

Community Action for Recovery and Diversion (CARD)

Feasibility Study Findings

Prepared by Jan Herrold, Consultant, June, 2019

Introduction

The CARD project, initially known as Project 2020, began eighteen months ago when Judge Craig Trebilcock realized that the Opioid Treatment Court was not countering the adverse impact of York County's opioid crisis to the extent necessary.

At the same time, the growing number of families experiencing seriously consequential negative impacts related to the opioid epidemic was increasingly alarming Judge Kathleen Prendergast. More and more children are being left without parents due to overdose deaths, suffering trauma as a result of finding unconscious, impaired parents, or being removed from the home due to their parents' addictions.

Judge Trebilcock realized that the wrong approach and tools were driving the longer-term results. The Heroin/opioid crisis was not a Justice problem. It was a public health emergency that had a justice component. The judge noted that many of the individuals with addiction issues had serious mental health drivers, including childhood and sexual trauma that led them to substance abuse. It would take the coordination of the Public Health and Justice communities to reverse the rising number of deaths, destroyed families, and crime.

In response to the urgent need for course corrections within the Criminal Justice and Family Court systems, Judge Trebilcock assembled a Core Group¹ of individuals representing the courts, relevant agencies, and treatment/service providers. Their charge: to take a step back, get a clear-eyed understanding of York's Criminal Justice/treatment/human services system, learn how other communities are achieving success in this space, and chart a path forward. Their aim: to generate "best outcomes" for individuals with mental illnesses and/or substance disorders who become involved with the criminal justice system.

The Core Group has been meeting at least bi-weekly for the past eighteen months. Their key findings:

- Individuals are reaching the Opioid Treatment Court too late into their involvement with the Criminal Justice system for rehabilitation to succeed.
- Opioid-involved parents are catastrophically endangering themselves and their children at unacceptable rates.
- The Criminal Justice system, treatment providers and human service agencies and organizations operate largely as a collection of silos. This creates an environment that, at best, is difficult and frustrating for individuals seeking necessary treatment and services. At worst, individuals fall through the cracks.

- The siloed system of care has spawned numerous initiatives that have overlapping missions and goals, stressing staff members who are assigned to various work groups, task forces, committees, and coalitions, and leading to competition for limited resources.

After considerable research, review and discussion of promising practices and relevant case studies, the following overarching strategies emerged:

- Institute a Criminal Justice early diversion program to move qualified individuals into needed treatment and services as quickly as possible.
- Rapidly resource and deploy a Family Drug Court program – a voluntary program for families that are involved with the Office of Children, Youth and Families and assessed to be at high risk of substance use disorder-related overdose or death – but not involved in the criminal justice system. (Note: Judge Prendergast has already accomplished this, and did so in a very short period of time.)
- Transition from a silo-based system of independent programs and providers to an aligned and collaborative network of agencies, organizations, and providers that collectively have the will, the capacity, and the tools to deliver timely and seamless evidence based services.

At its core, the CARD project is largely an initiative about significant change and adaptation across very complex civic systems. It is only to a lesser extent about engineering and implementing technical “fixes” within individual components (silos) of the system. It is an initiative to confront a Public Health crisis through very significant and coordinated change within our Criminal Justice, Family Court, and Health and Human Services system. It seeks to expand the lessons learned during 20+ years of Treatment Court success across the entire Criminal Justice and Family Court systems, where identical substance abuse and mental issues affecting thousands of York Countians have remained under-addressed in the past.

The Question of Feasibility

Given CARD’s intrinsic complexity and related execution risks, is it reasonable to believe that we can successfully design, fund, and implement the needed change within our existing systems? And, will successful implementation deliver desired outcomes²?

Consultant Assessment: Based upon thirty-five interviews with a range of community leaders, funders, providers and stakeholders³, as well as review of a number of case studies and after reports of programs working successfully in this space⁴, it is my opinion that, “yes” we are up to the task of building an aligned network of programs and services capable of reversing the trajectory of the devastating consequences of substance abuse disorder and mental health challenges in York County.

Indeed, concrete progress has already been made. The Family Drug Court and York County Office of Children Youth and Families had all necessary resources, policies and procedures in place to launch the Family Drug Court in March 2019. Several families entered the program that month. It is still too early to assess outcomes, but early lessons learned will help inform any needed course corrections and identify new opportunities and challenges. It will take more time and resources to get an early diversion program up and running in the Criminal Justice System, and even more resources and time will be needed to achieve a truly aligned and collaborative system of treatment, services and support.

Based on what I was able to observe and learn during the course of the feasibility study, I am confident York can achieve the change and results that are envisioned in this report. It won't be easy and it won't be quick, but evidence from other communities suggests that necessary institutional, system and cultural change is possible - and meaningful positive outcomes can be achieved over time.

Essential elements of success – as identified by communities that have made the journey before us

1. Committed Leadership:

Judge Trebilcock has provided leadership to this project for the past eighteen months. With the support and hands-on help of a committed Core Group of agency heads and experts in the field, the initiative is now poised to seek expanded community support and move into the implementation phase.

Current status: project leadership is being transitioned to reflect the move from learning and planning into implementation. A four-person Implementation Team⁵ has been formed to put the following in place:

- A full-time project director
- Funding for the first three years of operation
- An advisory Leadership Council to provide wisdom, perspective, advice and support – and to hold the initiative accountable for moving forward at a steady pace

Judge Trebilcock will continue in the overall Project Leader role, and will also serve in the lead role for both the Implementation Team and the Leadership Council.

2. Ability to measure and track milestones, progress and valid outcome indicators:

Implementation Team members recognize that this is a critical area for the CARD Project. They understand that partner providers, organizations and systems need to be connected and driven forward by a common set of data, metrics and goals. It is the analysis and interpretation of data and metrics that will help reveal opportunities for coordination and collaboration, and that will build shared accountability among project partners. The Team is keenly aware that much remains to be done in terms of building a reliable information system that is equally useful in identifying and tracking project priorities and informing strategies and tactics of individual organizations and systems.

Current status: The Implementation Team has identified a critical need for (a) an inventory and map of current services, systems and processes, (b) a common set of valid and meaningful outcome measures, and (c) a robust system for collecting and managing data, and reporting outcomes and trends. A preliminary conversation has been held with Dominic DelliCarpini and Vinnie Cannizzaro of the Center for Community Engagement at York College and they have expressed serious interest in working on this aspect of the CARD initiative.

Note: the goal of CARD is to improve Public Health and Justice outcomes in York County. But, with reliable data that can be evaluated and used to inform priorities and strategies, the project has the potential to become a statewide model.

3. Cooperation and Collaboration

Virtually every case study and after-report we've reviewed has named this as the most challenging barrier to success. In York, as in other communities, essential partners have diverse priorities and motivations. They work in different sectors, they have different funding models and they are accountable to different stakeholders. Some see themselves as competitors. Most agree that it is fair to say they are working in silos, to the detriment of those they serve and the community as a whole.

Current status: members of the Core Group and the Implementation Team "live" in this system of silos. They know it is not unusual to find that multiple entities are working on the same issue – separately and unaware of each other's efforts. And they know that it is frustrating and counter-productive. They also know this project presents an opportunity to tackle the issue head on, with a new level of insight and energy, as well as a clearer roadmap to success.

The preliminary 3-year budget allocates funds to engage experienced consultants, advisors, and facilitators to help put evidence-based collective impact infrastructure in place to support this project – and to provide a platform for improved collaboration, efficiency and effectiveness across the criminal justice, treatment and human service systems.

4. Evidence-based approaches and Practices

When we talk about evidence-based practices, we are talking about practices that have been rigorously researched and found to be effective. The court reform programs reviewed as part of the planning process all attributed their success, in part, to the positive impact evidence-based practices have had on their outcomes. On the other hand, they also caution that there are no easy answers to complicated problems, and that local conditions need to be taken into account.

Current status: At this point, no decisions have been made about specific tactics or practices that will be used to redesign and restructure critical systems. Those decisions will be made based on recommendations that will come from work groups formed to address specific challenges and opportunities. The work groups will be made up of experts and stakeholders familiar with a particular issue, and they will have access to outside advisors and consultants, as necessary. They will be expected to consider evidence-based practices in the course of their work.

5. Committed and capable Project Manager and project administration capacity (some would call this backbone support)

Up until now, this initiative has been led and moved forward entirely through the conviction and tenacity (force of will) of 15 committed volunteers – volunteers whose “day jobs” don’t start at 9:00 or end at 5:00. These 15 volunteers will remain involved, serving on work groups, providing advice and perspective, and serving as ambassadors of this work. But they cannot carry the initiative on into the implementation phase. That will require fulltime attention and adequate administrative support. A highly skilled project manager is needed immediately, in order to put in place infrastructure capable of maintaining momentum and moving the initiative forward.

Current Status: A preliminary position description has been developed and potential sources of funding have been identified. A salary commensurate with the importance and complexity of this project has been proposed and reflected in the preliminary budget. The Implementation Team will lead a recruitment process.

Consultant Observations

These are issues I came across in the course of my work. They will need to be taken into account as the CARD project moves forward.

- a. Institutional and System Capacity. Most of the systems' individual components have no "slack" whatsoever, which means there is no space for institutional or system-wide innovation and change to occur. At best, the deckchairs can be rearranged. If we are not able to change what we are currently doing (i.e. innovate and change), within entities and across the system in a collaborative fashion, we will not be able to achieve a positive impact.
- b. Business Models. Some of the systems' components have unsustainable business models. A business model built predominantly on grant funding is, almost by definition, not sustainable. And one built on volunteer providers is equally vulnerable to extinction.
- c. Frayed Relationships. System providers and leaders are under tremendous stress, working as hard as they can and doing the best that they can - with stretched-thin resources - to overcome one of society's most complex and intractable challenges. The challenges they are confronting every single day have life and death consequences. And unless their treatments and services are mutually and seamlessly linked, they cannot be successful. That is their everyday reality. It is not hard to understand how some relationships have become frayed, resulting in a system that is compromised in its ability to function as a coordinated whole.
- d. Philosophical Differences. Key system players are not all neatly aligned in terms of treatment philosophies and options. This has also been the case in other communities undertaking similar projects. Projects that have succeeded managed to address and resolve these differences – not easily, but successfully.
- e. Legacy Barriers to Success. York/Adams Drug & Alcohol Commission has identified issues and systems barriers that impede the ability to meet individuals' assessment and treatment demands:
 - Health insurance
 - Lack of treatment providers/inability to determine lack of treatment providers/access
 - Call Center concerns
 - County/State connection linkage
 - Overdose data
 - Naloxone Burnout
 - Peer navigator/recovery support services
- f. The CARD project is just one of several related projects in York County that have been initiated to address the opioid crisis. Each has its own mission and area of focus. But there are also overlapping needs, which are being addressed separately and perhaps redundantly. For example, infrastructure (staff, technology, etc.), reliable data and research and knowledge management

capacity, funding, etc. This may be wasting precious resources of an under resourced system.

What makes us think this initiative can succeed?

The issues that this project addresses are in the national, state and local spotlight. Policy makers, private funders, and the public at large are aware of the magnitude of the problems and are becoming better informed about underlying causes and effective treatment models. They are also becoming more concerned about the consequences of apathy or inaction. There is a collective will to address these issues, admittedly with some dissenters.

There is broad agreement among those who have studied these issues about what constitutes evidence-based practices.

The York County Court System has a lot of experience with the Treatment Court model and it has had significant success. It is well positioned to build on its success by adopting the practices that are now considered best practice.

So...we have the collective will, we have peers and experts who can help us discern a path forward, and we are well positioned to act. While we understand this is a very complex project and there are significant obstacles, we are confident it can be done.

Sources, Goals and Strategies

1. Core Group Members

- Judge Craig Trebilcock, Criminal Court Section; CARD Project Leader
- Tim Barker, Chief Deputy Prosecutor
- April Billet-Barclay, Director of Probation Services
- Terry Clark, Director, York County Office of Children, Youth and Families
- Dr. Chris Echterling, WellSpan Health
- Audrey Glatfelter, York/Adams Drug & Alcohol Commission
- Larry Holt, MH-IDD
- Caty Houtman, Public Defender
- Dr. Matthew Howie, Medical Director, York City Bureau of Health; York County Chief Health Strategist
- Billie Kile, York/Adams Drug & Alcohol Commission
- Judge Amber Kraft, Family Court Section
- Attorney Korey Leslie
- Judge Kathleen Prendergast, Family Court Section
- Mike Stough, Probation Services
- David Sunday, York County District Attorney

2. Desired Outcomes

- A meaningful improvement in the long-term outcomes of individuals entering the Criminal Justice and Family Court systems with substance abuse and/or mental health issues.
- A meaningful reduction in the number of people who are booked into jail with mental illnesses, substance abuse disorders, and low-level offenses – it does little good and costs a lot of money.
- A reduction in overdose deaths and over-involvement in the Criminal Justice System.
- An aligned and collaborative network of treatment and service providers with sufficient capacity to deliver seamless and comprehensive evidence-based treatment and support services.
- A cultural shift in coordination between the Health and Justice sectors to focus upon and address the underlying drivers of addictive and criminal misconduct.
- Note: according to the National Survey of Criminal Justice and Diversion Programs and Initiatives, over the long term we can expect to achieve cost savings, enhanced public safety, long-term health and personal stability for justice involved individuals, and overall community improvement. In short, a better return on investment than the status quo approach provides.

Related Strategies

- Develop pre-arrest/arrest diversion for individuals with mental health and substance abuse issues into community treatment and other necessary support services, including housing.

- Create a wellness and diversionary center in the community that will act as a one-stop shop for both members of the community and those in the Criminal Justice System to access essential treatment and other support services in a timely manner.
- Address the overlap and duplication of effort and services related to administrative alignment of the Criminal Court and Family Court Sections.
- Expand re-entry efforts to improve outcomes for individuals returning to the community from jail, including early release into treatment and other necessary community services.
- Facilitate research-informed full diversion of appropriate low risk offenders from the Criminal Justice System.
- Create a central court process capable of quickly processing low-risk offenders in a timely fashion.
- Expand treatment options in jail, such as Medically Assisted Treatment (MAT).
- Build capacity in the community's mental health and addiction treatment services.
- Build capacity in the community's housing and other necessary support services.

3. Individuals Interviewed

- Judge Joseph Adams, Senior Judge and Juvenile Court Judge
- Tim Barker, Chief Deputy Prosecutor – Policy and Research
- Dianna Benaknin, WellSpan Health *Housing is Health Initiative*
- April Billet-Barclay, Director, York County Department of Probation Services and Deputy Court Administrator, Probation Services
- Susan P. Byrnes, Board of County Commissioners, President Commissioner
- Vinny Cannizzaro, Glatfelter Public Policy Fellow, Center for Community Engagement, York College
- Terry Clark, Director, York County Office of Children, Youth and Families
- Victoria Connor, Chief Executive Officer, York County Bar Association/Foundation
- Jane Conover, President & CEO, York County Community Foundation
- Paul Crouse, District Court Administrator
- Dominic DelliCarpini, Dean, Center for Community Engagement, York College
- Cristie DeWitt, Site Administrator, PA Career Link
- Clair Doll, Warden, York County Prison
- Dr. Chris Echterling, WellSpan Health
- Susan Emmons, Sr. Deputy Prosecutor
- Jenny Englerth, Pres., & CEO, Family First Health
- Amy Evans, Sr. Planner & Criminal Justice Planner, York County Planning
- Cristy Fawcett, Presiding Hearing Officer, York County Drug Wellness Court
- Steve Feldman, Development Director, York County Bar Foundation

- Audrey Glatfelter, Director, York/Adams Drug & Alcohol Commission
- Michael Hady, Executive Director, Powder Mill Foundation
- Caty Houtman, First Assistant Public Defender
- Michelle Hovis, Executive Director, York County Department of Human Services
- Dr. Matthew Howie, Medical Director, York City Bureau of Health; York County Chief Health Strategist
- Michael Kochenour, President, York County Bar Foundation
- Ann Kunkle, Senior Director of Case Management, WellSpan Health
- David Meckley, Board of Directors, Warehime Foundation
- Jennifer Menges, Chief Deputy Court Administrator, Criminal Division
- Eric Menzer, President, York Revolution
- Judge Kathleen Prendergast, Family Court Section
- Maria Royce, Sr. VP, Strategy & Market Development and Chief Strategy Officer, WellSpan Health
- Judge Andrea Marceca Strong, Chair, Family Court Section
- Attorney Tom Shorb, Grants Co-Chair, York County Bar Foundation
- David Sunday, York County District Attorney
- Judge Craig Trebilcock, Criminal Court Section

4. Projects Reviewed

- Seattle, WA – Law Enforcement Assisted Diversion Program (LEAD)
- Fairfax County, VA – Diversion First Initiative to Reduce Incarceration of People with Mental Illnesses
- Coconino County, AZ – Building a Culture of Collaboration to Inform Criminal Justice Reform
- Indianapolis, IN – Blueprint Council Plan to End Homelessness
- Louisville-Jefferson County Metro Government, KY – Improve System Response to Individuals with Co-Occurring Mental Health, Alcohol Use, and Substance Abuse
- Center for Health and Justice at TASC – “A National Survey of Criminal Justice Diversion Programs and Initiatives
- Stepping Up Initiative: Reducing the Number of People with Mental Illnesses in Jail

5. Implementation Team

- Judge Craig Trebilcock, Team Leader
- Tim Barker, Chief Deputy Prosecutor
- April Billet-Barclay, Director, York County Department of Probation Services and Deputy Court Administrator, Probation Services
- Dr. Matt Howie, Medical Director, York City Bureau of Health; York County Chief Health Strategist