING AGREEMENTS

We, the CJC Team, agree to use these stated behaviors both inside our formal meetings and in informal office situations. In addition, we will review and assess ourselves periodically as to our usage (personally and as a team) and recognize these behaviors when they are demonstrated. We will share these agreements with new members and gain their understanding and commitment. This document can only be amended by CJC Team action.

## Other Types of Decisions are made by:

(Decisions made about the function and/or process changes concerning how the team works together. NOT related to Case Management process decisions. This is about group process)

1. Group will seek consensus, i.e., alignment (not agreement)... more "I can live with it" perspective and will implement it without bad-mouthing/sabotage
2. Without consensus, below is a described backup process to make and implement a decision while respecting those who disagree and enabling a less conflict-ridden outcome and a more successful resolution
  - a. Majority Rule or Leader Decides (depends on the issue)
  - b. Minority opinion agrees to implement the action(s) without sabotage
  - c. Minority opinion has the right to bring the issue back to the group if it's not working for them. The group will not necessarily change the decision; however, they will work with the other to enable greater success in his/her efforts.

## We Will Support Each Other By:

- Being open to new ideas
- I will not make assumptions about others... I will ask questions, seek to understand
- Listening to each other
- Agreeing to disagree, if necessary
- Align for action
- All opinions are valued equally as a piece of the puzzle
- Schedule trainings to meet the needs of the team

## Our Success Will Be Measured By:

- We're written up in the paper... on TV... more recognition everywhere!
- Clients succeed
- Creating an environment, had fun, and are proud
- Riding home happy & not thinking about work
- Having fun @ work!
- Decreased recidivism
- We demonstrate respectful communication

## Appendix B



# SAN FRANCISCO COMMUNITY JUSTICE CENTER



### CJC Community Service Client Information

- You are responsible for setting up your community service hours with the provider recommended for you.
- You should complete at least 4 to 8 hours per week. If you do not complete your hours on time, the court will issue a sanction. The sooner you complete all of your hours, the better.
- You must bring your sign in sheet or other documentation of hours to your next court appearance (see other side).

Your community service provider, total required hours and deadline for completion will be assigned at your court appearance and noted at the top of your sign in sheet (see other side). In order to complete your community service, go to the address listed below for your assigned community service provider. Please direct all questions about your hours to Stephanie or your attorney prior to your next court appearance.

#### **Glide Foundation**

330 Ellis Street  
(415) 674-6031  
Contact: Ryan Shipley  
Office hours: 10:00 AM to 12:00 PM  
*Intake required before service can begin.*  
*Weekend hours available.*

#### **Donaldina Cameron House**

920 Sacramento Street  
(415) 781-0401 x120  
Contact: Mary Leong  
*Cantonese, Mandarin, and Vietnamese speakers welcome.*  
*Please call before your first visit.*

#### **Precita Eyes Mural Project**

2981 24<sup>th</sup> Street  
(415) 285-2287  
Contact: Cindy  
Mon-Fri 10:30 AM- 5:00 PM  
*No weekend hours*

#### **SF Rescue Mission**

136 Turk Street  
(415) 441-1628  
Contact: Clint Ladine or Carlos Jackson  
*Spanish speakers welcome.*

#### **Self-Help for the Elderly**

407 Sansome Street  
(415) 677-7600  
Contact: Annie Yu  
*Cantonese and Mandarin speakers welcome.*  
*Intake hours: 9:00 am – 2:00 pm weekdays*  
*Please call before your first visit*

#### **San Francisco Food Bank**

900 Pennsylvania Avenue  
(415) 282-1907  
Contact: George Gracia  
*Please call before your first visit.*

**Please call your case manager with any questions.**

555-575 Polk Street, San Francisco, CA, 94102  
(415) 202-2810