

Eau Claire County

Date Visited: June 14-15, 2006

Interviewed: (* indicates multiple contacts)

Judge Lisa Stark*

Judge Benjamin Proctor*

District Attorney Rich White*

Assistant District Attorney Michael Steuer*

First Assistant State Public Defender Dana Smetana*

Tim Wavrunek, Director Eau Claire County Restorative Justice Program*

Gena Jarr, Community Corrections Supervisor

Pat Isenberger, Eau Claire County Drug Court Coordinator

Appendix:

Membership List, Eau Claire County Criminal Justice Collaborating Council (ECCJCC) April 20, 2006

County Board Resolution Recognizing ECCJCC August 10, 2006

Eau Claire County Drug Court Program, Policies and Procedures Manual, December 29, 2005

Agenda, Drug Court Initiative Advisory Committee, June 14, 2006

Eau Claire County Restorative Justice Program (ECCRJP) Brochure

ECCRJP, Board Membership

ECCRJP Program Descriptions <www.eccrjp.org>

ECCRJP Mission Statement and Report 2005-2006

**CIRCUIT COURT, BRANCH 4
EAU CLAIRE COUNTY**

721 Oxford Avenue, Eau Claire, Wisconsin 54703-5481

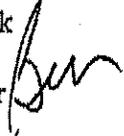
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BENJAMIN D. PROCTOR, Judge

MEMO

TO: Hon. Lisa K. Stark
 Hon. Eric J. Wahl
 Hon. William M. Gabler
 Hon. Paul J. Lenz
 Hon. Thomas H. Barland
 Bruce Willett, County Board Chairman
 Tom McCarty, County Administrator
 G. Richard White, District Attorney
 Diana J. Miller, Clerk of Court
 Stephen C. Nick, City Attorney
 Brian Amundson, Acting City Manager
 Dana Smetana, State Public Defender
 Roy Sargeant, Dept. of Human Services
 Tom Wirth, Dept. of Human Services
 Larry Liegel, Dept. of Corrections
 Gena Jarr, Dept. of Corrections
 Jody Hahn, Judicial & Law Enforcement Committee
 Sheriff Ron Cramer
 Capt. Dan Bresina
 Police Chief Jerry Matysik

FROM: Hon. Benjamin D. Proctor 

DATE: April 20, 2006

RE: Criminal Justice Collaborating Council

Thank you so much to those of you who attended our initial meeting of the above-council. It is important that all of those listed above participate in our future meetings and, if any are unable to so attend, please provide a surrogate.

Our next meeting will occur in my courtroom on May 23, 2006 at 7:30 a.m. At that time, I am hopeful we will be able to formalize the make-up of the council, bylaws, committees needed, etc.

Memo Re: Criminal Justice Collaborating Council
April 20, 2006
Page 2

In that regard, the following temporary committees are assigned:

1. An exploratory committee, headed by Judge Stark, to gather the details regarding grant information relative to available state funds. In that regard, an important contact person with the state is Erin Slattengren (e-mail: erin.slattengren@wicourts.gov; telephone: 608-267-8861).
2. An initial steering committee composed of 7-9 members, initially chaired by Judge Gabler.

The above committee chairs will appoint and contact members as to future meetings.

Also, at this time, I enclose to you additional information which will give you a better idea of the need and purpose of criminal justice collaborating councils, as well as an article from the Wisconsin Sentencing Commission.

As you will recall, there are two upcoming seminars regarding information that our council will deal with, to-wit: a 1-day symposium on incarceration and alternatives thereto at UW-Stevens Point on Saturday, April 29, 2006 at 1:30 p.m. (call me for details if interested), and a conference on May 11, 2006 (call Roy Sargeant for details).

Thank you again for your attendance. I know we can make this thing work and work well. There may be some time involvement, but it is an important project for the community.

BDP/crm

cc: Erin Slattengren, Policy Analyst - Office of Court Operations
Court Commissioner Timothy J. Adler
~~Gregg Moore, District Court Administrator~~
Debra Short, Dept. of Corrections
Gary Foster, Eau Claire Police Dept.
Rev. Paul Oppedahl, Good Shepard Lutheran Church
Lisa Blazek, Community Service Coordinator
Judith Jensen, Chief Deputy Clerk of Court

Enrolled No.

RESOLUTION

File No. 06-07/075

-ESTABLISHING AN EAU CLAIRE CRIMINAL JUSTICE COLLABORATING COUNCIL -

WHEREAS, in order to provide a coordinated leadership necessary to establish and foster innovative corrections programs for adult and juvenile offenders and to effectively qualify for state and federal grants to fund such programs an Eau Claire Criminal Justice Collaborating Council should be established; and

WHEREAS, the principal mission of the Eau Claire Criminal Justice Collaborating Council would be to enhance public safety in Eau Claire County through community collaboration by ensuring offender accountability, providing rehabilitation programs and supporting the rights and needs of victims; and

WHEREAS, the initial membership of the Eau Claire Criminal Justice Collaborating Council would consist of: presiding judge for Eau Claire County, county administrator, county board chair, sheriff, chief of police, district attorney, clerk of circuit court, state public defender, department of corrections supervisor for Eau Claire County, department of human services director; and

WHEREAS, the Eau Claire Criminal Justice Collaborating Council would have authority to appoint committees, subcommittees and ad hoc committees; and

WHEREAS, the Eau Claire Criminal Justice Collaborating Council would have such other authority as granted by its by-laws.

NOW, THEREFORE BE IT RESOLVED by the Eau Claire County Board of Supervisors that it hereby establishes the Eau Claire Criminal Justice Collaborating Council with the mission and initial membership as described above.

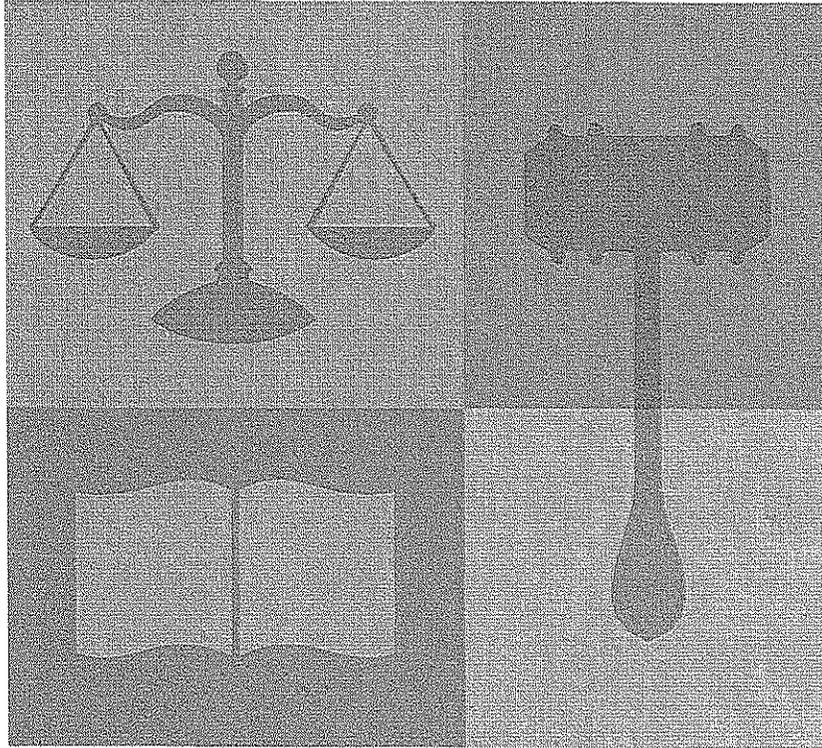
OFFERED BY:

Bruce Willett /m
County Board Supervisor, Bruce Willett
District 8

KRZ/yk

Dated this 10th day of August, 2006

*fax copy
to Ben K.
at
608-263-3380*



Eau Claire County Drug Court Program

Policies and Procedures Manual

Last Update: 11/16/04
Current Update 12/29/05

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I. MISSION STATEMENT

The mission of the Eau Claire County Drug Court is to increase community safety and restore sober, productive and law abiding citizens to the community by breaking the cycle of drug and alcohol addiction through effective, long-term treatment with intensive court supervision.

II. INTRODUCTION

The Eau Claire County Drug Court Program is a court that is specifically designated and staffed to handle cases involving drug offenders through an intensive, judicially monitored program of alcohol and drug treatment, rehabilitation services, and strict community supervision. The Drug Court concept is based on an innovative program that was first developed in Miami, Florida in 1989. The Drug Court concept has since received widespread attention as an effective treatment strategy for drug-involved criminal offenders. There are more than 1,000 such programs now in operation in jurisdictions throughout the nation.

Drug Courts are built upon a unique partnership between the criminal justice system and the drug treatment community, one which structures treatment intervention around the authority and personal involvement of a single Drug Court Judge. Drug Courts are also dependent upon the creation of a non-adversarial courtroom atmosphere where a single Judge and a dedicated treatment team of court officers and staff work together toward a common goal of breaking the cycle of drug abuse and criminal behavior. It should be noted that Drug Courts are fair, but not equal.

Because of the unique problems and opportunities that present themselves in working with drug-involved criminal offenders, treatment and rehabilitation strategies must be "reality-based" and must therefore recognize:

- Addicts are most vulnerable to successful intervention when they are in the crisis of initial arrest and incarceration, so intervention must be immediate and up-front.
- Preventing gaps in communication and ensuring offender accountability are critically important. Therefore, court supervision must be highly coordinated and very comprehensive.
- Addiction to drugs is a longstanding, debilitating, and insidious condition, so treatment must be long-term and comprehensive.
- Addiction to drugs seldom exists in isolation from other serious problems that undermine rehabilitation, so treatment must include integration of other available services and resources such as educational and vocational assessment.
- Relapse and intermittent advancement are part of the recovery process so progressive sanctions and incentives must be integral to the Drug Court strategy.

Goals of the Eau Claire County Drug Court Program

1. Help the Drug Court participant break the cycle of abuse.
2. Reduce drug and alcohol related crimes, as well as other unrelated crimes, to increase community safety.
3. Ensure the Drug Court participant begins the Drug Court program as soon as possible.
4. Offer effective sanctions, rewards, and treatment programming.
5. Increase employment stability and assure participants obtain an HSED/GED.
6. Ensure the Drug Court participant contributes to all Court related costs.

III. KEY COMPONENTS OF A DRUG COURT PROGRAM

1. Drug Courts integrate alcohol and other drug treatment services with justice system case processing.
2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting each participant's due process rights.
3. Eligible participants are identified early and promptly placed in the drug court program.
4. Drug Courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.
5. Abstinence is monitored by frequent alcohol and other drug testing.
6. A coordinated strategy governs drug court responses to participants' compliance.
7. Ongoing judicial interaction with each drug court participant is essential.
8. Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
9. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
10. Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.

IV. THE DRUG COURT TREATMENT TEAM

The treatment team shall consist of the following:

- A Circuit Court Judge
- A Drug Court Coordinator
- A Probation and Parole Agent
- A representative from the District Attorney's Office
- A representative from the Public Defender's Office/Defense Attorney
- Treatment Personnel
- An Evaluator
- A representative from Law Enforcement

Roles and Responsibilities of Drug Court Team Members

Judge

- *Preside over courtroom proceedings
- *Explain legal rights, options, and program requirements at orientation and confirm them with each participant as they enter the program
- *Impose appropriate incentives and sanctions
- *Work with the treatment team
- *Review treatment progress and address it directly with the participant in Court, considering the recommendations of the treatment team
- *Preside over termination proceedings
- *Maintain a confidential drug court file
- *Supervise drug court administration
- *Ensure compliance with drug court program rules by participants
- *Provide final decision in outcome of participant's progress or termination

District Attorney

- *Review potential participants for eligibility
- *Make referrals to Drug Court
- *Maintain a non-adversarial role during Court proceedings
- *Assure compliance with State law
- *Actively participate in staffing when necessary
- *Negotiate and complete plea agreements on behalf of the State
- *Recommend appropriate sanctions and incentives
- *Educate peer professionals on effectiveness of program and changes in state law that effect the program
- *Community advocate for effectiveness of program
- *Make recommendations for charging and/or sentencing after revocation if the participant is terminated from the program

Public Defender's Office/Defense Attorney

- *Attend team meetings as necessary
- *Discuss pros and cons with potential participant before entering drug court
- *Review cases for potential legal issues
- *Discuss resolution of case with District Attorney before entering drug court
- *Remain accessible to participant
- *Advocate for fair process
- *Be prepared to practice a different kind of law in non-adversarial manner
- *Provide representation for the participant in termination proceedings if eligible

Coordinator

- *Evaluate potential participants for eligibility
- *Conduct assessments and intake
- *Make referrals for programming as needed
- *Verify & monitor participant compliance with program and treatment requirements
- *Collect all relevant information and distribute at treatment team meetings
- *Monitor budget and financial management
- *Review policies and practices and monitor need for changes
- *Facilitate team/staff meetings
- *Set agenda for meetings
- *Community liaison
- *Help coordinate funding sources/Grant Writing/Grant Management
- *Gather data for evaluator
- *Monitor data management system
- *Supervise day-to-day operations
- *Maintain a confidential file on each participant

Probation & Parole Agent

- *Case management and community supervision of each participant
- *Referral to community resources
- *Drug testing
- *Home/School/Employment Visits
- *Collateral Contacts
- *Monitor and encourage participant's compliance with program
- *Imposition of sanctions and rewards
- *Attend treatment team meetings and drug court
- *Maintain ongoing communication and sharing of information with Coordinator
- *Identify potential participants for Alternatives to Revocation
- *Gather data for the evaluator
- *Maintain a confidential drug court file for each participant
- *Coordinate with law enforcement

Treatment Provider

- *Assessment and referral as needed
- *Use strength-based methodology
- *Update related parties (Coordinator, P&P Agent, Court) on progress of participate in a timely fashion
- *Establish rapport with participant
- *Maintain confidentiality protection
- *Ensure signing of all confidential releases required for communication with drug court team
- *Provide group and individual sessions for participants
- *Coordinate/Advocate for pro-social activities

Evaluator

- *Evaluate process and outcomes
- *Give information to help improve the drug court and make it more successful
- *Help facilitate team understanding of areas needing improvement
- *Setting up evaluation process – what and how information will be collected and maintained, how analyzed, etc...

Law Enforcement

- *Partner with community agencies to achieve drug court goals
- *Provide possible referrals for drug court program
- *Assist Probation & Parole in home visits and checks on participants
- *Community policing – officers will get to know participants
- *Report any violations they become aware of
- *Provide representative for Advisory Board and attend meetings as needed
- *Comply with grant/state regulations
- *Make participants who are in the Huber Center available for random UA testing
- *Permit participants who are in the Huber Center attend treatment and meetings
- *Provide treatment in the jail as possible
- *Notify the Treatment Team of violations committed by the participants
- *Escort incarcerated participants to and from Drug Court proceedings and supervise them during the proceedings

V. ELIGIBILITY STANDARDS

Potential candidates meeting the following criteria will be considered for admission to the Eau Claire County Drug Court Program.

- A. Resident of Eau Claire County.
- B. Each participant will need to meet the DSM-IV criteria for Alcohol/Drug Dependence.
- C. Proposed participants will be either post-adjudication or in ATR status from the Department of Corrections for the offenses of DUI, possession, use, or sale of a controlled substance or a drug related crime, as a felony or habitual misdemeanor.
- D. No prior felony convictions for violent crimes and no prior felony convictions involving a weapon.

-
- E. The Drug Court Coordinator shall interview each defendant referred for possible participation in the program. Each proposed participant will participate in any assessments requested by staff, treatment providers, or others involved in the screening process. The Drug Court Coordinator will make a recommendation to the Drug Court Team, who will either admit or deny the application.
 - F. The Drug Court Participant must voluntarily agree to abide by the Drug Court Program rules.
 - G. No existing in state or extraditable warrants or pending charges that are not resolved at the time Drug Court participation begins.

VI. INTAKE/REFERRAL

Referrals to the Drug Court Program should take place as soon as possible after the arrest of a potential drug court candidate and may come from the following sources:

1. The Arresting Agency
2. The District Attorney's Office
3. The Defense Attorney
4. The Department of Corrections
5. The Sentencing Judge

It is anticipated that the potential candidate will be given information regarding the Drug Court Program by law enforcement at the time of arrest, or by the District Attorney, the Defense Attorney, Probation & Parole, or the Sentencing Judge. A referral to the Drug Court Program will be made and the potential candidate will then attend Drug Court to observe. If the potential candidate is interested in participating, the referral will be made to the Drug Court representative in the District Attorney's office for evaluation and case resolution involving Drug Court. If the case is appropriate for Drug Court, the case will be referred to the Drug Court Coordinator for screening. The Drug Court Coordinator will immediately begin the screening and assessment process. If the Drug Court Coordinator deems the potential candidate appropriate for the program, according to the eligibility standards previously set forth, the potential candidate will then be reviewed by the Drug Court Treatment Team for either approval or rejection into the program.

VII. DRUG COURT PROCEEDINGS

The Drug Court calendar is a priority and will be a specialized, separate court, operating on a weekly basis and dedicated to the assessment, treatment, and supervision of eligible candidates. Drug Court shall be held in Branch 1 on Wednesdays from 8:30 - 9:00 a.m. The treatment team will meet prior to court at 7:30 a.m. Family members are welcome to attend Drug Court meetings, however the doors to the Courtroom will be closed in a timely manner. No minors will be allowed in Court. Bailiffs will be available to take PBT's if necessary. The potential participant will be required to observe at least one Drug Court proceeding prior to acceptance into the program.

VIII. CONFIDENTIALITY

Each Drug Court participant will be required to sign a waiver of confidentiality authorizing the disclosure of health, medical, mental health, AODA, criminal, employment, and educational records. Each participant will sign the waiver of confidentiality at the time of screening for Drug Court and it will be updated as necessary. Failure to sign a waiver of confidentiality will result in rejection into or termination from the program. Attached in Section XXIV is the Court Order regarding the waiver of confidentiality and participation in Drug Court. Participants will also be required to sign a faith-based programming waiver, if they choose to participate in a faith-based program.

IX. DRUG COURT FILES

Drug Court files are separate and distinct from Circuit Court Files and District Attorney Files. All Drug Court files are **confidential** and not open to the general public. All files shall be under the sole control of the Drug Court Judge and the Drug Court Coordinator. Neither the Clerk of Court's Office or other District Attorney's will have access to the Drug Court files. All files will be readily identifiable by color-coding. Alcohol offenses will be stored in a red file while drug offenses will be stored in a blue file. Each Drug Court participant will be assigned a unique case number with the last two digits of the entering year, a unique case number, and the sequential number of the Drug Court Participant (e.g. 04-DCP-001).

X. TREATMENT & TESTING

The Eau Claire County Drug Court Program shall consist of three phases followed by a Continuing Care Phase. Each phase will be a minimum of 4 months long and the continuing case phase will be a minimum of 6 months long. The Drug Court Team, upon recommendation of the Drug Court Coordinator, shall determine when promotion to a higher phase is appropriate. The Drug Court Coordinator will complete a comprehensive AODA assessment on each participant. After the assessment is completed, the Drug Court Team will determine the level and location of each participant's treatment.

A critical component of successful Drug Court participation involves intensive supervision and random UA/BA testing to determine compliance with the rules of the Drug Court Program. The frequency of the random UA/BA's will be determined by the phase each participant is in and is subject to change based on violations and the recommendation of the Treatment Team. If a UA returns positive and the participant requests a confirmation test be done, the participant will be required to pay for the test within 48-hours (exceptions will be made on an individual basis). If the confirmation test returns positive, the money will be kept and put towards the Drug Court Program. If the confirmation test returns negative, the money will be returned to the participant.

XI. PRE ADMISSION PHASE

Prospective Drug Court Participants will need to agree and follow these expectations in order to be considered for Drug Court. Once a prospective participant is sentenced, they can then officially be accepted into the Drug Court, if they have followed the expectations outlined. Sobriety time may be counted for phase advancement.

- Attendance at 3 recovery groups each week (must be documented).
- Weekly appearances before the Drug Court Judge.
- At least one office visit per week with the Drug Court Coordinator & Probation Agent
- At least one home visit per month, by Drug Court Coordinator, Probation Agent, or a Police Officer.
- Must obtain employment (full time or part time).
- 2 weekly UA's (random)
- Community service hours (as determined by Drug Court Judge).
- Follow all other recommendations as determined by Drug Court Team

XII. PHASE I

The minimum requirements for successful completion of Phase I are:

- 60 consecutive days of total abstinence from the use of drugs and alcohol.
- Attendance at 3 recovery groups each week (must be documented).
- Weekly appearances before the Drug Court Judge.
- At least one office visit per week with the Drug Court Coordinator & Probation Agent
- At least one home visit per month, by Drug Court Coordinator, Probation Agent, or a Police Officer.
- Must obtain employment (full time or part time).
- A minimum of one budget management meeting (must demonstrate you can manage a budget or obtain assistance with budget management).
- Obtain sober sponsor (that individual will need to attend one drug court hearing prior to completion of phase I).
- 2 weekly UA's (random)
- Community service hours (as determined by Drug Court Judge).
- Follow all other recommendations as determined by Drug Court Team
- Application must be made to the court for phase advancement and approved by the Drug Court Team. You may attach letters of support for advancement.

XIII. PHASE II

The minimum requirements for successful completion of Phase II are:

- 120 days of total abstinence from the use of drugs and alcohol
- Attendance at 3 recovery groups each week (must be documented)
- Bi-weekly appearance before the Drug Court Judge
- At least one office visit per week with the Drug Court Coordinator & Probation Agent
- At least one home visit per month, by Drug Court Coordinator, Probation Agent or a Police Officer

- You must have weekly contact with sponsor (that individual will need to attend one drug court hearing prior to completion of phase II).
- Maintain employment.
- You must develop a payment plan for Drug Court (all fines and financial obligations will need to be up to date, prior to completion of phase II).
- 2 weekly UA's (random)
- Follow all other recommendations as determined by Drug Court Team
- Application must be made to the court for phase advancement and approved by the Drug Court Team. You may attach letters of support for advancement.

XIV. PHASE III

The minimum requirements for successful completion of Phase III are:

- 180 days of total abstinence from the use of drugs and alcohol
- Attendance at 3 recovery groups each week (must be documented)
- Monthly appearances before the Drug Court Judge
- At least 2 office visits per month with the Drug Court Coordinator & Probation Agent
- A minimum of 2 home visits by Drug Court Coordinator, Probation Agent or a Police Officer
- Maintain employment
- Budget management demonstrated
- All court fines, fees and financial obligations to the Drug Court must be paid, prior to graduation
- 1 weekly UA (random)
- Follow all other recommendations as determined by the Drug Court Team
- Application for graduation, along with a continuing care plan must be approved by Drug Court Team prior to graduation

XV. CONTINUING CARE PHASE

The minimum requirements for successful completion of the continuing care phase are:

- Continued Sobriety
- At least one meeting a month with the Drug Court Coordinator and Probation Agent
- A minimum of 2 appearances before the Drug Court Judge
- Maintain employment
- UA's are voluntary, not mandatory

XVI. GRADUATION

Upon successful completion of all three phases, including the payment of all assessed fees, and upon recommendation of the Drug Court Team, the Drug Court Team shall declare the Drug Court Participant a graduate of the Drug Court Program. The graduation ceremony will be a celebration of completing all established guidelines.

XVII. MENTORING

Drug Court Participants in Phase III will be given an opportunity to assist Phase I participants in their adjustment to the Drug Court. Upon recommendation of the Drug Court Team, a Phase III client will be assigned to a new Phase I client. They will then be given the opportunity to assist the Phase I client with treatment, transportation and other areas of ongoing rehabilitation.

XVIII. ALUMNI ASSOCIATION

Upon graduation, all Drug Court Program Graduates will be invited to join the Alumni Association. The rules of the association shall be established by the members of the Alumni Association and with the approval of the Drug Court Team.

XIX. INCENTIVES

While Drug Court Participants complete the Program, there are certain behaviors that will be expected of them and that will increase the likelihood they will successfully complete the program. They include:

- Take responsibility for your own behavior (both good and bad)
- No Probation rule violations
- No new arrests or criminal charges
- Attend AA/Relapse Prevention Groups and complete a 12-Step Program
- Attend & complete other programming
- On-time & present for all Drug Court proceedings
- Obtain & maintain employment and residential stability
- Keep all appointments with Probation Agent, Coordinator, TX providers
- Positive reports from collateral sources (spouse, parent, employer, etc...)
- If applicable, attend school and obtain HSED/GED
- Pay financial obligations as directed and in full
- No missed or dirty UA/BA's
- No verbally or physically abusive or threatening behavior
- Positive home visit situation (well kept home, no contraband)
- Maintain clean personal appearance
- Follow curfew
- Promotion to next phase
- Completion of community service hours
- If applicable, take all prescribed medications
- Obtain Driver's License
- Identify self as a Drug Court Participant to Police if stopped for any reason

Incentives for maintaining sobriety and abiding by the conditions of the Drug Court Program and Probation may include, but are not limited to, the following:

- Having a treatment team invested in the participant's success
- Positive feedback/praise from the Judge, TX team member, or family member
- Early Up in Court
- Applause in Court
- Special acknowledgement for maintaining sobriety & other accomplishments
- Increase in privileges
- Lowered reporting standards with the Coordinator and Probation Agent
- Reduced testing
- Before & after pictures
- Education about community resources
- Phase acceleration
- Opportunity to mentor a new member
- Early termination from probation
- Reduction from a Felony charge to Misdemeanor
- Alumni gatherings
- Phone cards
- Alarm clocks
- Day Planners
- Bus Tokens
- Watches
- Bikes donated by ECPD
- Graduation ceremony
- Gift Certificates

XX. VIOLATIONS

Any Violations of the rules of the Drug Court Program will result in the immediate imposition of sanctions, as determined by the Drug Court Judge and/or the Treatment Team. The Drug Court Treatment Team may individualize sanctions as deemed appropriate. Sanctions may include, but are not limited to, the following:

- Verbal warning
- Admonishment by the Judge or a Treatment Team member
- Curfew
- Limitation or decrease in privileges
- Essays
- Journaling
- Peer review
- Community service hours
- Take away driving privileges
- Electronic Monitoring (EMP)
- Increased supervision and/or UA/BA testing
- Repeat a program phase

- Unique sanctions such as wash squad cars, clean the jail, pick up trash
- Disciplinary custody
- Imposition of Jail Time
- Increased group or treatment participation
- Halfway House or Inpatient treatment placement
- Termination from the program
- Extension of or Revocation of probation

XXI. TERMINATION

A Drug Court participant can be terminated from the Drug Court Program for any of the following:

- a) Commission of a violent crime
- b) Abandonment of the Drug Court Program for four (4) weeks
- c) Clear evidence that a participant is dealing drugs or driving while under the influence of an intoxicant
- d) Clear evidence that a participant has been involved in any threatening, abusive, or violent verbal/physical behavior towards anyone
- e) Any other grounds that the Drug Court finds sufficient for termination
- f) Revocation of Probation/Parole/Extended Supervision

XXII SUSPENSION

A drug court participant may be suspended from drug court due to continued relapse or new legal charges. If the treatment team recommends a participant be suspended for new legal charges, the drug court participant will not attend drug court, until their legal charges are resolved. If the drug court participant is referred to an institutional treatment facility by the treatment team, their progress or lack of progress will be monitored by the probation agent liaison. Their return to drug court will be based upon their discharge status from the institutional treatment center.

XXIII. PROCESS FOR EXPULSION

Any member of the Drug Court Team may make a Motion for Expulsion. *The Motion for Expulsion will be discussed at the staffing of the Drug Court Team, out of the presence of the Drug Court Judge, and with the Drug Court participant present.* Upon a majority of the vote, a recommendation for expulsion will be made to the Drug Court Judge. The matter will then be set for a hearing before the Drug Court Judge the following week. The Motion for Expulsion hearing will be on record in open court. If the Drug Court Judge agrees there is a basis to grant the Motion for Expulsion, findings and conclusions will be made on the record, and the Drug Court participant will be removed from the program and returned to the sentencing Judge for imposition of sentence in accordance with the previously negotiated plea.

XXIV. VOLUNTARY REMOVAL

A Drug Court participant will **not** have the option to quit the Drug Court Program. Successful completion of or expulsion from the Drug Court Program are the only two acceptable ways to leave the Drug Court Program.

XXV.COSTS

Each Drug Court Participant shall pay the sum of \$750 to participate in the program. A total of \$250 of this amount can be earned by completing 50 hours of Community Service Work. It is expected that each Drug Court Participant will be employed before entering Phase II. At the end of Phase I, each Drug Court Participant will have a financial plan that will include monthly payments towards the cost of the Drug Court. This plan will enable each Participant to have the total amount paid prior to graduation.

XXVI. ADVISORY BOARD MEMBERS

An important part of the implementation and maintenance of the Eau Claire County Drug Court Program is the creation of an advisory board to assist and oversee the process of designing an effective Drug Court. In addition to the advisory board, several sub-committees were formed including rewards and sanctions, evaluation, legal issues, public relations, and treatment team. Members of the advisory board and sub-committees include:

- ❖ Colleen, Bates, Eau Claire County Board
- ❖ Shereen, Beaulieu, Eau Claire County Department of Human Services
- ❖ Dan, Bresina, Eau Claire County Sheriff's Department
- ❖ Ron, Cramer, Eau Claire Sheriff's Office
- ❖ Marsha, Dassow, Lutheran Social Services
- ❖ Keith, Edwards, Clear Channel Radio
- ❖ Ann, Feller, OMNE
- ❖ Barb, Gorman, Public Defender's Office
- ❖ Margaret, Hanson, Eau Claire County Department of Human Services
- ❖ Pat, Isenberger, Eau Claire County Department of Human Services
- ❖ Gena, Jarr, Department of Corrections
- ❖ Kristi, Kosik, Department of Corrections
- ❖ Jackie, Krumenauer, Eau Claire County Department of Human Services
- ❖ Anita, Kuster, Triniteam
- ❖ Laurence, Liegel, Department of Corrections
- ❖ Jerry, Matysik, Eau Claire Police Department
- ❖ Richard, Ryberg, University of Wisconsin-Eau Claire
- ❖ Roy, Sargeant, Eau Claire County Department of Human Services
- ❖ Dana, Smetana, Public Defender's Office
- ❖ Lisa, Stark, Circuit Court Judge
- ❖ Brad, Venaas, Eau Claire Police Department
- ❖ John, Vogler, Eau Claire Sheriff's Department
- ❖ Tim, Wavrunek, Restorative Justice Program

-
- ❖ Rich, White, District Attorney
 - ❖ Dick, Williams, Lutheran Social Services
 - ❖ Tom, Wirth, Eau Claire County Department of Human Services
 - ❖ Mark Morse, Director Eau Claire County Public Library

XXVII. FORMS

Authorization for Release of Information.....18

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7. I further understand that I have the right to refuse to sign this authorization and the Eau Claire County Drug Court will not condition my treatment on whether I give authorization for the requested disclosure. However, it has been explained to me that failure to sign this authorization or future authorizations requested may have the consequence of making me ineligible to participate in the program, or suspension or termination from the program.
8. Unless you have specifically requested in writing that the disclosure be made in a certain format, we reserve the right to disclose information as permitted by this authorization in any manner that we deem to be appropriate and consistent with applicable law, including, but not limited to, verbally, in paper format or electronically. I hereby waive all provisions of law which prohibit the release of the information identified above and hereby release the person or entity I have authorized to release information or its recipient from any legal responsibility or liability which may arise from the acts I have authorized.
9. I understand that if the person or entity that receives the information is not a health care provider or health plan covered by federal privacy regulations, the information described above may be redisclosed and no longer protected by those regulations. Federal law prohibits the person or organization to whom disclosure is made from making any further disclosure of substance abuse treatment information unless further disclosure is expressly permitted by the written authorization of the person to whom it pertains or as otherwise permitted by 42 C.F.R. Part 2.
10. General Statement of Rights. Federal and state laws protect the confidentiality of my PHI including but not limited to s. 51.30, Stats., Mental Health Act; ss. 146.82-83, WI Stats., Miscellaneous Health Provisions; 42 CFR Part 2, relating to AODA information; and 42 CFR Parts 160 and 164, Health Insurance Portability and Accountability Act (HIPAA).

Right to Receive Copy of This Authorization. I have a right to receive a copy of this form after I sign it.

Right to Withdraw This Authorization. I have the right to withdraw this authorization at any time by providing a written statement of withdrawal to the individual/agency authorized to disclose PHI. My withdrawal of consent will not be effective until the individual/agency authorized to disclose PHI receives it, and will not be effective regarding the uses and/or disclosures of my PHI made prior to receipt of my withdrawal statement. Withdrawal of the authorization may result in my suspension or termination from the drug court program.

Re-disclosure. If I authorize release of PHI to an individual or agency not covered by federal or state laws that prohibit re-disclosure, my PHI may not remain confidential.

Right to Inspect and/or Copy PHI. I have the right to inspect and receive copies of my PHI as permitted by law. I may be charged a reasonable fee for these copies.

HIV Test Results. My HIV test results may be released under this authorization as well as without my authorization as described in HIV Information Regarding Testing and Disclosure POC-11, available to me upon my request.

11. I understand and authorize that information and documents received through the use of this authorization may be copied and shared between members of the drug court treatment team, and from time to time, the members of that team may change. Members at the time of the signing of this authorization are:

Judges:
Coordinator:
Probation Agent:
Asst. District Attorney:

Public Defender:
Evaluator:

12. I further understand and authorize that information and documents received through the use of this authorization may be disclosed to other participants in drug court and observers of drug court including but not limited to members of the public and/or media. No pictures or representations of me nor identifying information about me may be disclosed to the public other than in the drug courtroom without my express written consent.

I have read this authorization or had it read to me. I have had an opportunity to discuss and ask questions. By signing this authorization I am confirming that it accurately reflects my wishes regarding disclosure of confidential information.

Signature of Patient/Client

Date

Check here if patient/client refuses to sign authorization.

Signature of Staff Witness

Date

A photocopy of this authorization shall be as valid and acceptable as the original.
This release is executed in conformity with Wis. Stats. 146.81-83, 51.30, 252.15, HSS Wis. Admin Code, Federal Regulations 42 CFR Part 2, Parts 160 and 164

EAU CLAIRE COUNTY DRUG COURT PROGRAM

Disclosure of Confidential Information

IT IS HEREBY ORDERED that all drug court participants, whether proposed or accepted into the program, are subject to and required to provide authorization for disclosure of confidential healthcare, mental health, alcohol and drug, school, employment, and otherwise confidential information as part of their application to and participation in the Eau Claire County drug court program. The form of the authorizations and the information to be disclosed are set forth in the authorizations attached to this Policies and Procedures Manual in Section XXIV. The intent of the authorizations for the disclosure of confidential information is that there be an ability on the part of the treatment team to access any and all necessary healthcare and non-healthcare information of participants to use in evaluating and assessing the entry of the participant into the drug court program, to determine an appropriate and individualized treatment plan, and to evaluate and monitor the success of the participant under that plan. Further, such disclosure may be necessary from time to time to facilitate the use of drug court by all participants, family members and the general public. When others than participants are admitted into the courtroom, they shall be required to sign an observers agreement to keep confidential drug court program information. A copy of that order and agreement are also attached to the forms appendix XXIV.

Date

Lisa K. Stark
Circuit Court Judge, Branch 1
Eau Claire County

Date

Eric J. Wahl
Circuit Court Judge, Branch 2
Eau Claire County

EAU CLAIRE COUNTY DRUG COURT PROGRAM

Participant Contract

1) I, _____, with a date of birth of _____, and an address of _____ have entered a guilty plea in Case No. _____, to wit; violation of _____. I understand that by entering into this Drug Court Contract, I am bound by the terms of my sentence as follows:

2) I understand that the validity of this contract is conditioned upon my eligibility for the Drug Court Program. If at any time after the execution of this agreement and in any phase of the Drug Court Program, it is discovered that I am, in fact, ineligible to participate in the program, I may be immediately terminated from the program and criminal proceedings will be reinstated. I will not be allowed to withdraw my previously-entered plea of guilty unless my ineligibility is based on facts or information which should have been known to the prosecutor prior to Drug Court admission, or upon Constitutional grounds.

3) I understand that if I enter this program and fail to complete it, I may be barred from future participation.

4) I understand that participation in Drug Court involves a minimum time commitment of twelve months, and may include an aftercare component consisting of up to an additional six months.

5) I understand that during the entire course of the Drug Court program, I will be required to attend court sessions, treatment sessions, submit to random drug testing, remain clean and sober, and law abiding. I agree to abide by the rules and regulations imposed by the Drug Court Team. I understand that if I do not abide by these rules and regulations, I may be sanctioned or terminated from the program.

6) I understand that sanctions may include time in custody, increased treatment episodes, increased testing, community service and such other sanctions as may be deemed appropriate by the Drug Court Team.

7) I agree to cooperate in an assessment/evaluation for planning an individualized drug treatment program adequate to my needs. I understand that my treatment plan may be modified by the treatment provider or the Drug Court Team as circumstances arise, and I agree to comply with the requirements of any such modifications.

8) I understand that I will be required to pay for some or all of the cost of my treatment, and I will complete a financial declaration if necessary.

9) I understand that I will be tested for the presence of drugs in my system on a random basis according to procedures established by the Drug Court Team and/or treatment provider. I understand that I will be given a location and time to report for my drug test. I understand that it is my responsibility to report to the assigned location at the time given for the test. I understand that if I am late for a test, or miss a test, it will be considered "dirty" and I may be sanctioned.

10) I understand that substituting, altering or trying in any way to change my body fluids for purposes of testing will be grounds for immediate termination from drug court. _____

11) I understand that participating in Drug Court requires me to be drug and alcohol free at all times. I will not possess (including marijuana) or alcohol, or drug or alcohol paraphernalia. I will not associate with people who use or possess drugs, nor will I be present while drugs or alcohol are being used by others. _____

12) I agree to be drug/alcohol tested at any time by a police officer, probation office, treatment provider, or at the request of the Court of any agency designated by the court. _____

13) I understand that I may not possess any weapons while I am in Drug Court. I will dispose of any and all weapons in my possession, and disclose the presence of any weapons possessed by anyone else in my household. _____

14) I agree to inform any law enforcement officer who contacts me that I am in Drug Court. _____

15) I understand that I may not work as a confidential informant with any law enforcement agency while I am in Drug Court, nor may I be made or encouraged to work as a confidential informant as a condition of my full participation in the Drug Court program. _____

16) I may not participate in Drug Court if I am currently an affiliated gang member. _____

17) I will inform all treating physicians that I am a recovering addict, and may not take narcotic or addictive medications or drugs. If a treating physician wishes to treat me with narcotic or addictive medications or drugs, I must disclose this to my treatment provider and get specific permission from the Drug Court Team to take such medication. _____

18) I agree to be responsible for what goes into my body that may affect drug test results. Before taking medication of any kind, I will check with the pharmacist to ensure that it is non-narcotic, non-addictive and contains no alcohol. I will pre-register any and all medications, prescribed or over-the-counter, with my treatment provider and with Drug Court. _____

19) I agree that I will not leave any treatment program without prior approval of my treatment provider and the Drug Court Team. _____

20) I understand that I may dispute positive test results, but that re-testing will be at my expense, and that I may face more severe sanctions for a re-test that is still positive. _____

21) For the purposes of regular Drug Court review hearings, I agree to waive my right to have my attorney of record present. I understand that my case may be discussed without my attorney or the prosecutor present. _____

22) I understand that my individual course of treatment may include residential treatment, education and/or self-improvement courses such as anger management, parenting or relationship counseling. _____

23) I understand that during the early phases of treatment and recovery, I may be precluded from working or from gaining employment. I further understand that within the time directed by the Drug Court Team, I will seek employment, job training, and/or further education as approved by the Drug Court Team, and that failure to do so may result in sanctions or termination. _____

24) I agree to keep the Drug Court Team, treatment provider and law enforcement liaison, if any, advised of my current address and phone number at all times and whenever changed. My place of residence is subject to Drug Court approval, and I will not leave Eau Claire without prior approval from the Drug Court Team.

25) As a condition of participation in this program, I agree to the search of my person, property, place of residence, vehicle or personal effects at any time with or without a warrant, and with or without reasonable cause, when required by a probation officer or other law enforcement officer.

26) I agree to execute the Consents for Disclosure of Confidential Health and Medical and Non Health Information. I understand that any information obtained through the use of these consents will be kept apart from the Court file.

27) I understand that my failure to successfully complete and graduate from the Drug Court program will result in reinstatement of criminal proceedings against me. I understand that my failure to complete Drug Court cannot be a basis for withdrawing my previously-entered guilty plea.

28) Upon my successful completion of the Drug Court program, the City Attorney or District Attorney's Office will take the action related to my criminal sentence as previously agreed unless there is objection from the Court.

I have read the above contract and I understand what I have read. I am willing to enter into this agreement with the Eau Claire County Drug Court Program.

Participant's Signature

Date

Attorney for Participant

Date

Deputy Prosecuting Attorney

Date

Drug Court Judge

Date

FAITH-BASED PROGRAMMING WAIVER

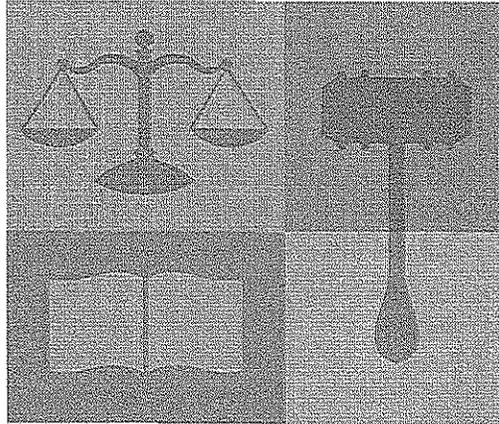
My Probation/Parole Agent has recommended that I participate in a program for treatment of alcohol and/or other drug abuse. I understand that the Department of Corrections may not compel me to participate in any treatment program having a religious component, unless I have also been offered a non-religious program alternative, and I have freely chosen the program with a religious component.

I am choosing to participate in the treatment program at:

and I understand that it has a religious component. I understand that a non-religious treatment program will be provided for me if I choose not to participate in this program on grounds of my religious freedom.

Signed: _____ Date: _____

Witness: _____ Date: _____



EAU CLAIRE COUNTY DRUG COURT PROGRAM

REFERRAL FOR ATR

Part A Referral For Services To be completed by Referring Agent

Use your **TAB KEY** to move from box to box. Press **X** to mark a check box. To remove X press it a 2nd time.

Referral Date (Month/Day/Year)
(Month/Day/Year)

Projected Eligibility Date for Services

Agent Name and Area Number

Agent Address

Agent Telephone Number

Offender Name (As Shown on Court Order)

Offender Current Address

Offender Telephone Number

Marital Status

Single, never married Married Separated Widowed

Race

White Black American Indian Hispanic Asian or Pacific Islander

Does individual have outstanding warrant or pending charges?

Yes No

If yes, explain:

Current Violations/Reason For Referral:

Offense(s) and Sentences which led to most recent period of supervision:

Special Needs:

Yes	No		Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	Alcohol Problems	<input type="checkbox"/>	<input type="checkbox"/>	History of Violence
<input type="checkbox"/>	<input type="checkbox"/>	Drug Abuse Problems	<input type="checkbox"/>	<input type="checkbox"/>	History of Committing Sexual Assaults
<input type="checkbox"/>	<input type="checkbox"/>	Health Problems	<input type="checkbox"/>	<input type="checkbox"/>	Mental Health Problems
		Specify: _____			
<input type="checkbox"/>	<input type="checkbox"/>	Pregnant	<input type="checkbox"/>	<input type="checkbox"/>	Relationship Problems
<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>	Development or Learning Disabilities
		Specify: _____			

Is offender taking medication?

Yes No

If yes, explain (include diagnosis, prescribing physician, prescription info, funding source, etc):

Educational Achievement (Check appropriate box and enter grade if appropriate):

- Enter Grade Level (1-11) 12th Grade, Non-Graduate
- High School Graduate HED or GED Certificate
- College, Tech or Vocational School (years)

This referral also includes the following information:

- Court Order, Criminal Complaint and Prior Record
- Social Information
- Violation Report(s)
- Signed Release of Confidential Information
- Information in Regard to Alcohol, other Drug Problems and Prior Treatment Experience
- Other (specify) _____

Instructions: Indicate by a check mark, the offender's involvement with drug or alcohol abuse problems at the time the offender is being referred to the program.

Substance Abuse Problems (as noted by agent and/or offender report)

Check if Appropriate

- Alcohol
- Cocaine/Crack
- Marijuana/Hashish/Cannabis/THC
- Heroin
- Non-Prescription Methadone
- Dilaudid/Hydromorphone
- Other Opiates and Synthetics (Cocaine, Morphine, Oxycocone, Demerol, Opium, Fentanyl, Oxymorphone, etc.)
- PCP (Phencyclidine)
- LSD
- Other Hallucinogens (MDA, MDMA, Peyote, Mescaline, Psilocybin, Psilocin, STP)
- Methamphetamines/Ice
- Other Amphetamines (Benzedrine, Speed, Dexedrine, Methedrine, Ritalin, Preludin, and any other Amines and related drugs)

- Other Stimulants (Phentermine, Benzphetamine, Mazindol, Phendimetrazine, Pemoline, Chlortermine, etc)

- Benzodiazepines (Diazepam, Flurazepam, Chlordiazepoxide, Clorazepate, Lorazepam, Alprazolam, Oxazepam, Temazepam, Prazepam, Triazolam, Clonazepam, and Halazepam)

- Other Tranquilizers (Meprobamate, Equanil, Milton) Barbiturates (Phenobarbital, Seconal, Nemutal, Amobarbital, etc)

- Other non-barbiturate sedatives or hypnotics (Methaqualone, Quaaludes, Glutethimide, Chloral Hydrate, Ethchlorvynol, Placidyl, etc)

- Inhalants (Ether, Glue, Aerosols, Solvents, Gases, Chloroform, Nitrous Oxide)
- Over-the-Counter diet, alert, sleep aids, cough syrup, etc
- Other (Specify) _____

Means of Taking Substances Prior to Program Involvement

Indicate the means by which the offender regularly took the substance into his/her body (if known):

- | Y | N | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Oral (by mouth swallowing) |
| <input type="checkbox"/> | <input type="checkbox"/> | Smoking (inhale by burning or heating substance) |
| <input type="checkbox"/> | <input type="checkbox"/> | Inhalation (inhale or snort through the nose or mouth without burning substance) |
| <input type="checkbox"/> | <input type="checkbox"/> | Injection (intravenous, intramuscular or skin popping) |
| <input type="checkbox"/> | <input type="checkbox"/> | Other (Specify) _____ |

Treatment Information:

Prior Treatment History:

Date: _____

Location: _____

Outcome _____

Is offender:

Y N
 Currently in treatment, if so, where? _____

 Currently referred to the Day Monitoring Program for UA/BA testing (If so, what is s/he being tested for and what is schedule? _____

 Currently on waiting list for any other treatment? If so, specify _____

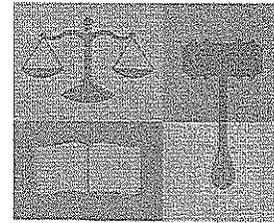
Part B Intake Decision

 Offender accepted as ATR

 Offender rejected. For what reason (specify _____

Date of Intake (Month/Day/Year): _____

EAU CLAIRE COUNTY DRUG COURT
Attorney Referral



ELIGIBILITY STANDARDS

Potential candidates meeting the following criteria will be considered for admission to the Eau Claire County Drug Court Program.

- A. Resident of Eau Claire County.
- B. Each participant will need to meet the DSM-IV criteria for Alcohol/Drug Dependence.
- C. Proposed participants will be either post-adjudication or in ATR status from the Department of Corrections for the offenses of DUI, possession, use, or sale of a controlled substance or a drug related crime, as a felony or habitual misdemeanor.
- D. No prior felony convictions for violent crimes and no prior felony convictions involving a weapon.
- E. The Drug Court Coordinator may interview each defendant referred for possible participation in the program. Each proposed participant will participate in any assessments requested by staff, treatment providers, or others involved in the screening process. The Drug Court Coordinator will make a recommendation to the Drug Court Team, who will either admit or deny the application.
- F. The Drug Court Participant must voluntarily agree to abide by the Drug Court Program rules.
- G. No existing in-state or extraditable warrants, or pending charges that are not resolved at the time Drug Court participation begins.

Referral Date (Month/Day/Year)	Projected Eligibility Date for Services (Month/Day/Year)
---------------------------------------	---

Attorney Name and Phone Number

Offender Name	Offender Current Address and Phone Number
----------------------	--

Does individual have outstanding warrant or pending charges?
 Yes No If yes,
 explain: _____

Current Offenses/Reason For Referral:

Prior Offenses (Include if misd or fel) and Drug/Alcohol Use History:

Check If Applies to Offender:

___ Pregnant	___ Alcohol Problems	___ History of Violence
___ Relationship Issues	___ Drug Abuse Problems	___ History of Committing Assaults
___ Sexual	___ Health /Other Problems	___ Mental Health Problems
___ Dev/Learning Disabilities		

Specify: _____

AGENDA

Committee: Drug Court Initiative

Date: June 14, 2006

Time: Noon - 1:30 p.m.

Location: Room 2550

Persons Attending:

Status:

Representing:

Bette Wahl	Present – Absent – Excused	EC Youth Coalition
Dana Smetana	Present – Absent – Excused	Public Defender's Office
Rich White	Present – Absent – Excused	District Attorney's Office
Fred Weissenburger	Present – Absent – Excused	EC School District
Gena Jarr	Present – Absent – Excused	State Dept of Corrections
Judge Lisa Stark	Present – Absent – Excused	Courts
Larry Liegel	Present – Absent – Excused	State Dept of Corrections
Margaret Hanson	Present – Absent – Excused	EC Co. Human Services
Richard Ryberg	Present – Absent – Excused	UWEC
Shereen Beaulieu	Present – Absent – Excused	EC Co. Human Services
Pat Isenberger	Present – Absent – Excused	EC Co. Human Services
Ann Feller	Present – Absent – Excused	Omne Clinic
Mark Morse	Present – Absent – Excused	LE Phillips Memorial Library
Cristal Briebly	Present – Absent – Excused	Citizen member
Supervisor Colleen Bates	Present – Absent – Excused	EC County Board
Tom Wirth	Present – Absent – Excused	EC Co. Human Services
Tony Beardsley	Present – Absent – Excused	EC School District
Tim Wavrunek	Present – Absent – Excused	Restorative Justice
Anita Kuster	Present – Absent – Excused	Triniteam
John Arnette	Present – Absent – Excused	EC Police Department
Ron Cramer	Present – Absent – Excused	Sheriff's Department
Marcia Dassow	Present – Absent – Excused	LSS
Jerry Matysik	Present – Absent – Excused	EC Police Department
Dan Bresina	Present – Absent – Excused	Sheriff's Department
Bradley Venaas	Present – Absent – Excused	EC Police Department
Keith Edwards	Present – Absent – Excused	Media
Kristi Kosik	Present – Absent – Excused	State Dept of Corrections
Jackie Krumenauer	Present – Absent – Excused	EC Co. Human Services

KEY ITEMS TO DISCUSS:

What	Who
1. Review Agenda and Approval of 4/5/06 Meeting Minutes	All
2. Drug Court Update	Judge Stark
3. MOU	Judge Stark
4. Drug Court Expansion (Touchstones) Update	Jeff Smesky, lead AODA counselor at Touchstones
5. Grant Opportunities	Shereen Beaulieu
6. Cost Savings/Control Group	Judge Stark
7. Press Release for Evaluation of Drug Court	Judge Stark
8. Chippewa Valley Regional Drug Court <ul style="list-style-type: none"> • Dunn & Chippewa County are in the development stage. Would it be beneficial to share resources? If so, how would we begin to develop this type of program? 	Judge Stark
9. Policy on romantic relationships with drug court participants?	Judge Stark
10. Meetings in 2006: August 2, Oct 4, Dec 6	

What is an appropriate referral to our program?

Basically most early delinquent or pre-criminal behavior where there was a victim and the regretful offender hasn't taken accountability for his/her actions. Such incidents could include:

- Theft/Shoplifting/Burglary
- Property Damage/Vandalism
- Bullying/Harassment
- Neighborhood Disruptions

Who can make a referral to our program?

- Schools
- Victims
- Parents/Family Members
- Businesses
- Community Members/Neighbors
- Offenders
- Probation
- Law Enforcement
- Courts
- Social Services
- Anyone who thinks our programming may help repair the harm.

Eau Claire County Restorative Justice Program

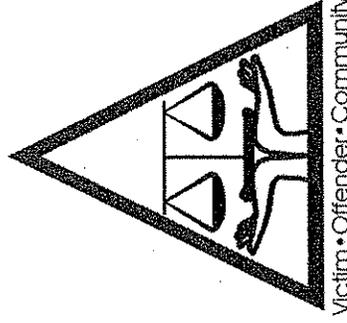
The Restorative Justice Program needs your help addressing crime as a community ill. By donating your time, resources, and energy, you can help ensure community safety, restore victim well-being, and intervene early in the lives of offenders in your community.

Become involved as a volunteer: We are always looking for and will train eager Mediators for victim/offender conferencing, Accountability Mentors for a young offender, or Community Service Providers where a youth can work to make amends.

Share your story: If you have experienced crime and would be willing to share your story, consider volunteering to be involved in our Accountability Workshops or our future Victim Impact Panels.

Restorative Justice concepts have many applications. Our staff can provide information and training about restorative practices in business, agency, or service settings at your next meeting. If you have other talents or resources to contribute to the program, please contact our office directly. Call (715) 835-6521.

Dedicated to building a safer community by discouraging crime, restoring victim well-being, and emphasizing direct offender accountability.



Located at:

3605 Gateway Drive
Eau Claire, WI 54701
(715) 835-6521
info@eccrjp.org

www.eccrjp.org

With support from the AnnMarie Foundation

What exactly is Restorative Justice?

- Restorative justice is a unique way of thinking about crime and delinquency that focuses on the harm done to victims, communities and the damaged relationships between them.

- This restorative justice viewpoint treats crime and acts of delinquency as real harm done to the real victim(s) and the community, not simply an offense committed against the state.
- Further, many victims, together with supporters, express a desire to meet with an offender to have questions answered, to explain how the crime impacted them, and how the offender can attempt to "make things right."

- Our victim-driven program provides a safe setting for victims, offenders, and the community to come together voluntarily to talk about the harmful behavior, how to repair this harm and offer some sense of healing for victims.



- Working with offenders, we strive to teach accountability, provide opportunities for amends, and prevent future crimes and problems.

What programs are offered through Restorative Justice?

Victim Offender Conferences: Most offenders referred to our program begin participation in victim offender conferencing (VOC). Only offenders willing to accept responsibility for the harm they caused are brought into the program to be held accountable to those they have harmed. VOCs are meant to be "dialogue driven" where the victims, offenders, and community members have the opportunity to come together to talk about an incident of crime or harmful behavior. With the support of a trained facilitator, any resolution that would repair the harm would be agreed upon between the participants. Victim participation is voluntary, and if they choose not to participate, other options exist.

Accountability Mentoring: Offenders referred for such programming receive one-on-one mentoring focusing on empathy and accountability development. Level of understanding of responsibility and accountability determines the length of involvement.

Accountability Workshops: Whether referred for bullying, harassment, other personal offenses or community crimes, offenders are exposed to new thinking and decision making processes. They are presented with tools to help them realize how their actions impact those around them. This workshop is beneficial for any offenders struggling with accountability or poor decision making.

What are the benefits for participants?

Victims can...

- Let offenders know how the crime has affected them.
- Receive answers to questions they may have.
- Be directly involved in developing a plan with the offender to have the damage repaired, their losses repaid, or relationships restored.

Offenders can...

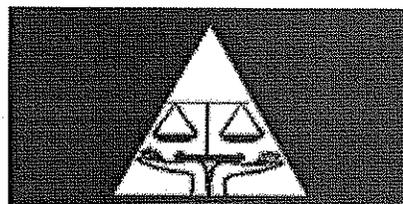
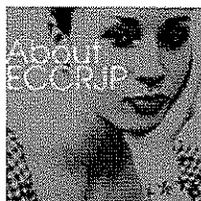
- Learn the full impact of their actions and take responsibility for their behavior and future actions.
- Help develop a plan for making amends to the person, or persons, affected by their behavior.

Community Members can...

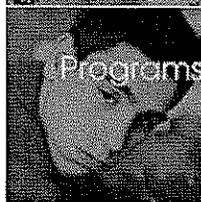
- Reduce the long term impact of crime within the community.
- Show support to victims of crime.
- Help to develop community-based crime prevention efforts.

This program is possible through a community partnership between Goodwill Industries & Eau Claire County.

Goodwill^{NCW}
Serving North-Central Wisconsin Communities



Victim Offender Community



Board Members

Judge Lisa Stark Circuit Courts	President/Executive Board
Dana Smetana Office of Public Defender	Vice President/Executive Board
Mechele Pitt Dept. of Human Services	Financial Officer/Executive Board
Carol Day Victim/Witness Program	Recording Secretary/Executive Board
Judge Thomas Barland Circuit Courts – Retired	Executive Board
Emily Long District Attorney’s Office	Executive Board
Howard Ludwigson County Board	Executive Board
Joe Bee Xiong Hmong Mutual Assistance Association	Advisory Board
Cindy Waller Children’s Court Services	Advisory Board
James H. Schaefer ECPD Chaplain	Advisory Board
Fred E. Weissenburger Board of Education	Advisory Board
Howard White City Council	Advisory Board
Judy Streets Eau Claire PD	Advisory Board
Gena Jarr Division of Community Corrections	Advisory Board

Christine Geissler **Advisory Board**
Nestle USA

Dana Brown **Advisory Board**
Altoona PD

John Schone **Advisory Board**
Grace Aftercare Ministry

John Vogler **Advisory Board**
EC County Sheriff's Department

Keith Wilk **Advisory Board**
Goodwill Industries, Inc.

Other Interested Parties

Shereen Beaulieu
Dept. of Human Services

Judge William Gabler
Circuit Court Branch 3

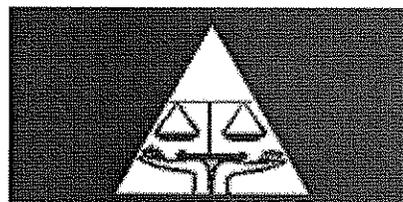
Bette Wahl
Coalition for Youth

Stella Pagonis
Attorney

*Dedicated to building a safer community
by discouraging juvenile crime, restoring
victim well-being, and emphasizing direct
offender accountability.*

[Links](#) | [Contact Us](#) | [Home](#)

Eau Claire County Restorative Justice Program



Victim Offender Community

Programs

Currently, the Eau Claire County Restorative Justice Program offers three programs.

Victim Offender Conferences:

Most youths referred to the Restorative Justice Program begin participation in victim-offender conferencing (VOC). Only offenders willing to accept responsibility for the harm they caused are brought into the program to be held accountable to those they have harmed. VOC's are meant to be "dialogue driven" where the victims, offenders, and community members have the opportunity to come together to talk about an incident of crime or harmful behavior. With the support of a trained facilitator, any resolution that would repair the harm would be agreed upon between the participants. Victim participation is voluntary and if they chose not to participate, other options exist.

How do I refer a case?

Referrals may come from but are not limited to Juvenile Court Intake, Department of Human Services, the Courts, police departments, probation and parole, victims, parents, and schools. To make a referral, please fill out the referral forms and include any police reports, victim statements, or other related information. Please mail them to the RJ office, and a trained facilitator will handle the rest. If there is a question on the appropriateness of a case, please contact the Restorative Justice office.

For the referral forms, [click here](#).

Accountability Mentoring:

Youths referred for such programming receive one-on-one mentoring focusing on empathy and accountability development. Level of understanding determines the length of involvement. Most youth in the accountability mentoring program were referred for VOC; however, for whatever reason, the case never went to VOC.

Accountability Workshop:

Whether referred for bullying, harassment, other personal offenses or community crimes, youth are exposed to new thinking and decision making processes, and are presented with tools to help them realize how their actions impact those around them. This workshop would be beneficial for any youth struggling with accountability or poor decision making skills.

For referral form, [click here](#). For next workshop dates, [click here](#).

*Dedicated to building a safer community
by discouraging juvenile crime, restoring
victim well-being, and emphasizing direct
offender accountability.*

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Eau Claire County Restorative Justice Program

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Our Mission

The Eau Claire County Restorative Justice Program (ECCRJP) is committed to enhancing the existing criminal justice system by incorporating restorative principles in an effort to develop community safety and connectedness. The restorative justice approach focuses on building a community that discourages crime, restores victims, and promotes offender accountability through the use of restorative focused interventions.

Accomplishments to Date

Our program has accomplished the following:

- Expanded programming offerings through Accountability Workshops: an intensive 4 hour group course designed to address faulty criminal thinking and empathy development in juveniles. Over 400 students have successfully completed this course.
- Developed and launched an informative website at www.eccrjp.org.
- In a full review of returned evaluations, found that 100% of victims reported they were “very satisfied,” while 91% of parents and 72% of offenders stated they were at least “satisfied.” Restitution received in our program has been higher than those youths would have performed without our services.
- In our first expansive recidivism study tracking all completed offenders since programming began in August 2002, found that there is a 16% recidivism rate in those who completed our Victim Offender Conferencing Program. There was also a 22% rate for those who completed our mentoring program, and 13% for those from our workshops. In comparison to the given Eau Claire County Statistic of 35% recidivism, our program is well on its way to impact the lives of young offenders.
- Held 4 community trainings this past year. These trainings included mentoring trainings for volunteers, and one general community participant training.
- Continue to on coordination with an administrative group that seeks alternatives to suspension and expulsions. This ongoing group will review cases from the schools throughout the year to determine appropriateness for more restorative justice and re-integrative measures.
- Expanded mentoring/accountability programming to receive direct referrals from local school districts. Currently actively providing mentoring and accountability services in 6 local schools

**Summary of Eau Claire County
Restorative Justice Program Referrals
August 2002 through March 2006**

Note: 552 referrals since August 2002.

Court Orders: 88 referrals

65 Workshops
15 VOC
8 Mentoring

Deferred Prosecution Agreements:
369 referrals

269 Workshops
82 VOC
46 Mentoring

Consent Decrees: 61 referrals

44 workshops
12 VOC
5 Mentoring

Parent: 19 referrals

18 Workshops
3 VOC
2 Mentoring

Victim Services: 1 referral
1 VOC

Other Counties: 2 referrals
1 Workshop
1 VOC

Probation/Adult Court: 6 VOC referrals

Schools - 6 Mentoring Referrals

ECCRJP has received a total of 552 referrals from August of '02 through March of '06.

421 (76%) of total referrals were received between March 2004 through March of 2006

192 (34%) of total referrals were received between March of '05 and March of '06.

Eau Claire County Restorative Justice Client Summary for 2005

Juvenile clients served:	207
First time offenders served:	105
# that re-offended by March 31, 2006	11 (10.5%)
# that did not re-offend by March 31, 2006	4 (89.5%)
Multiple time offenders served:	102
# that re-offended by March 31, 2006	32 (31%)
# that did not re-offend by March 31, 2006	70 (69%)

RJ recidivism rates ran at approximately 21% or 44 individuals for 2005. This is a 14% reduction from the county reported recidivism rate of approximately 35% overall for juveniles. The 14% reduction translates to 29 RJ juveniles, that if the simple retail theft cost analysis is applied as a re-offense "type" case, calculates out to \$112,143 dollars potentially saved.

Note: Through July 31, 2006 we have received **134** referrals for service. This puts the program at pace to receive **230** referrals by the end of the year.