CHESHIRE COUNTY BEHAVIORAL HEALTH COURT

CLIENT HANDBOOK



NAME:

*Adopted 1/26/22*

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# Introduction: Welcome Letter

Dear Client,

Welcome to the Behavioral Health Court Program (BHC). We are glad that you have volunteered to be here and we look forward to working with you throughout your time in the program. This is a good opportunity for you to make positive life changes, identify goals, and tackle difficult issues. We are committed to walk with you through this, to support you on your journey. You will be fully supported by your BHC case managers. You will also be connected to the appropriate treatment providers for all of your needs. Long term recovery is possible and we offer you accountability and a path to move forward in life.

This handbook is for you to keep. Please take the time to review the handbook. Hopefully it will answer some questions about the program and how the program works. The Behavioral Health Court Team evaluates the program rules and requirements on a regular basis, and this handbook will change when the need arises.

Sincerely,



Elizabeth M. Leonard

Presiding Justice

# Mission of the Behavioral Health Court Program (BHC)

The Mission of the Cheshire County Behavioral Health Court Program is to provide an effective and meaningful alternative to the traditional justice system for criminal court-involved individuals with severe and persistent mental health disorders, including substance use disorders. Serving as a bridge between the local criminal justice and mental health systems, the program promotes prompt intervention and ease of access to education, treatment, and recovery in order to improve the quality of clients’ lives while maintaining accountability for criminal conduct, reducing recidivism, and improving community safety.

The BHC Team will be there for support, but you will ultimately determine your success in the program and in your recovery.

## Program Description Overview

Once assessed for eligibility and motivation, you will be court ordered to participate as a bail requirement (pre-trial) or as a sentencing agreement or addendum (post-trial). You will meet with your assigned case manager to discuss treatment needs and sign your service plan. The plan may include attending individual therapy, intensive outpatient treatment, residential treatment, urine screenings, self-help meetings, etc. The minimum time requirement for the program is three (3) months and can continue up to one (1) year depending on your level of need. Throughout the program, you will meet with your BHC case manager weekly and attend judicial court reviews monthly if your case is in Superior Court. There is no cost to participate. You will use your medical insurance to cover treatment needs and urine screenings.

# The Behavioral Health Court Team

While most of your work in the program will be with the clinical case manager assigned to you after assessments, the team may include the following members:

* Superior court judge and/or circuit court judge
* Program coordinator
* County attorney/assistant county attorneys
* Public defender/defense counsel
* Clinical case manager
* Probation/parole officer (PPO) from Cheshire County
* Representative from County Department of Corrections
* Treatment provider(s)
* Other provider(s)
* Case managers from Monadnock Family Services and other support staff

# BHC Program Components

In order to be admitted into the BHC, you must be either sentenced to the program or have it added as a condition of your bail. The clinical case manager will complete your bio/psycho/social assessment, to identify particular areas requiring intervention (i.e. substance of choice, medical history, home/relationship environment, employment, and/or education). They will then implement appropriate referrals based on this assessment and will monitor all aspects of your progress from intake to discharge planning. If you meet criteria for a substance use disorder your level of need for Colorline attendance will also be determined at intake and a color will be assigned to you. You will meet weekly with your case manager during the entirety of the program that will last at a minimum three (3) months and up to one (1) year or more based on level of need. Additionally, you may be required to attend monthly judicial reviews either in person or remotely (by video).

# Successful Completion

In order to successfully complete the BHC program the following minimum criteria should be met:

* Minimum of 90 days in the program;
* No pending charges or new charges;
* Full adherence to your service plan;
* You must have at least sixty (60) days of negative urinalyses or as deemed clinically appropriate by your case manager;
* No missed urinalyses for thirty (30) days;
* You must be engaged in treatment continuously for the past thirty (30) days (meaning no missed obligations).

Shortly before your anticipated completion of the BHC program, you will review your service plan with your clinical case manager to determine your readiness to complete the program. All of your compliance with the above stated criteria will be reviewed. You will be notified of your completion date by your case manager and will receive a completion certificate along with an incentive for all of your hard work during your final judicial court review.

# Behavioral Health Court Rules

Clients are required to abide by the following rules, including, but not limited to:

1. Clients must not use, sell, possess, distribute, transport or be in the presence of any controlled drugs, mind-altering substances, supplements or synthetic substances.

* Clients must completely refrain from the use of any alcohol or other non-prescribed medications.

1. Clients must keep their clinical case managers, treatment, and PPO, if applicable, informed of their current address at all times.

* If on probation, clients must obtain permission from their probation officer to change addresses/residences. They must fill out a change of address form with probation prior to moving.

1. Clients must provide their current telephone number to the Behavioral Health Court case manager, their treatment provider, and their probation officer if applicable. All clients must have their voicemail set up on their phone. Clients must notify BHC of any change in phone number and check voicemail daily and make sure voicemail is not full.
2. Clients must dress appropriately for court and treatment sessions and always address the judge in a courteous and respectful manner whether court is in person or virtual. No shorts, tank tops, sunglasses, or hats in the courtroom.
   1. No use of cellphones in the courtroom;
   2. No smoking or eating during court sessions;
   3. No chewing gum in the courtroom.
3. Throughout the program, clients can expect to have regular random drug tests weekly.
4. Clients must maintain residency within Cheshire County throughout the time they are in the program.
5. Clients will be required to sign paperwork, such as release of information forms, so that their case manager can obtain information from their providers and share information about them and their progress.
6. If applicable, clients must sign a urinalysis policy with their case manager and abide by its terms.
7. Clients must work towards obtaining health insurance once accepted into the Behavioral Health Court Program. The program can assist with this process.
8. A client may only use cannabis if it is prescribed by a doctor. Additionally, they must provide a valid medical cannabis card to their case manager. All cannabis purchases must be made at a valid dispensary. Clients must provide receipts to their case manager.
9. Clients must attend all scheduled treatment and individual sessions. This includes individual and group treatment, as well as self-help meetings.
10. Clients will complete all assignments that are provided and are expected to present them to their clinical case manager on the given due date.
11. Clients are expected to be on time to all BHC Program related obligations.
12. Clients should have a transportation plan in order to attend all of their BHC related obligations. Note that health insurance may cover transportation for some medically-related obligations.

**NOTE: Failure to follow any of these rules may result in a sanction or possible discharge from the BHC program. Discharge may result in a violation of bail and/or imposition of a suspended or deferred sentence.**

# BHC Program Service Plan

**CHESHIRE COUNTY BEHAVIORAL HEALTH COURT**

***Court Ordered Service Plan***

Client’s Name:

DOB: Date:

## Program Requirements

\_\_\_\_\_\_\_\_\_\_\_ Length of program 12 weeks (minimum) to 52 weeks

\_\_\_\_\_\_\_\_\_\_\_ Attend \_\_\_\_ AA/NA self-help group meetings (or other approved group) per week for the duration of program with written evidence of attendance.

\_\_\_\_\_\_\_\_\_\_\_ 1 or more (as deemed necessary) weekly meetings with clinical case manager.

\_\_\_\_\_\_\_\_\_\_\_ Psycho-educational weekly group attendance if deemed necessary.

\_\_\_\_\_\_\_\_\_\_\_ Random alcohol and urine testing as directed by clinical case manager. You are responsible for urinalysis confirmation testing if a positive screen is contested.

\_\_\_\_\_\_\_\_\_\_\_ Total abstinence from all illegal drugs, alcohol, marijuana, Kratom, bath salts, or other synthetic psychoactive (or mind-altering) products. This includes some prescription medications unless prior approval obtained from clinical case manager.

\_\_\_\_\_\_\_\_\_\_\_ Assigned therapeutic treatment program (may include individual, intensive outpatient program, residential program, medical intervention and medication follow up appointments, involvement in ACT or RSS service or any combination of treatment services).

\_\_\_\_\_\_\_\_\_\_\_ Attend monthly reviews in court or on an as needed basis.

\_\_\_\_\_\_\_\_\_\_\_ Maintain use of all your prescribed medications and take them as prescribed.

\_\_\_\_\_\_\_\_\_\_\_ Other requirements (job search, educational classes, etc.):

## Non-compliant Behavior

Non-compliant behavior includes, but is not limited to, the following:

* Missing more than 2 case management meetings in a 12 week period. Being more than 15 minutes late will be considered an absence.
* Failure to comply with the program requirements (i.e. not taking your medication, not attending random urine screens etc.)
* Missing multiple appointments with your treatment providers or 2 consecutive appointments.
* Any new legal cases (especially if violent or drug/alcohol related).
* Unwillingness to participate in the program.
* Use of alcohol or other drugs (other than your prescribed medications) including synthetic drugs (i.e. Kratom, bath salts, K2, etc.) or misuse of your prescription medications.
* Revoking any or all of your Release of Information forms.
* Behavior or suspicion of behavior that cause safety concerns to self or others as perceived by clinical judgment of the clinical case manager.

## Sanctions

Sanctions for non-compliance may include, but are not limited to the following:

\_\_\_\_\_\_\_\_\_\_\_ Discharge from the program and imposition of a portion of your sentence or the entire sentence.

\_\_\_\_\_\_\_\_\_\_\_ Revocation of your bail if in Behavioral Health Court on a pre-trial basis.

\_\_\_\_\_\_\_\_\_\_\_ House arrest and/or curfew imposed.

\_\_\_\_\_\_\_\_\_\_\_ A modification of your Court Ordered Service Plan.

\_\_\_\_\_\_\_\_\_\_\_ Imposition of a portion of your sentence while continuing in the program upon release.

## timing of hearings

As a condition of participation in the program, a court proceeding may take place on short notice to address non-compliant behavior, or otherwise as deemed appropriate by the court.

Your network provider is (may be assigned after program assessment):

**I UNDERSTAND AND AGREE TO ALL CONDITIONS AND REQUIREMENTS.**

Program Client’s Signature:

Clinical Case Manager’s Signature:

Start Date:

# Contingency Management Program

During your time in BHC, you may be participating in a contingency management program that is designed to reinforce and reward positive behavior and progress using motivational incentives. Weekly fishbowl drawings will be used for this program.

An example of behavior subject to reward is attendance for the Colorline urine screens. Each time you show up to the laboratory for your color on a given day, you will be eligible to draw from a fish bowl the following week during your case management session. One (1) draw per urine screen attended that can add up to a maximum of eight (8) draws per case management session. If you miss a urine screen, you will not be eligible to draw at your next case management session and will then revert back to the beginning starting with one (1) draw. Possible prizes include motivational sayings, $5, $10, and $20 gift certificates, and $1 prizes to choose from. This program will last twelve (12) weeks for each client.

# Random Drug Testing: Urinalysis (UA) Policy

Recovery from alcohol and other drugs is a fundamental requirement of the Behavioral Health Court Program. To address your progress in recovery and help with treatment planning, regular urine screens will be conducted with Dominion Laboratory’s Colorline and lab. It is your responsibility to check the Colorline Monday through Friday by **calling (603) 417-4022 code 16762** or check the web site ([www.cheshirebehavioral.com](http://www.cheshirebehavioral.com)). Because the tests are random, your color may come up on any of these days, no matter how many tests you have had in recent days or in any given week. You are expected to show up for all observed urine screens when your color is chosen on any given day as this is part of your service plan agreement and therefore mandated by the court. Updates to the court, prosecutor and defense attorney are provided by your case manager every three weeks and include these results.

Screenings will take place at the Dominion Diagnostics Lab office located at **180 Emerald St. Suite 202 inside the Silk Mill between the hours of 8:00 a.m. and 4:30 p.m**. Please note: they are ***closed for lunch from 1-2pm*.**

Full compliance with urinalysis testing requirements may result in any of the following incentives:

* Full compliance will result in a fish bowl drawing the following week (one (1) draw per urinalysis given) to increase up to eight (8) maximum drawings weekly. This will end after a twelve (12) week period.
* Prizes may be: motivational inspirational quotes, $1 assorted prizes, $5, $10, and $20 gift cards.

Failure to comply with this requirement may result in the following action(s):

* All unexcused/missed drug tests may count as a positive test for alcohol/drug use and addressed in court. You will also lose your fishbowl drawing the following week.
* The first missed drug screening will result in a verbal warning and you will be asked to provide a makeup urinalysis the following day. If you miss the makeup, that will be an additional missed urinalysis.
* The second missed test will result in the requirement of providing a urinalysis the following day and writing an essay to address the issue and discuss with your case manager.
* The third missed test will result in being required to text the colors daily to your case manager by 8:00 a.m.
* The fourth missed test will result in double colors for a period of time to be determined by your case manager.
* The fifth missed test will result in daily urinalyses regardless of color.

Continued missed tests or not complying with previous sanctions may result in notifying the court, the prosecution, defense counsel, and probation if applicable, to schedule a hearing at which time the Court may impose an appropriate sanction including a possible jail sanction.

A fifth or more missed tests could result in termination from the program in which the Court will then determine the outcome; this may include any imposition of some or all of your suspended sentence, and/or revocation or modification of bail.

## Urine Testing Process

* Client is escorted to the restroom by a trained monitor.
* All coats, jackets, packages, backpacks, etc., shall be left outside the restroom.
* The monitor will wear protective gloves when handling urine samples.
* A label will be completed by the monitor indicating the date, time and name of client.
* The client must wash their hands with soap and water and dry them completely before and after the collection process.
* The monitor must directly and fully observe all sample collections. This may involve the removal of certain items of clothing or pulling down pants, skirts or undergarments and pulling up dresses, shirts, or undergarments. At the monitor’s discretion, a pat down may be conducted.
* The monitor must be able to fully observe the passage of urine directly into the container.
* Upon completion of the collection, the client shall wipe off any excess liquid with a paper towel.
* The client shall secure the lid on the container, place a sealing strip around the container, and affix the label to the outside of the container.
* The sample shall be stored appropriately in a refrigerator or freezer until collected by the lab.

## Positive Test Result

The following will be considered a positive test result:

* **Dilution** – Dilution is defined as the following- Adding liquid to the sample or drinking excessive amounts of water/fluids to achieve a drug concentration below the threshold. Because there is no way to determine whether a dilution is intentional or accidental, and because research shows that the majority of dilutions are, in fact, intentional, we consider all dilutions to be positive tests. To avoid unintentional dilutions, avoid excessive amounts of water or other beverages before testing. Sanctions for a diluted urinalysis result may vary depending upon all of the circumstances of your case. A dilution will automatically result in the resetting of the number of days proof of abstinence. A dilute specimen, by definition, is a urine specimen that has a creatinine level of less than 20 g/dl, but greater than 2 g/dl, and a specific gravity of 1.0200 or less.
* **Adulteration** – adding a chemical masking agent to the urine to inhibit the testing procedure.
* **Substitution** – replacing a legitimate urine sample with an alternative.
* **Refusal** to produce a sample.
* **Inability** to produce a sample of sufficient quantity.
* **Inability** to produce a sample after 60 minutes.

Should a client request lab verification of a positive test result based on the above conditions, the client is responsible for payment of an outside lab fee if it is returned with a verified, positive result.

These procedures follow the policy and training protocols of the New Hampshire Probation/Parole Department.

# Medication Assisted Treatment

The Cheshire County Behavioral Health Court Program recognizes that addiction to illicit drugs and alcohol is, in part, a neurological or neuro‐chemical disorder characterized by chronic physiological changes to brain regions governing motivation, learning, attention, judgment, insight, and affect.

As a result of this, the Cheshire County Behavioral Health Court Program allows medication assisted treatments (MAT) for opioid addiction – including, but not limited to antagonist medications such as naltrexone, and partial agonist medications such as buprenorphine and agonist medications such as methadone to be administered during enrollment in the Behavioral Health Court Program. Medication assisted treatments have been proven through rigorous scientific studies to improve addicted persons retention in counseling and have been known to reduce illicit substance use, re‐arrests, technical violations, re‐incarcerations, hepatitis-C infections, and mortality. The availability and use of MAT for addiction is endorsed by leading scientific and practitioner organizations in the substance abuse treatment field.

# Termination from BHC

Warrants, new arrests, or a violation of any aspect of your service plan, rules of probation (if applicable), and/or bail order (if applicable) may result in being terminated from the BHC Program.

**NOTE: Failure to follow any of the BHC rules may result in a sanction or possible termination/discharge from the BHC program.**

Violations which **may** result in termination/discharge include, but are not limited to, the following:

* Refusing substance use treatment or failure to give consent to release of information or revocation of a release of information;
* Failure to comply with the requirements of the recommended level of treatment;
* Consistent lying or dishonesty;
* Failure to comply with the drug testing policy, housing policy, or a court order;
* Committing a new criminal or violation-level offense;
* Falsifying or adulterating urine tests;
* Long term cannabis use without providing a medical cannabis card;
* Violence or threats of violence directed at anyone;
* Absconding from the program.

Violations which **will** result in termination include the following:

* A new arrest/conviction of an offense that is defined as a “violent” offense.

The final decision to terminate you from the BHC Program will be at the discretion of the BHC clinical case manager.

# Optional Additional Program: Cheshire County Restorative Justice

The Cheshire County Restorative Justice (CCRJ) process is based on the idea that all harmful acts are a violation of people and relationships and, consequently, create obligations to “make things right.” CCRJ seeks to engage all individuals, who have been impacted by a harmful act, to collectively search for solutions that promote accountability, reconciliation, and reassurance using a circle process. CCRJ may or may not be appropriate for any particular case in Behavioral Health Court depending on the circumstances of the individual case and the wishes of the individual involved.

## Benefits

The person who was harmed experiences an empowering process of justice that’s focused on ensuring that their voice is heard, their questions answered, and their obligations fulfilled.

The person who committed the harm experiences a supportive process of justice that challenges them to actively demonstrate accountability for repairing the harm done.

The community experiences an active process of justice that promotes solution-focused and community-led strategies for addressing and preventing acts of harm.

## Circle Members

Usually the circle is made up of 8-10 members: the persons directly impacted by the harm, support persons if necessary, CCRJ volunteers, and community representatives.

Between each circle session, CCRJ team members maintain regular and timely communications with the persons impacted by the harm to ensure that their needs are met and obligations are fulfilled.

A CCRJ team member will be available to meet with Behavioral Health Court team members on an as-needed basis and participate in court sessions if required.

## Circle Process

### Circle 1: Harms & Obligations (60-90 minutes)

This circle focuses on understanding the harm done, its impact on other people and relationships, and the resulting needs and obligations that need to be fulfilled in order to repair the harm. Once the stories are told and questions asked, circle members will identify and agree upon a detailed plan of action for the person who committed the harm to fulfill those obligations.

Depending upon the nature of the harm done and the needs of those who were harmed, all restorative obligations will be accountability-based and may include financial restitution, letters of apology, and community re-engagement projects.

### Circle 2: Accountability (60 minutes)

During this circle, the person who committed the harm provides a detailed update on the progress they are making towards fulfilling their obligations, including identifying any obstacles that need to be overcome. Circle members confirm their commitment to the process by identifying potential solutions and offering appropriate support.

### Circle 3: Reassurance (60 minutes)

In the final circle, all members reconvene to celebrate the obligations fulfilled, recognize the relationships that have been “made right,” and reflect upon the lessons learned throughout the process.

## Referral Criteria

Some common criteria for a referral include:

* The person who was harmed by the act must be in agreement with this option. He or she may not want to participate directly in the circle process but could choose to be represented by a CCRJ team member.
* The person who committed the harm must admit to the wrongdoing and be willing to demonstrate accountability for repairing the harm.
* The person who committed the harm must be meaningfully engaged with and successfully meeting the expectations of the Behavioral Health Court program.

## Initial Interview

* Once the Behavioral Health Court team makes a referral, we would schedule an initial interview with the people impacted in order to prepare them for the circle process. During the interview we would let them know that the CCRJ process is ***voluntary, accountability-based, community-focused, and confidential*** and would comply with all Behavioral Health Court guidelines.
* For the person who committed the harm as well as those who were harmed, we would describe how the circle process works, who could be involved, and how long it would take. Generally speaking, the restorative process can be completed within 45-60 days.
* If the individuals are willing to participate, we would schedule them for the opening circle, which would be scheduled at a date, time, and location with 21 days.
* Prior to closing the initial interview, we would ask the individual to consider the following question: “What do you think needs to be done in order to repair this harm for you?”

## Documentation

CCRJ would need any terms or conditions imposed by the courts or any Behavioral Health Court policies that would prevent the persons who were impacted by the harmful act from successfully fulfilling their obligations “to make things right.”

# Important Numbers and Contact Information

|  |  |  |
| --- | --- | --- |
| **Name** | **Title/Role** | **Contact Information** |
| **Colorline** | Urinalysis random selection | **Phone**: 603-417-4022  **Code**: 16762  **Website**: [www.cheshirebehavioral.com](http://www.cheshirebehavioral.com) |
| **Ashley Chaffee, MS, MLADC** | Clinical Case Manager | **Phone, cell**: 603-499-6736  **Phone, office**: 603-355-0157  **Fax**: 603-355-0159  **Email**: achaffee@co.cheshire.nh.us |
| **Judy Gallagher, MA, MLADC** | Senior Clinical Case Manager | **Phone, cell**: 603-209-1824  **Phone, office**:603-283-3319  **Fax**: 603-355-0159  **Email**: [jgallagher@co.cheshire.nh.us](mailto:jgallagher@co.cheshire.nh.us) |
| **Alison Welsh** | Program Coordinator | **Phone, cell**: 603-209-6467  **Phone, office**: 603-357-1827  **Address**: 33 West St., 2nd floor, Keene, NH  **Email**: [awelsh@co.cheshire.nh.us](mailto:awelsh@co.cheshire.nh.us) |
|  | New Hampshire Public Defender Office | **Phone**: 603-357-4891 |

# Agreement to Follow the BHC Rules

This workbook outlines the basic principles, protocols, and procedures of the Cheshire County Behavioral Health Court Program. Should you have any questions along the way, please be sure to reach out to your case manager. We want you to be successful during this program and far beyond your time with us. We recognize that it won’t be easy, but we feel you are well worth it! The ultimate goal of the program is to help you make positive life changes, identify goals, and tackle difficult issues. Your case managers are here to guide you, and to be of assistance, but ultimately the final responsibility is yours.

By signing this, I , acknowledge and agree to follow all of the rules in the Behavioral Health Court Handbook. If I have any questions, I will contact my case manager.

Client signature Date

Case manager Date