

*REENTRY TO THE
10TH POWER...
ANGOLA and LCIW BOUND*

*22nd JUDICIAL DISTRICT COURT
ST. TAMMANY AND WASHINGTON PARISHES, LOUISIANA*

What is ReEntry Court?

AN OVERVIEW

- Appropriate participants are identified through assessment.
- Participants are sentenced under LA RS 13:5401, the enabling legislation.
- Participants are transported to a correctional facility for two years.
- Participants receive vocational training, educational instruction, and behavior modification while incarcerated.
- Upon successful completion, participants are returned to probation.
- Participants are monitored in a phased therapeutic court setting upon release.

TEAM STAFFING SESSIONS:

KEY COMPONENT #1

Key Component #1 – Using a nonadversarial team approach, prosecution and defense counsel promote public safety while protecting participants' due process rights, with a view towards significant recidivism reduction.

Best Practices:

1. Develop a strong multi-disciplinary team with an emphasis on collaboration and communication.
2. Constantly review and revise your program utilizing evidence based practices.
3. Accurate data should be maintained to allow program effectiveness to be evaluated.
4. Local outcome studies should be conducted to assess efficacy of the program.

Our “Big Ten”

- Judge
 - District Attorney
 - Public Defender
 - Case Manager/Project Director
 - DOC/Angola and LCIW
 - Probation & Parole
 - Research/Evaluator
 - Community Mentors
 - Faith-based Community Sponsors
 - Treatment Providers
- 

INITIAL SELECTION:

KEY COMPONENT #2 and KEY COMPONENT #3

- **Key Component #2** – Eligible and appropriate participants are identified as soon as possible following initial arrest and incarceration and are promptly assessed by staff through the use of validated assessment tools prior to acceptance into the program. Only potential candidates who are high risk/high need and are intellectually and physically capable of completing the program should be selected.
- **Key Component # 3** - Identify collateral legal issues early (during or immediately subsequent to sentencing) so that they can be resolved during incarceration.

*KEY
COMPONENT #2
AND
KEY
COMPONENT #3*

*BEST
PRACTICES*

Best Practices:

1. Identify client promptly through referrals.
2. Screen for criminogenic risks and needs; screen for severity of substance abuse problem.
3. District Attorney approves or rejects.
4. Case manager recommends inclusion or rejection based on assessment.
5. Statutory eligibility and suitability are confirmed.
6. Case manager researches available state databases to assure eligibility.
7. Court accepts or rejects.
8. Identify any outstanding collateral legal issues.
9. Client is sentenced.

Who is a good candidate for the program?

- 21-35 years of age
- 2-4 prior convictions/non-violent
- No high school education (But able to achieve HISET)
- No specialized job skills
- Local, long-time resident
- Prior history includes drug/property crimes
- One or more children to support
- Second or third jail stay
- Low to zero sanction history in jail

Who is a good candidate for the program?

LA RS 13:5401 - Requirements for Legal Eligibility

- Defendant is not sentenced to a term of incarceration which exceeds ten years.
- No prior felony convictions for any offenses defined as a sex offense in LA RS 15:541.
- Current crime can not be a crime of violence as defined in LA RS 14:2(B).
- Defendant cannot be sentenced as a multiple offender in the present charge.
- Other criminal proceedings alleging commission of a crime of violence as defined in LA RS 14:2(B) shall not be pending against the defendant.
- The crime before the Court shall not be a charge of any crime that resulted in the death of a person.

How is an offender approved for participation?

- Preliminary discussion about suitability/eligibility happens at pretrial.
- If sentencing judge agrees, the defendant is screened by the District Attorney's office.
- If approved by District Attorney, the defense counsel should schedule an appointment with the case manager to perform an assessment of the defendant.
- If the assessment is completed satisfactorily, then the defendant may be accepted into the program and sentenced under the provisions of LA RS 13:5401.

SENTENCING:

KEY

COMPONENT #4

Key Component # 4 – Sentencing minutes and commitment papers should be fully complete and immediately transmitted to the correctional facility for rapid processing. The sentencing colloquy should include a clear explanation by the judge of what is expected of the individual to succeed.

Best Practices:

1. The Court should ensure the client understands his or her obligations.
2. The “pen pack” for DOC should be uniform and standardized by all divisions of court.
3. The clerk should ensure that all necessary documents are 100% complete.
4. The “pen pack” should be immediately transmitted to DOC with 24 hours of sentencing.
5. The sentence should be no less than seven years.

TRANSFER:

KEY COMPONENT #5

Key Component #5 – The individual should be transferred to the DOC facility as soon as possible following sentencing. Treatment should commence as soon as possible, preferably in the local jail while awaiting transfer.

Best Practices:

1. Transfer to DOC should occur ASAP.
2. Identify peripheral legal issues and assign to PDO or pro bono project for resolution. (Child support payments; driver's license flags, suspensions, etc.; open charges; holds; attachments; etc.)
3. Case management should check transfer status frequently until completed, and maintain open and frequent communication with DOC.
4. After medical detox, substance abuse treatment should commence in the local jail prior to transfer.
5. The individual should not be in acute withdrawal or actively psychotic as a result of drug withdrawal or usage at the time of transfer to DOC.

*A SCENE
FROM
ANGOLA*



IN-REACH SERVICES:

KEY COMPONENT #6 and KEY COMPONENT #7

Key Component #6 – Ongoing judicial interaction with each reentry court participant will begin during incarceration through regular case reviews and status hearings.

Key Component #7 – Participants should be monitored and regularly evaluated by DOC to measure the achievement of treatment and training goals necessary for release from incarceration, including abstinence from illicit substances during incarceration.

*KEY
COMPONENT #6
AND
KEY
COMPONENT #7*

*BEST
PRACTICES*

Best Practices:

1. The judge will maintain regular contact with clients by quarterly site visits.
2. The case manager will maintain regular contact with the clients through bimonthly visits at a minimum.
3. The probation agent will maintain regular contact with clients through quarterly site visits.
4. Regular progress reports will be completed on client's progress at DOC and furnished to the Court.
5. Clients will be drug screened at least monthly on a randomized basis while at DOC.

*KEY
COMPONENT #6
AND
KEY
COMPONENT #7

BEST
PRACTICES*

6. DOC will provide quality substance abuse treatment while incarcerated.
7. DOC will provide quality programming to address clients' criminogenic needs.
8. DOC will provide HISET training and testing as well as vocational training and testing with an emphasis on reasonably available employment.
9. Good time credits will be awarded only for programs that address the client's criminogenic needs.

What happens while the offender is at Angola or LCIW?

- Assigned a Social and a Vocational Mentor – Importance of both
- Assessed for placement into a vocational program
- Undergoes a rigorous (and improving) program of substance abuse treatment, MRT, CBT, and HISET training

Vocational Training & Employer Interest

- Achieve certification(s) in a field of interest:
 - HVAC & Johnson Controls
 - Culinary Arts
 - Horticulture
 - Upholstery
 - Welding
 - Collision/Auto Repair
 - Drywall
 - Plumbing
 - Electrician
 - Small engine repair
 - Diesel engine repair

A VISIT TO ANGOLA



RELEASE TO PROBATION:

KEY COMPONENTS # 8, 9, AND 10

Key Component #8 – All reentry court participants obtain suitable employment, housing, and a community sponsor prior to return to probation.

Key Component #9 – Release should be effected in a fashion that immediately connects the client with support services upon his or her return to the community. There should be no delay between return to the community and contact with the support network.

Key Component #10 – Reentry Courts provide access to a continuum of alcohol, drug and other related treatment and rehabilitation services.

KEY COMPONENTS # 8, 9, AND 10

BEST PRACTICES

Best Practices:

1. The client will be assisted in obtaining suitable approved employment prior to release.
2. The client will be assisted in obtaining suitable approved housing prior to release.
3. The participant should obtain employment which utilizes his or her vocational training, but the participant is allowed flexibility in finding suitable employment which may be outside his or her chosen field.
4. The client will be assisted in obtaining a suitable community sponsor prior to release.
5. A Petition for Return to Probation will be filed by defense counsel.

KEY COMPONENTS # 8, 9, AND 10

BEST PRACTICES

6. The hearing on the Petition to Return to Probation will be conducted by electronic means 2-4 days prior to the client's release.
7. The release date will be coordinated to require court appearance on the day after release.
8. The continuum of care will immediately commence upon the client's return to the community, including substance abuse treatment, peer support groups, returning citizen specific issues, and case management.
9. The client will maintain suitable employment throughout the program.

What happens during the post-release phase?

- Release to probation occurs after 24 months and when the facility determines that offender has met all requirements and is ready to return.
- Must have employment and housing secured upon release
- Re-establishing relationships with family and friends
- Where did my mentor go?
- Attend status hearings in court – two rules
- Attend and participate in treatment
- Pass random drug screens
- Project Director and Case Manager are the points of contact

STATUS HEARINGS:

KEY COMPONENT # 11

Key Component #11 – Status hearings with each participant must be conducted at appropriate intervals using evidence-based practices to maximize desired effects.

Best Practices:

1. The Court should have personal knowledge of each client so that it can engage in meaningful dialogue with the client.
2. The Court should use open-ended questions with each client and employ motivational interviewing techniques.
3. The dialogue should last 2-3 minutes at a minimum.
4. The Court should impose any sanctions and incentives during the status hearing.
5. The Court should strive to praise the client and end the dialogue on a positive note.
6. The status hearings should be conducted in open court and on the record.
7. The frequency of the status hearings should be based on the phase progression of each client.

SUPERVISION:

KEY COMPONENT #12

Key Component #12 – Abstinence is monitored by frequent and random alcohol and other drug testing throughout post-release.

Best Practices:

1. Randomized drug screens will be performed twice weekly on all clients in Phases I-III.
2. Randomized drug screens will be performed monthly on all clients in Phase IV.
3. A standardized phase progression system will be utilized for all clients.
4. Treatment will be provided at the appropriate dosage with evidence-based programming tailored to the client's criminogenic needs.
5. Probation and Parole will maintain reentry clients on an E max level initially and on a max level throughout supervision.

KEY COMPONENT #12

BEST PRACTICES

6. Sufficient information will be gathered on all clients to inform the court of possible trigger events in their lives.
7. Sufficient information will be gathered on all clients to understand any unique circumstance about that client which could affect screening results.
8. All urine drug testing will be gender specific and conducted under direct observation.
9. Team members will receive annual training in testing procedures, methods, and developments.
10. Detection of relapses is essential. Therefore, case management will have an intimate knowledge of the client's work schedule, drugs of choice, personal issues, etc. which can impact relapse.

What motivates our team?

that way..its crazy how this program is changing me and helping me grow into that ideal man i want to be..i been in programs before but nothing like this one..but re entry gives me hope and makes me believe in me more and it changed my outlook on life period..i admitt i am sensitive when i think about how i was and how i am today..this opportunity has saved my life..i will keep pushing everyday..my light is bound to shine..

GIVING BACK



CONTINUING EDUCATION:

KEY COMPONENT #13

Key Component #13 – Continuing interdisciplinary education promotes effective reentry court planning, implementation, and operations.

Best Practices:

1. Mandate annual specialty court training for judge and all other team members.
2. Encourage attendance at national training programs such as NADCP, NJC, etc. as often as funding allows.

SANCTIONS AND INCENTIVES:

KEY COMPONENT #14

Key Component #14 – A coordinated strategy governs reentry court responses to each participant’s compliance with the program’s rules and policies.

Best Practices:

1. Create a sanctions and incentives grid with input from the whole team.
2. Provide a copy of the sanctions and incentives grid to each client upon his or her return to probation.
3. Only depart from the recommended sanction or incentive if a clear reason can be articulated.
4. The team should formulate both a therapeutic response and a judicial response.

OUTREACH:

KEY COMPONENT #15

Key Component #15 – Forging partnerships among reentry courts, public agencies, prospective employers, and community based organizations generates local support and enhances reentry court effectiveness.

Best Practices:

1. Conduct quarterly public trips to the correctional facilities.
2. Conduct quarterly presentations to local civic groups, business leaders, or other groups to heighten public awareness.
3. Invite local legislators annually for a judicial ride along.
4. Reach out to the local faith community to develop community mentors.

JUDGES AND MENTORS



Why is ReEntry Court important?

- Recidivism statistics – DPSC Briefing Book dated October 2017
 - In State facilities = 44% (after five years)
 - Total population by crime type (after five years)
 - Drug crimes – 17.6%
 - Property crimes – 15.1%
- Louisiana incarcerates more citizens per capita than any other state. Our average length of sentence is among the highest in the nation.
- INCARCERATION IS NOT WORKING.
- Therapeutic Courts work.
- Research now supports the validity of reentry courts specifically.
- The definition of insanity is doing the same thing repeatedly and expecting different results.

Current State Of The 22ND JDC Program

- Total of 269 offenders have been sentenced to ReEntry
- 101 are currently at Angola; 21 are at LCIW
- 67 males are in post release (probation) phase; 6 females
- 5 cases have been revoked
- 65 removed from the program while at LSP or LCIW either due to disciplinary reasons or determined not fit for the program
- 2 have graduated
- 2 have passed away while in program

*What do we need
from the
community to
assist with
ReEntry efforts?*

- Hire our participants
- Contact legislators
- Volunteer as a mentor for those individuals being returned to probation
- Take the trip to Angola/LCIW – Learn more about the programs
- Specialty Court Foundation

New Developments

Two new pieces of legislation:

- Qualified employer immunity – LA RS 23:291.1
- Mentorship immunity – LA Code of Criminal Procedure Article 895

Louisiana State Bar Association


- Assistance with returning citizen issues to be given to participants through pro bono work performed by attorneys
- Contact the LSBA if interested in volunteering

2017 Report to the Legislature – HCR 82 and SCR 117

Latest Improvements

- Medically-assisted treatment available behind bars in Louisiana for the first time
- Response to opioid epidemic inaction
- Vivitrol protocol approved on April 21, 2017 by Louisiana Department of Corrections
- First Vivitrol injection within a Louisiana correctional facility on May 3, 2017

THANK YOU:

- Secretary James LeBlanc,
Louisiana Department of Public
Safety and Corrections
 - Warden Darrel Vannoy,
Louisiana State Penitentiary
 - Assistant Warden Gary Young,
Louisiana State Penitentiary
 - Assistant Warden Tracy Falgout,
Louisiana State Penitentiary
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PROPOSED CHANGES TO LA RS 13:5401

- Removal of requirement that the defendant should not be sentenced to a term of incarceration which exceeds ten years.
- The crime before the court cannot be a crime of violence as defined in R.S. 14:2(B), except (1) a first conviction of an offense with a maximum prison sentence of ten years or less that was not committed against a family member or household member as defined by R.S. 14:35.3, or against a dating partner as defined by R.S. 46:2151, or an offense of domestic abuse battery that is punishable by imprisonment at hard labor as provided in R.S. 14:35.3 or (2) when the district attorney makes a written recommendation to the court that the offense should not be designated as a crime of violence, pursuant to La. CCr.P. art. 890.3

PROPOSED CHANGES TO LA RS 13:5401

- *Notwithstanding any provision of law to the contrary, any offender sentenced under R.S. 13:5401 shall not be eligible for parole pursuant to R.S. 15:574.4(A)(1) nor earn "good time" pursuant to La. R.S. 15:571.3 or additional "good time" credits (CTRP) pursuant to La. R.S. 15:828.*


*PROPOSED
CHANGE TO
LA CCRP
ARTICLE
890.3*

Art. 890.3. Sentencing for crimes of violence

A. Except as provided in Paragraph C of this Article, when a defendant is sentenced for any offense, or the attempt to commit any offense, defined or enumerated as a crime of violence in R.S. 14:2(B), the district attorney may make a written recommendation to the court that the offense should not be designated as a crime of violence only for the following purposes:

- (1) The defendant's eligibility for suspension or deferral of sentence pursuant to Article 893.
- (2) The defendant's eligibility for participation in a drug division probation program pursuant to R.S. 13:5304.
- (3) *The defendant's eligibility for participation in Offender Rehabilitation and Workforce Development Program pursuant to R.S. 13:5401.*

On The Horizon

- Mentor certification for DOC mentors
 - Partnerships with mentoring entities in the community
 - Refinement and expansion of vocational training
 - Improved trauma-informed treatment
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RESOURCES and In the News

- <https://link.springer.com/article/10.1007/s12103-016-9372-4>
- <https://www.coalitionforpublicsafety.org/voices-of-reform/angola-out-of-the-ashes>
- http://www.americanbar.org/content/dam/aba/publications/judicial_division_record/2016sum_jdr.authcheckdam.pdf (See page 29)
- <http://www.wafb.com/story/35346930/angola-inmate-now-productive-auto-mechanic-thanks-to-re-entry-program>
- <http://theadvocate.com/news/neworleans/neworleansnews/12760057-123/program-aims-to-ease-ex-cons>
- <http://www.thenewsstar.com/story/news/2016/10/11/re-entry-court-change-lives/91898534/>

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