

**CHIPPEWA CREE TRIBAL COURT
HEALING TO WELLNESS PROGRAM**



Healing to Wellness Policies and Procedures

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THE CHIPPEWA CREE TRIBAL COURT
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INTRODUCTION

The Healing to Wellness Program (HTW) Community Partners

The policies and procedures are designed to answer questions, address concerns, and provide overall information about the Healing to Wellness Program (HTW), which will review general information, the program requirements and what is expected of HTW participants and team members.

The primary purpose of the HTW is to provide intervention and treatment for participants who want to make positive life changes and break the cycle of addiction. This program wants to support and encourage participant to address the problems of drug and/or alcohol addiction. If team members' questions are not answered, please do not hesitate to ask the HTW staff. The information contained in this handbook may be updated and participant will be informed of any changes.

- Chippewa Cree Law Enforcement Services
- Chippewa Cree Health Center
 - White Sky Hope Center
 - White Sky Hope Lodge (Women's/Men's)
 - Behavioral Health
- Chippewa Cree Human Services Division
 - Chippewa Cree Temporary Assistance for Needy Families (TANF)
 - Chippewa Social Services
 - Chippewa Cree Child Support Services
- Stone Child College / Rocky Boy School / Box Elder School
- Chippewa Cree Tribal Enforcement Rights Office/Workforce Investment Act Education and Training
- Chippewa Cree Temporary Assistance for Needy Families (TANF)
- Rocky Boy's Reservation established churches (Native American, Assemblies, Lutheran, Baptist, Catholic, etc.)
- Federal Bureau of Investigation-CI's

Mission Statement: *The mission of the Adult Healing to Wellness Program is to bring together community healing resources within the tribal justice process, using a team approach to achieve the physical, emotional and spiritual healing of the participant and the well-being of the community.*

Program Goal & Description:

The goal of the HTW is "The Chippewa Cree Tribal Courts will enhance services of the Healing to Wellness Court to respond to and prevent alcohol and substance abuse related crimes on the Rocky Boy's Indian Reservation through the provision of culturally-relevant and appropriate evidence-based programming and co-occurring treatment services."

Motivation is vital to work toward changing participant lifestyle and becoming free from alcohol and other drugs. The HTW Staff will work to facilitate change through a goal-orientated, individualized treatment program for you.

The HTW supports the participant to work a program of recovery and become a healthy and contributing member of participant family, participant community and participant tribe.

The HTW is a voluntary court supervised program. The HTW handles cases involving individuals who have committed offenses resulting from their abuse of alcohol and other drugs. HTW is a component of the Chippewa Cree Tribal Court and follows a deferred prosecution procedure. If participant successfully complete the mandatory components, the charges will be dropped with no further criminal prosecution. Participant has chosen to become a part of the HTW and we welcome participant active participation. HTW provides comprehensive case management services as an option to facing long term criminal charges and extensive fines and/or probation. Our services include case processing, compliance with sentencing, intervention, monitoring, and referrals. The Case Management Plans are individualized and continue through the length of all phases of the program.

The Chippewa Cree Health and Wellness Center will provide treatment services to address participant health needs. Other Tribal programs, community-based organizations, educational institutions and elders will assist in helping participant address participant personal goals and social needs.

The Chippewa Cree Tribal Judge will oversee participant progress and compliance, along with the HTW Team. The individuals on the Team are: Judge, Coordinator, Probation Officers, White Sky Hope Center, Human Services Representatives, Health and Wellness Center Counseling Representatives, School Representatives and HTW staff. Other members may also be present to provide support as needed.

HTW Team Members and MOU Partnerships

Team Member	Roles and Responsibilities
Judge	<ul style="list-style-type: none"> • Will supervise and support participant recovery. • Will review reports from treatment providers and participant input. • Will encourage compliance with the treatment program. • Will establish a working and supportive relationship with participant through personal interaction during Court. • Will assume the role of mentor to encourage participant to remain committed to the Program. • Will respond to any relapse or other violations with immediate intervention. • The Court will strive to keep participant in the Program and have a successful completion.
Tribal Prosecutor	<ul style="list-style-type: none"> • Will review participant case and advise HTW if participant are appropriate for participation in the Program. • Will not prosecute any pretrial defendant who is participating in the Program. • If participant are unsuccessful in the Program, participant’s charges

Team Member	Roles and Responsibilities
	may be reinstated.
Clerk of Court	<ul style="list-style-type: none"> • Will be responsible for recording all payments made to the Court by you, and any other court documents required by the Program
Program Coordinator	<ul style="list-style-type: none"> • Receive and establish initial contact with new client. • Will coordinate with MOU and team member's special topic sessions during court that focus on health, wellness and sobriety. • Will serve as interagency/interdepartmental liaisons for correspondence, case records, and field notes. • Process semiannual, quarterly and monthly reports. • Process CAIS, GPRA and UA's when needed.
Probation/Enforcement Officer	<ul style="list-style-type: none"> • Will be responsible for updating files and preparing notes relating to participant progress in the HTW. • Will process court documents for Remand order, Warrant, etc. • Will assist participant if participant choose to take part in cultural prevention and intervention practices. • Process update for weekly client list, schedule staffing both WSHC/HTW. • Will monitor participant progress with HTW and the law. • Will serve as interagency/interdepartmental liaisons for correspondence, case records, and field notes. • Process CAIS and GPRA to all participants. • Will perform weekly random home visits and work site visits for clients • Process UA's, records, report for all clients • Weekly check on clients, report release date, ensures client is established working relationship with counselor at WSHC.
Tribal Court Administrator	<ul style="list-style-type: none"> • Serve as Program Coordinator in the absence of the Program Coordinator. • Oversight of program management, reporting, advise, support and recommendations at Drug Court Staffing.
Public Defender	<ul style="list-style-type: none"> • Will provide assistance to the Court in dealing with youth/family situation of any HTW participant. • Will offer advice, support and recommendations at staffing.
Law Enforcement Department	<ul style="list-style-type: none"> • Will be monitoring participant as part of the HTW • Will support all Tribal Court documents that need to be served or processed • Transportation to and from medical establishment when client is incarcerated.
White Sky Hope Treatment Center And Behavioral Health	<ul style="list-style-type: none"> • Will assist with urine and alcohol/drug tests. • Will screen and assess to determine the Level of Care, and services needed for each HTW participant. • Will develop an individualized treatment plan to include Medical Assisted Treatment (MAT), Matrix Model, Interactive Journaling,

Team Member	Roles and Responsibilities
	<ul style="list-style-type: none"> • Will continue to work with participant as participant progress through the Program. • Will provide updates on participant progress in participant treatment. • Will provided 1:1 Individual Counseling. • Will coordinate Inpatient/Outpatient services. • Will provide Group therapy/sessions: Monday thru Friday.
Chippewa Cree Human Services Division	<ul style="list-style-type: none"> • Will provide assistance in dealing with family situations. • May be called upon to evaluate the family circumstances and make recommendations regarding the family situation. • If family assistance is necessary, may provide appropriate services including coordinating off reservation and on reservation programs to aid the family.
Chippewa Cree Temporary Assistance for Needy Families	<ul style="list-style-type: none"> • Will provide services for participants who are eligible. • TANF participants need to be in compliance with HTW in order to be eligible. • GED preparation and testing.
Chippewa Cree Tribal Enforcement Rights Office	<ul style="list-style-type: none"> • HTW participants can be referred to TERO as a resource for training and employment assistance. • Services will be provided for participants who qualify.
Stone Child College /Rocky Boy School/Box Elder School	<ul style="list-style-type: none"> • Will monitor participants who are enrolled in school. • Report on grades and attendance. • Information about opportunities for participants will be provided as a part of educational support for HTW.
Elder	<ul style="list-style-type: none"> • Elders will be consulted when cultural activities are held.

Team Member Meetings

HTW team members shall meet on a weekly basis to discuss progress of active clients. A minimum of 5 members are required to make up a quorum. In making decisions such as accepting or terminating clients, a majority vote must be counted. In case of a tie vote the Judge will break the tie. In cases when the Judge cannot be present s/he may appoint a proxy for the duration of his/her absence.

Target Population

HTW Court will target non-violent participants charged with drug/alcohol related offenses who are a member of a federally recognized Indian Tribe and fall within the jurisdiction of the Chippewa Cree Tribal Court.

Admission Guidelines

Eligibility includes targeted populations that meet the following criteria:

- a. Applicant a member of a federally recognized Indian Tribe or Chippewa Cree Tribe Community Member;
- b. Committed a non-violent crime;
- c. Offense was drug or alcohol related, or drug or alcohol is the underlying factor; such as:

- Supplying quantities of prohibited drugs;
 - Possession and/or use of prohibited drugs;
 - Breaking and Entering/Home Invasion;
 - Vandalism;
 - Trespass;
 - Theft;
 - Disorderly Conduct;
 - DUI;
 - Dangerous or reckless driving; and
 - Any other offense where drugs or alcohol is the primary underlying factor
- d. History of drug or alcohol use;
 - e. Jail-able offense if convicted;
 - f. Ability to comprehend and comply with HTW requirements; and
 - g. Fall within the jurisdiction of the Chippewa Cree Tribal Court

Exceptions to rules regarding jurisdiction concerning potential clients without criminal charges can be made by team vote if a candidate voluntarily admits himself/herself to the HTW Program.

Violent Participant Prohibition

The HTW program receives federal-funding and must comply with the Violent Participant requirement. Due to congressional mandate, federally-funded Wellness Courts cannot accept cases involving a violent participant, described as a person who either:

- (1) is charged with or convicted of an offense that is punishable by a term of imprisonment exceeding one year, during the course of which offense or conduct—
 - a. the person carried, possessed, or used a firearm or dangerous weapon;
 - b. there occurred the death of or serious bodily injury to any person; or
 - c. there occurred the use of force against the person of another, without regard to whether any of the circumstances described in subparagraph (A) or (B) is an element of the offense or conduct of which or for which the person is charged or convicted; or
- (2) has 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.

Eligibility is also determined by a screening process that is defined and described in the program admission guidelines. Those individuals who screen as eligible for the program must be accepted by the team. They may be referred by law enforcement, the Tribal Prosecutor, probation office, court staff, judge, foreign court, or a combination of these agencies, and require a vote by the Healing to Wellness Court team.

Entry in the HTW program may be initiated through:

- a. A binding plea agreement in a criminal case. The participant's Defense Counsel and the Tribal Prosecutor must agree to a sentence to Drug Court. No Drug Court participant will be received into Drug Court as part of an original sentence over the objection of the Tribal Prosecutor. Once a binding plea agreement with a Drug Court sentence has been reached, the participant will be assessed for Drug Court eligibility. Criteria-eligible

participants will be admitted to the Drug Court under the direction of the presiding Judge of the Drug Court. If the participant is determined to be ineligible for Drug Court enrollment, the case will be returned to the referring Judge for a non-Drug Court alternative disposition.

- b. A referral for participants charged with Violation of Probation. The Tribal Probation Officer, the Tribal Court, Defense Counsel, or the Prosecuting Attorney may refer participants to the Drug Court on probation violation (PV) cases any time prior to sentencing on the PV. As in the case for binding plea agreements in a criminal case, participants referred to the Drug Court will be assessed by the HTW Program Coordinator for eligibility as a condition of their acceptance into the Drug Court. If accepted, the PV will be permanently transferred to the presiding Judge assigned to the Drug Court.

Screening Applications

The Program Coordinator will complete a Legal Screening Tool which consists on the following questions and the completion of SMAST, DAST and Kessler Psychological Distress Scale (K6):

1. Is the offense a violent offense? Yes _____ No _____
2. Is offense alcohol or drug related? Yes _____ No _____
3. Does the offender live on the Rocky Boy's Indian Reservation? Yes ____ No _____
4. Age of the offender? 18+ _____ 17 or under _____
5. Has the offender completed a SMAST? Yes _____ No _____ If so, score is: _____
6. Has the offender completed a DAST? Yes _____ No _____ If so, score is: _____
7. Has the offender completed a Mental Health Screening tool? Yes _____ No _____ If so, score is: _____

The purpose of the DAST is a brief, simple, practical, but valid method for identifying individuals who are abusing psychoactive drugs.

The SMAST is a self-scoring test that helps determine if a person has a drinking problem. The Kessler Psychological Distress Scale (K6) is a 6-item questionnaire intended to yield a global measure of distress based on questions about anxiety and depressive symptoms that a person has experienced in the most recent 4 week period. The use of a consumer self-report measure is a desirable method of assessment because it is a genuine attempt on the part of the clinician to collect information on the patient's current condition and to establish a productive dialogue. When completing the K6 the consumer should be provided with privacy.

Assessment tools for evaluation will include SUDDS and CAIS diagnostic tests to determine the participant's addiction severity. Counselors at the WSHC will determine the participant's DSM-V diagnosis, and recommendations will be made for the participant's level of care which may include a Level 3.5 Inpatient, Level 3.1 RTEC, Level 1.0 Outpatient and Level .5 Education/ Minor In Possession. Participants will be given a minimum of 10 days to complete the Chemical Dependency Evaluation.

Participant Records

The participant court records and/or judicial proceedings will be considered in determining eligibility. Each participant case file will include dated intake forms, application, orders, drug tests, GPRA, CAIS, phase progress, and graduation date.

Domestic Relations and other Civil Offenses

There are many instances where substance abuse is a major factor in domestic relations, child/adult abuse and other similar offenses. The effect on families can be devastating. Therefore, in appropriate circumstances, a party in such a case may be ordered into HTW by the Tribal Court as part of the Court's intervention and/or disposition of a case. A recommendation for this action may be made by the Chippewa Cree Human Services Department, the Rocky Boy Health Board or upon the Court's own motion.

The initial screening of the referent will be conducted the same as in a criminal case. The recommendation by one of the HTW Team, as well as a review of the referents past criminal behavior, will be considered for eligibility to the Program.

Chemical Dependency and Behavioral Health Assessments, Evaluations and Treatment

HTW Program staff will refer participants to the Rocky Boy Health Center's (RBHC) White Sky Hope Center (WSHC) and Behavioral Health Departments to evaluate and assess participants within 10 days of acceptance. All assessments, evaluations and treatment plans must be current within 6 months. The HTW Team can request updated assessments, evaluations and treatment plans if participants continue to reoffend or have absconded from the program. As the HTW program is primarily a substance abuse treatment program, WSHC will administer treatment plans and are considered the client's counseling team lead. All staff involved will cooperate to insure clients complete the Matrix Model curriculum as well as receive any additional therapy that is recommended by WSHC Substance Abuse Staff. RBHC's Behavioral Health Department will provide mental health assessments and treatment as deemed necessary and appropriate by Behavioral Health Staff and report compliance and recommendations to the HTW team. Rocky Boy Health Center's licensed addictions and behavioral health counselors serve as the primary behavioral health counseling team for any and all clients in the HTW program. Therefore, all requests by the client and/or previous counselor/agency to continue counseling will not be approved, except as provided below:

- a. If a therapeutic relationship existed prior to admission to the WSHC program, and is requested by the client and agreed to by the counselor/agency and does not interfere, replace or regulate HTW Court services;
- b. In such instances where the request to continue counseling with a non- RBHC employed professional is approved, the Program Coordinator and the counselor/agency must define the parameters for the dual relationship with the client;
- c. If during the client's treatment it becomes necessary for the program staff to request specialized services (i.e. psychiatric care or psychological testing); or
- d. In the event a conflict of interest is apparent and unable to be remedied within the RBHC framework.

How HTW Works

Participant will be required to appear at all court hearings on a regular basis. Each time participant appears in court the Judge will be given a progress report prepared by the HTW Staff

and the Team Members. The report will include progress or problem areas on participant treatment plan, attendance and participation in the various HTW services. A record of payment of any court-imposed fees, restitution, and results of drug tests will also be reported.

The HTW Staff will make field contacts to verify participant residence, schooling and/or employment. During a home visit, Staff will walk through participant residence to verify compliance with the HTW conditions and may talk with participant family members, teachers, mentors or other members of the community to evaluate participant progress. Staff will review any reports from law enforcement or other departments regarding contacts they made with you. Participant will be required to give random alcohol/drug tests. Random drug testing will be used with participants; color coding will determine what participant is to be tested on what day of the week.

If participant is doing well, participant will be encouraged and supported to continue with the Program toward successful completion. If participant are not doing well, the Judge will discuss this with participant and the HTW Team to determine further action. The role of the HTW Team is to assist participant in achieving abstinence from alcohol and other drugs and to help break the cycle of addiction. The Judge may change the requirements of participant treatment plan and the length participant spends in each phase based upon participant progress. The Judge may also impose sanctions for non-compliance.

Getting Started and Phases

Anyone can make a referral to the Tribal Court Judge, Prosecutor or Public Defender. Participant will complete an initial screening and intake with the HTW Staff that includes participant understanding of the contents of the program. Assessments and interviews resulting in a comprehensive, individualized treatment plan that may include: Inpatient, Outpatient treatment, stabilization, monitoring, individual and group counseling, substance abuse education, family counseling, relapse prevention, specialized treatment tracks, life skills groups, and regular attendance at other therapeutic support groups. Participant comprehensive, goal-oriented treatment plan will be specific, individualized, and time-linked, reviewed in regular intervals. To include cultural, educational, vocational active learning practices. (Per WSHC treatment plan individual goals/objectives.) Participant will have random ongoing alcohol/drug testing throughout the Program. HTW Staff will do random scheduled weekly: home visits, work site visits. If participant are attending school (College, GED, High School) a current schedule must be turned in to the staff for verification purposes.

Program Rules/Components

Mandatory Components

1. Intake, application, GPRA
2. Chemical Dependency and Behavior Health Assessments
3. Sobriety
4. HIV and HepC tests and treatment if positive
5. Court Appearances
6. Random Drug testing
7. Education or Employment Requirements
8. Contact with Probation/Enforcement officer and Program Coordinator

9. White Sky Hope Center Counseling and Treatment
10. Recreational Activities that promote sobriety
11. Recovery or Support Groups

Discretionary Components

1. Parenting Class
2. Physical Fitness Activities
3. Behavioral Health Counseling and Treatment
4. Recreation Activities
5. Community Participation
6. Traditional and Cultural Ceremonies

PHASES: The HTW is a minimum 9 month program with 4 phases:

Phase 1: Orientation (minimum 30 consecutive days of sobriety)

Objective: To understand Healing to Wellness and what is expected of each participant

- Referral made by: Prosecutor, Public Defender, Advocate, and Tribal Judge.
- Orientation Process with Project Coordinator/Probation/Enforcement Officer: Intake, GPRA, Assessment and Referral.
- Urine analysis within 24 hours of release.
- Referral to White Sky Hope Center for Intake/Update, Accucare and SUDDS V evaluation followed by recommendations. **(within 10 days after acceptance into the program)**
- Comply with WSHC staff's recommendations for the levels of care which may include a 3.5 Inpatient, 3.1 RTEC, 1.0 Outpatient and .5 Educations / MIP.
- Begin weekly program components; mandatory and discretionary
- Choose a cultural element to begin learning about

Phase 2: Intensive Treatment (minimum of 45 consecutive days of sobriety)

Objective: To complete the recommended treatment plan

- Weekly program components mandatory and discretionary
- Weekly mandatory court hearings
- Random weekly home and work site visits performed
- Random weekly drug testing performed
- Begin weekly mandatory WSHC program requirements
- Begin attending groups: Self Help NA, AA, Morning Meditation, Matrix and Early Recovery Skills, Talking Circle, Cultural, Family and Fitness activities.
- Enroll in educational, vocational activity for GED, self-improvement, Driver's License, employment, etc.
- Job seeking and/or employment
- Participate in a minimum of one cultural activity a week while continuing with cultural learning goal

Phase 3: Maintenance (minimum of 60 consecutive days of sobriety)

Objective: Utilize recovery skills

- Weekly mandatory court hearing

- Continue with mandatory WSHC program requirements
- GPRA 6 month follow up
- Random biweekly home and work site visits performed
- Random biweekly drug testing performed
- Continue attending groups: Self Help NA, AA, Morning Meditation, Matrix and Early Recovery Skills, Talking Circle, Cultural, Family, and Fitness activities.
- Continue educational, vocational activity for GED, self-improvement, Driver's License, employment, etc.
- Continue job seeking and/or employment
- Present recovery story, i.e good bye to addiction(s) to group/court
- Utilize cultural goals as part of recovery

Phase 4: Transition (minimum of 90 consecutive days of sobriety)

Objective: Establish support and mentoring

- Complete all court obligations including fees and costs
- Bi-weekly court check-in
- Random drug testing with a minimum of 90 consecutive days of sobriety
- Present continuing care plan that may include community support meetings, mental health care, outpatient counseling or groups
- Seek out mentorship of knowledge holders/elders
- HISET/continuing education/employment
- Have a stable living arrangement with healthy sober relationships
- Discharged with Staff Approval from WSHC
- GPRA at close out
- Recommendation by Team
- Attend Graduation

HTW Court Rules:

Participant must appear in Court before the HTW Judge every Thursday at 3:00 P.M. to discuss participant progress in the Program. Participant is not excused from attending weekly court hearing. **ONLY IN EXTREME EMERGENCIES AND PRIOR 24 HOUR APPROVAL FROM THE JUDGE AND/OR PROJECT COORDINATOR CAN A PARTICIPANT BE EXCUSED FROM DRUG COURT. DRUG COURT IS MANDATORY.** Participant must remain in court until the Judge dismisses participant from court.

No electronic devices (including cellphones, iPad, etc.) are allowed in the courtroom during court. Appropriate dress/clothing only allowed in courtroom. Vulgar, inappropriate language, actions, threats, fighting will not be tolerated in or near courtroom.

LACK OF TRANSPORTATION IS NOT EXCUSED OR ACCEPTED

Chemical Free Home

All clients enrolled in the HTW program will reside in a chemical/alcohol free residence. Everyone that lives in the client residence must agree to random home visits by a member of the Chippewa Cree Tribal Court Team to assure that this is complied with. All residents must sign the Chemical/Alcohol Agreement Form.

Non-compliance with this agreement can be grounds for denial or removal from the HTW program

Education

If a participant elects to not work or volunteer, they must pursue educational goals. Participants without a high school diploma will be required to enroll in GED classes and complete all tasks assigned by the GED instructor during their enrollment in the HTW program.

Curfew

A curfew of 10:00 p.m. until 6:00 a.m. will be in effect throughout the HTW program for all participants until the HTW Team decides otherwise. Exceptions will be made for conflicts in employment schedule. Possible removal of curfew will depend on the participation and progress of the participant. Permission may be granted by a court team member in the event of an emergency. The participant will be notified if the curfew is changed. If the participant is found breaking curfew by Law Enforcement, clients understand they may be screened for drugs and alcohol by Law Enforcement or a Court Official. Law enforcement will notify the HTW Coordinator and the matter will be reviewed at the next Court Hearing.

Out of Town Travel

If a participant wishes to leave the Rocky Boy's Indian Reservation overnight, participants should:

- a. Obtain a "Request to Travel" form from Program staff and complete it at least one week prior to leaving the area. All requests must be approved by HTW team before travel will be granted.
- b. In case of an emergency that requires a participant to leave the area, the client will contact HTW Judge to get approval. In the event that HTW Judge cannot be contacted, participant will contact a HTW Program staff. Documentation of the emergency shall be submitted to HTW Team upon return.
- c. Upon return, the participant shall take a PBT and drug screen. In some cases when clients may be out of town for a period of more than three days, they may be required to wear a drug screen patch and/or submit to daily PBTs in order to continually monitor sobriety.
- d. If the proper procedure is not followed permission will not be granted except in the case of an emergency.

Bars/Casino Prohibition

All participants are prohibited from frequenting any Bar or Gaming Operations/Facilities (Casino) serving alcohol. If a participant works at a gaming facility then exceptions can be made if written request is approved by the HTW team. Participants may be able to attend special events on a casino property if they secure proper permission from the HTW Judge prior to event. Violations of this policy will result in HTW team approved sanctions.

Incentives/Sanctions

The HTW Program utilizes a variety of rewards to recognize and reinforce progress, and applies a range of sanctions to address noncompliance. Behavior that results in a reward or a sanction will be addressed at status review hearings. Since sanctions are most effective when applied

immediately, participants who have violated the terms of the client contract will be required to report in person at the next scheduled Drug Court hearing to accept the resulting penalty.

These sanctions will usually be followed when participants are identified as low, moderate and high risk and in order as numbered; However, the Judge has the right to alter any according to the circumstances. The HTW Judge does not give up their discretion or independence ultimately, when a consequence has to be imposed due to an HTW participant s noncompliance behavior it is the Judge’s decision.

SANCTIONS POINT SYSTEM

Drug Use Sanctions

Infraction	Sanction								
Drug Use	Minor Sanctions 1-2 occurrences		Moderate Sanctions 2-3 occurrences			Major Sanctions 3 or more occurrences			
Untimely UA with neg. results	3 pts	And 1 or more of the following	-Admonition	5 pts	And 1 or more of the following	-House arrest	10 pts	And 1 or more of the following	-jail
Missed UA	5 pts		-Letter of apology	10 pts		-Home monitoring	15 pts		-Termination
Positive UA- Admission of use prior	3 pts		-essay	5 pts		-Repeat phase	10 pts		-includes minor and moderate sanctions
Positive UA-denial of use prior	5 pts		-community service	5 pts		-increase contacts w/case manager	15 pts		
Submitting (or attempted tainted/diluted-sub sample	5 pts		-curfew	10 pts		-increase court appearances	15 pts		
Misuse of prescription/OTC drugs	3 pts		-lengthen phase			-increase court appearances	10 pts		
Use of prescription drug w/o notification	3 pts		-increase UAs	5 pts		-increase UAs	10 pts		
						-Fine	8 pts		

Behavior Sanctions

Infraction	Sanction								
Behavior	Minor Sanctions 1-2 occurrences			Moderate Sanctions 2-3 occurrences			Major Sanctions 3 or more occurrences		
Lying	5 pts	And 1 or more of the following	Admonitions	10 pts	And 1 or more of the following	-House arrest	15 pts	And 1 or more of the following	-Jail
Inappropriate/disrespectful Disruptive attitude/behavior	5 pts		Letter of apology	10 pts		- frequent home visits	15 pts		-Termination
Use of Inappropriate language or gestures	5 pts		Essay	10 pts		-Repeat phase	15 pts		-Includes minor and moderate sanctions
Inappropriately dressed at court or cultural activities	3 pts		Dress code	5 pts		-Increase contacts with case manager	10 pts		
Negative Behavior w/police with admission	2 pts		Community Service	3 pts		-no contact or association	5 pts		
Negative behavior w/police w/o admission	5 pts		Curfew	10 pts		Increase court appearances	15 pts		
Missed court ordered appointment	5 pts		Increase contact w/case manager	5 pts		Includes minor sanctions	10 pts		
Unfulfilled employment/school requirement-absent evidence of good faith effort	2 pts		Lengthen phase	3 pts			5 pts		
Unsuccessful termination from inpat. Or other TX related facility	5 pts		Frequent home visits	10 pts			15 pts		
Conviction of non-serious offence class I or II criminal offense/comparative or class C traffic or comparative	3 pts			5 pts			10 pts		
Conviction of serious offense-class I or II criminal offense, or class a or B traffic offense/comparative	Automatic Dismissal From HTW								
Threatening behavior against participant, staff, committee member or their family	Automatic Dismissal From HTW								

Attendance Sanctions

Infraction		Sanction							
Attendance	Minor Sanctions 1-2 occurrences	Moderate Sanctions 2-3 occurrences				Major Sanctions 3 or more occurrences			
Late for court hearing	2-3 pts	And 1 or more of the following	Admonition	4-5 pts	And 1 or more of the following	House arrest	8-10 pts	And 1 or more of the following	Jail
Missed court hearing	5 pts		Letter of apology	10 pts		More home visits	15 pts		Termination
Late for TX session	3 pts		Essay	5 pts		Repeat phase	10 pts		Includes minor and moderate sanctions
Missed TX session	3 pts		Community service	10 pts		Increase contacts w/case manager	3 pts + Make up session		
Excused from TX session	Make up		Curfew	Make up		Increase court attendance	5 pts		
Failure to complete TX assignment	3 pts		X 2 assignment	5 pts		Community service	10 pts		
Late for court ordered activity	2 pts		Increase UAs	4 pts		Fine	8 pts		
Missed court ordered activity	5 pts		Repeat current 12 step	8-10 pts			10 pts		
Curfew violation	3 pts		Lengthen curfew	5 pts					
Violation of house arrest	3 pts								
Missed AA/NA meeting	1 pt- make up meeting			2 pts make up meeting			3 pts make up meeting		
Forging 12 step attendance form	5 pts			10 pts			15 pts		
Absconding from program/placement	Gone 1 day – 2 weeks		Gone 2 -6 weeks			Gone 6 weeks or more			
	10-20 pts		30-40 pts			Termination			

Relationship Sanctions

Infraction	Sanction								
Relationships	Minor Sanctions 1-2 occurrences			Moderate Sanctions 2-3 occurrences			Major Sanctions 3 or more occurrences		
Violation of court order prohibiting contact with another person	3 pts	And 1 or more of the following	Admonition Letter of apology Essay Community service Curfew Increase contact	5 pts	And 1 or more of the following	House arrest Home visits Repeat phase	10 pts	And 1 or more of the following	Jail
Violation of Confidentiality	10 pts		Increase w/case mgr Lengthen phase Increase UAs Repeat current 12 step	Termination from Program		Increase contact appearances Increase UAs Fine Includes minor sanctions	10 pts Termination from Program		Jail Termination Includes minor and moderated sanctions

Sanction tables adapted from Healing to Wellness Courts Playbook November 2015 WellnessCourts.org

INCENTIVES

Lower Level Incentives		Mid-level Incentives		High Level Incentives	
Verbal Praise	3 pts	Reduced Supervision	5 pts	Day Trips	7 pts
Small Tangible Rewards	3 pts	Reduced Community Restrictions	5 pts	Travel Privileges	7 pts
Recognition	5 pts	Moderated Tangible Rewards	7 pts	Representative	10 pts
Symbolic Rewards	5 pts	Enhanced Status	7 pts	Large Tangible Rewards	10 pts
Posted Accomplishments	7 pts	Self Improvement Services	10 pts	Legal Incentives	15 pts
Attending HTW Court during 1 st 2 weeks after release	7 pts	Attending every HTW Court during first 3 months	10 pts	Never missed HTW Court beginning to graduation	15 pts
Making Arrangements for all appointments during 1 st week after release	10	Keeping & attending all appointments during the 1 st month on HTW	15 pts	Keeping & attending all appoints during the 1 st 3 months on HTW	20 pts
Negative UA during 1 st 24 hours	10 Pts	Negative UAs during 1 st 2 wks	15 pts	All negative UAs during 1 st	20 pts

of release from RBPD				30 days	
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*All incentives points are to be subtracted from sanction points accrued weekly.

Termination

The goal of the Chippewa Cree Tribe Adult Healing to Wellness Court Program is for each Participant to successfully work through each of the treatment phases to graduation. However, from time to time, a Participant may be unable or unwilling to commit to the treatment process and it may be necessary to terminate the Participant from the program. If the participant reaches 100 points using a sliding scale point system (add points for sanction /subtract points for incentives) the participant will be terminated from the program.

Voluntary Termination

A Participant may elect to be terminated from the program at any time. The court shall determine that the decision to be terminated from the program is voluntarily, intelligently and knowingly made. Upon such determination, the case will be referred back to the Tribal Court and the Prosecutor’s office for stipulated trial, entry of the conviction(s) and for sentencing or revocation.

Involuntary Termination

A Participant may be involuntarily terminated from the program with *discrepancy* by the HTW team and Judge. Participants are required to actively participate in his or her treatment plan, if the participant fails to comply with his or her treatment plans and mandatory components throughout the program. The participant may be automatically terminated from the program, if the participant engages in a conduct that HTW Judge finds to be extremely inappropriate or if the Participant is convicted of an offense of sufficient severity, he or she may be immediately terminated from the program. Upon such determination, the case will be referred back to the Tribal Court.

Appeal Process

A participant may appeal to the HTW team after being terminated from the program. The appeal must be in writing and presented in front of the team.

Point System

The Healing to Wellness Program will utilize a point system and once a participant reaches 100 points they will be terminated from the program. A participant will earn points for sanctions and subtract points for incentives.

Sanctions – add points

Incentives – subtract points

Compliance and Accountability

Compliance means acting in accordance with a request, order or rule.

- Financial Responsibility:

Participant may be responsible for any treatment costs and court-imposed fines as required by the Judge. Failure to maintain financial arrangements may result in program non-compliance. Payment of all fees, fines and restitution is viewed as taking personal

responsibility for participant actions. If financial obligations are part of participant treatment plan, then a satisfactory payment plan must be arranged with the Judge.

- Participation:
All HTW services require active participation and self-disclosure.
- Contract Compliance:
Participant are expected to abide by the conditions set forth in the HTW contract, the treatment plan and any other program components, including taking direction from the HTW Compliance Officer. Violation of any terms of the contract and any illegal behavior will immediately be reported to the Judge who will make the final decision regarding a course of action.

Accountability means taking personal responsibility for actions and/or behaviors that has proven to be a most important aspect to treating alcohol/drug addicted individuals. Honesty and taking responsibility for participant behaviors are strong indicators of accountability. An open and positive working relationship with participant treatment counselor and the HTW Staff is critical for participant success in the HTW.

Drug and Alcohol Screening

Drug and Alcohol screenings are a major component of the HTW Program. The screenings are used to determine substance use and to monitor the participant's progress.

Screenings are conducted on a frequent and random basis. The participant will be drug-screened throughout the entire program as mandated by each phase. It is the responsibility of the participant to seek clarification of guidelines that are not fully understood. Testing will be at a scheduled time as well as on a random basis and may occur any day of the week. Results of drug screens will be reported to the court and maintained in the participant's file.

For the protection of the participant, use of any schedule 1 & 2 drug prescriptions, must be brought to staff for review and approval along with verification by the prescribing doctor. Prior to receiving a prescription, it is the responsibility of the participant to inform the physician of the participant's involvement in the program. All medications will not be automatically approved. Failure to comply with proper procedure or a positive screen (excluding the baseline screen/test) will result in the following sanction(s):

- (1) Second week 1st Recent Use Positive Screen – A Sanction from list of sanctions
- (2) Third week 2nd Recent Use Positive Screen – Community Service (8 hours)
- (3) Fourth Week 3rd Recent Use Positive Screen – more frequent testing
- (4) Fifth Week 4th Recent Use Positive Screen – minimum of 3 days of jail
- (5) Sixth Week 5th Recent Use Positive Screen - Termination, referral to Chippewa Cree Tribal Prosecutor for revocation.

Confidentiality

The HTW conducts all status hearings in an open courtroom. Federal laws and regulations, as maintained by any substance abuse program, including the HTW, protect the confidentiality of the identity of substance abuse treatment participants and their records. Generally the Program may not say to a person outside the Program that attends the Program or disclose any information identifying participant without participant consent. ***The confidentiality an exchange of***

information between the Healing to Wellness Program team members shall be governed by regulation specified in the consent forms and applicable to Rocky Boy Health Board's regulations, including Health Insurance Portability and Accountability Act (HIPPA)

The HTW includes people and organizations outside any specific substance abuse program and it is necessary that each member of the Team be able to communicate with each other about participant progress. Therefore, participant is required to sign the Consent for Disclosure of Confidential Substance Abuse Information Form which allows the Team communication. HTW Staff are not allowed to release any information to third parties except in the interest of participant participation in the HTW. There are exceptions to Staff confidentiality and they include: concern that participant would harm participant self; concern that participant would harm someone else; a report of ongoing child abuse; or disclosed information about a reportable criminal activity.

Education, Vocation and Employment

Part of the recovery process from alcohol and other drug addiction involves developing self-sufficiency and becoming a responsible and accountable person who can make meaningful contributions to family and community. Prior to graduation from the HTW, participant will be encouraged to be employed, in college or in a training program except under special circumstances. Local programs are available to assist for possible education, training and job placement.

Graduation

Once participant have successfully completed Phase 4 of the program, maintained continuous sobriety, accomplished all of the goals and objectives defined in participant treatment plan, participant is eligible for graduation from the HTW. The HTW Team will have the final recommendations about proceeding with graduation depending on participant compliance and involvement with participant treatment. Each graduation in the HTW is a significant event. In recognition of the importance of participant success, the HTW Staff will take the time to make the graduation ceremonies reflect participant hard work and the significance of participant accomplishment. At the graduation, the HTW Judge will dismiss the pending charge(s).

Conclusion

The Healing to Wellness Court Program is based upon the understanding that substance abuse and drug addiction are chronic, progressive, relapsing disorders and behaviors that can be successfully treated. The success of HTW is built on the fact that the post-arrest period can provide for a particularly good opportunity for treatment that will break the alcohol and drug-crime cycle. The HTW will support participant in achieving total abstinence from alcohol and other drugs and assist participant in becoming a productive and responsible person in the community. Participant must be motivated to make this change and commit to an alcohol/drug-free life. This will be hard work on participant part and a continuous commitment to participant sobriety and recovery. Participant is worth the effort and we are behind participant 100%.

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