

**OFFICIAL POLICY DOCUMENT: Lead/Treatment First/MCJRP Intersection Policies** (Final: 2/12/18)

Approved by the Multnomah County Justice Reinvestment Steering Committee (5/2017)

Scenario	Policy
1. Defendant is currently in LEAD and is indicted on a TFP case. Is Def eligible for TFP?	<b>Yes.</b> Def is eligible for TFP on new case unless LEAD team/DDA agrees to dismiss TFP eligible case for continuance in LEAD
2. Defendant is currently in LEAD and is indicted on a MCJRP eligible case. Can Def continue with LEAD?	<b>Maybe.</b> If convicted, Def will be moved to inactive status in LEAD unless/until all parties involved in the case think active LEAD services will be helpful, or Def completes MCJRP supervision and is still in need of LEAD services
3. Defendant is currently in TFP and arrested on a LEAD eligible case. Is Def eligible for LEAD?	<b>Maybe.</b> Def qualifies for LEAD as long as Def is not in the STOP program
4. Defendant is currently in TFP and is convicted of a MCJRP eligible case. Can Def continue with TFP?	<b>No.</b> If Def is arrested and found to have failed to obey all laws, Def is in violation of diversion agreement. Def will be terminated from TFP and sentenced.  <b>Caveat:</b> If Def is in TFP and the MCJRP offense pre-dates TFP entry, there is no diversion agreement violation. Depending on MCJRP outcome, follow #6 or #7.
5. Defendant is currently in MCJRP and is arrested for a LEAD eligible case. Can Def continue with LEAD?	<b>No,</b> not as an arrest case. However, an offender is eligible for LEAD as a social referral.
6. Defendant is currently on MCJRP supervision and is arrested for a TFP case. Can Def continue with TFP?	<b>Yes.</b> Def qualifies for TFP. Def will remain with MCJRP supervision if continued on probation. If Def completes conditions of MCJRP case plan and has no new arrests, the TFP drug charge will be reduced or dismissed.
7. Defendant is sent to prison on a separate case. Does Def qualify for TFP?	<b>Yes.</b> Def qualifies for TFP.
8. Defendant is currently in START/MHC/DISP Court and is arrested for a LEAD case. Can Def continue with LEAD?	<b>No,</b> not as an arrest case. However, an offender is eligible for LEAD as a social referral.
9. Defendant is currently in START/MHC/DISP Court and picks up a TFP case. Can Def continue with TFP?	<b>Yes.</b> Def qualifies for TFP. Def will remain with specialty court supervision if continued on probation. If Def completes conditions of specialty court treatment and has no new arrests, the TFP drug charge will be reduced or dismissed.
10. Defendant lives in another county/state or is currently supervised in another county/state. Does Def qualify for TFP?	Assuming state funding exists to continue supervision of these offenders, supervision will be transferred to county of residence/current supervision. Reduction or dismissal will occur upon successful completion of recommended treatment and no new arrests.
11. Defendant lives in another county/state and is low risk/low needs. Does Def qualify for TFP?	<b>Yes.</b> Because Def will likely be case-banked in the other county, DCJ will request keeping case in Mult Co and abide by Low/Low quadrant procedure.
12. Defendant is currently on Multnomah County case bank or generic medium/high caseload and picks up TFP case. Who supervises Def?	DCJ will combine supervision and add treatment conditions based on quadrant placement. Def may be eligible for STOP Court. Reduction or dismissal will occur upon successful completion of recommended treatment and no new arrests.
13. Defendant is currently supervised by a DCJ specialty unit (e.g. DV, MIO, Sex Offender) and is charged with a TFP offense. Who supervises Def?	Defendant's supervision will remain with DCJ's specialty unit. Treatment conditions will be added based on quadrant placement. Reduction or dismissal will occur upon successful completion of recommended treatment and no new arrests.