

WHAT ABOUT THOSE WHO VIOLATE THE STAR COURT TERMS?

Depending on the disqualifying action or event, the STAR Court participant can be sanctioned through increased supervision, increased frequency of contact with Probation, increased therapy, more frequent court appearances, assignments, demotion to a previous phase, curfew implementation, flash incarceration, or in the most severe circumstances, termination from the STAR Court program.

Termination from the STAR Court program can occur at any time, and the decision will be made by the STAR Court team and the judge.



SUPERIOR COURT OF CALIFORNIA,
COUNTY OF KERN
1415 Truxtun Avenue
Bakersfield, CA 93301

<http://www.kern.courts.ca.gov/>

STAR Court (Sustained Treatment And Recovery Court)



Expanding
Compassion in the
Criminal Justice
System

Kern County Superior Court

Phone: (661-868-4934)

How this Court will make a difference

The correctional facilities in this country have increasingly become mental health treatment facilities.

The Kern County Sustained Treatment and Recovery (STAR) Court is a collaborative court designed to break the cycle of criminal recidivism for people who suffer from a serious mental illness. It is available to felony defendants who have a serious mental illness. Participants are subject to intensive Probation supervision and Mental Health Services tailored to address the problems leading to criminal behavior. The goal is to connect the participants with mental health services, including substance use counseling, and to meet other needs such as housing, medical treatment, benefits, education, and vocational training. Participants attend court every one to three weeks, where they receive encouragement and support from the judge and all partner agencies. Participants advance through three program phases with increasing independence and responsibility. The ultimate goal is graduation and the ability to continue with mental health services without the need for court supervision.

STRUCTURE BASICS

Referrals for evaluation for STAR court eligibility may be made by the defense attorney at any time prior to sentence being imposed. Most referrals occur at the preliminary hearing stage.

Some defendants are presumptively excluded from STAR Court and may be admitted only upon unanimous approval by the STAR Court partner agencies and the court. They are as follows:

Prior convictions or a current charge of a three-strike offense

Prior convictions or a current charge involving gang violence or sexual misconduct;

A history or current charges involving significant violence;

Prior convictions or a current charge alleging sales of illegal drugs or possession of drugs for sale.

Treatment Plan

REFERRAL PHASE

Assessment

In the Referral Phase, each STAR Court partner agency will evaluate the potential participant's needs. The potential participant will be evaluated by a psychologist from Mental Health and receive a risk assessment from Probation. On the day of the hearing, the STAR Court Team will participate in a case conference to evaluate and discuss the likelihood of the potential participant's success in the program. If the person is not presumptively excluded, the team attempts to reach consensus, but the judge makes the final decision about admission into or exclusion from the STAR Court program. If the potential participant is presumptively excluded from the program, the District Attorney can agree to the person's participation, but can also veto the person's admission into the program. If the person is accepted into the STAR Court program, the court will order the most appropriate placement, which may be a sober living home, a substance use treatment facility, independent living, or other alternatives. The person is welcomed into the program, given a STAR Court passport,

ordered to comply with all reasonable directives of Probation and Mental Health, to refrain from alcohol and illegal drug use, and to obey all laws.

During court hearings, participants will receive applause when they have followed the program requirements during the preceding week. Each person receiving applause is entered into a drawing for an incentive, such as a gift card, journal, coloring book, key chain, or a calendar.

ENTRY

Entry Phase

When a defendant is approved for STAR Court, he or she will enter a plea with an agreed upon reward for successful completion of the program (such as reduction of the charge to a misdemeanor) and an agreed upon maximum sentence in the event of failure. A case plan will be developed by Mental Health, taking into account all of the participant's needs, including psychotropic medication, individual and group therapy, substance use counseling, medical treatment, housing, benefits, education, and community resources. Goals for the participant will be outlined and adjusted throughout the program. Participants will also be closely

supervised by their Probation Officer, who will meet with them individually to outline the specific terms of probation in their case and to explain the Probation Officer's expectations and the program requirements. The Probation Officer will meet with the participant frequently, often on a weekly basis.

PHASES 1- 3

Program

There are three substantive phases of the program. If the participant's criminal charges involved drugs, or if there are issues with alcohol or other drugs, substance use treatment will be included in the program. The case plan will be modified as more is learned about the needs of the participant. Mental Health and Probation communicate with each other, as each will interact with the participant on a weekly basis. The STAR Court team will discuss the participant's needs, progress, and goals at each case conference before the status hearing for the participant.

In each of the passes, the participant will attend individual and group therapy to address the behavioral health and

substance use needs of the individual. Additional groups may be added as needed, and the participants will graduate from groups and participate in new groups as they progress through the program phases. These groups include those focusing on anger management, stress reduction, healthy relationship skills, and other issues.

As the participant progresses in the program, education and vocational training will be added to the other programs, if appropriate. The participant will be increasingly engaged in the community, with the ultimate goal of becoming functionally independent when court supervision ends with graduation, although mental health treatment will continue to be available when the program ends.

By the end of Phase 3, the participant will be planning for and looking forward to graduation from the program. The participant and the team will develop a Wellness and Recovery Action Plan to guide the participant's continuing success after graduation.