

## A Guide To The



# Judge Nancy R. McDonnell Community Based Correctional Facility



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The Judge Nancy R. McDonnell CBCF passed its most recent American Correctional Association reaccreditation with a score of 99.5%. The CBCF is accredited by the American Correctional Association, certified by the Ohio Department of Mental Health and Addiction Services, and licensed by the Ohio Department of Rehabilitation and Correction Bureau of Community Sanctions.



*What men who have successfully completed the program have to say:*

**“I would recommend this program to others because if they really want to change they can get a lot of help here.”**

**“I would recommend this program to people because it helps you think and get a job and get your education at the same time.”**

**“They helped change the way I think before I react.”**

**“I would recommend it because it changed my whole outlook on life and made me a better man.”**

## **The Mission of a CBCF**

A Community Based Correctional Facility (CBCF) provides a local alternative to a prison sentence for non-dangerous persons who have the potential to be rehabilitated through local sanctions, treatment, work, and education. Individuals sentenced to a CBCF have the opportunity to get on the right path by learning to make wise choices and by gaining the resources and skills necessary to be successful and self-sufficient. Successful completion of the CBCF program, however, requires more than merely putting in the time. All programming must be completed, and, in order to be released an individual must demonstrate he knows how to use the skills he learned. If an offender leaves the CBCF without permission or fails to return from an approved destination he is considered absent without leave (AWOL) and will be charged with a felony charge of escape. Termination from the program can result in a prison sentence. Credit for time served will be given against any term of incarceration imposed by the court.

## **Purpose**

- The Judge Nancy R. McDonnell Community Based Correctional Facility (CBCF), operated by Oriana House, Inc., provides a sentencing option that diverts appropriate male felons from the state prison system.
- CBCF programming is designed to assist offenders in making positive behavior and lifestyle changes to decrease the likelihood of continued criminal behavior.
- CBCF programs give offenders an opportunity to remain in their community while addressing such issues as substance abuse, thinking and decision-making skills, education, employment, anger management, and other life skills.
- While a resident of the CBCF, offenders are able to identify resources in the community which are beneficial upon their successful completion of the program and reentry into the community.

## Eligibility for the Judge Nancy R. McDonnell CBCF

- HB 86 requires a community control sanction of at least one year for fourth and fifth degree felonies, excluding offenses of violence
- HB 86 requires the Ohio Department of Rehabilitation and Correction to classify offenders by risk level\* using a single validated risk assessment tool (\*risk level refers to the offender's risk of reoffending, not public safety risk)
- Adult men convicted of a felony that does not require a prison sentence
  - For F1 or F2, can be any risk level (of reoffending)
  - For F3, moderate or higher risk level (of reoffending)
  - For F4 or F5, high or very high risk level (of reoffending) or being placed in the facility for probation violation
  - Or is moderate risk level (of reoffending) and has one or more previous probation violations in the preceding five years
- Incarcerated offenders granted judicial release
- Individuals with physical or mental health issues that require medication may be eligible as long as they take their prescribed medicine and are able to participate in programming
- Individuals accepted into the CBCF must express a willingness to participate in the program, including, but not limited to:
  - agree to follow all program and probation rules;
  - be assessed for substance abuse treatment and follow counselor's recommendations;
  - complete cognitive behavioral treatment (focuses on examining the relationships between thoughts, feelings, and behaviors);
  - complete community service hours;
  - obtain/maintain verifiable employment;
  - work toward obtaining a GED if applicable;
  - pay on all court costs/fines/restitution/child support/ fees and per diems;
  - complete/continue mental health services/assessments;
  - complete stress/anger management

### Risk Level

#### What does it mean?

- Risk to reoffend, not risk of danger
- Common with drug dependent offenders
- Risk can be reduced
- People can change if given the opportunity to learn new skills

### Risk Factors

- Attitudes, values, and beliefs
- Friends
- History of antisocial behavior
- Personality
- Employment
- Family
- Substance abuse

## Ineligibility

- Persons whose history, character, and condition reveal a substantial risk to self or others
- Health conditions which prevent participation in programming or ability to follow program requirements
- Unwillingness to participate or abide by the program rules
- Offenders with current sex offense conviction and Tier III sexual offenders

# Screening Process

- Offenders must be screened by Oriana House’s Admissions Department to determine eligibility; this involves interviews and paperwork.
- Referrals can be made at any point after plea:

<u>Screening Types</u>	<u>Referral From</u>
At Sentencing.....	Court, Attorneys, Probation Officer
Post Sentencing .....	Court Only
Judicial Release.....	Court, Attorneys
Community Control Violation.....	Court, Attorneys, Probation Officer
Pre-Sentence .....	Defense attorneys may refer for a pre-screen after a defendant enters a plea

- All referrals or screening requests may be made by contacting an Intake Specialist at the Marion Building 216-443-4909.
- Intake Specialists require the following information:
  - Case Number
  - Defendant’s Name
  - Judge
  - Attorney
  - Status (Bond, Incarcerated, Probation)
  - Offense(s)
  - Person Referring
  - Probation Officer
  - Court Date/Type of Hearing
  - Community Control Violation
- Every defendant will be screened using the Ohio Risk Assessment System (ORAS). This universal Ohio-based assessment tool can be used at various points in the criminal justice system to provide valid and extensive information on offenders and their risk of reoffending. The ORAS provides recommended levels of supervision and placement options.

**All referrals or screening requests may be made by contacting an Intake Specialist at the Marion Building 216-443-4909.**

# Admission

- The final decision to sentence an offender to the program is made by the judge.
- Once a defendant is found to be eligible by Oriana House staff , the court will be notified in writing. The notification will include initial programming requirements and the date and time the defendant could enter the facility. Copies of this notification will be forwarded to the defense attorney and probation department.
- Incarcerated defendants will be transported by CBCF Intake Staff.
- Defendants who are on bond will be given a date and time to report to the program.

### Typical Client Referral Timeline

<u>Time frame from</u>	<u>If Sentenced</u>	<u>Not Yet Sentenced</u>
Referral to screen	5 days	7 days
Referral to letter sent	8 days	12 days
Referral to admission	13 days	30 days

## CBCF Programming

- Individuals sentenced to the CBCF program are required by the Ohio Revised Code (ORC) 2929.16 to spend not more than 180 days in the program.
- The CBCF program begins with a confinement of at least 30 days, as directed by ORC 2301.52. An offender's eligibility to leave the facility may take considerably longer than 30 days depending on his ORAS risk score (risk of reoffending) and assessments. (Leaving the facility for work is not permitted during this mandatory period of incarceration.)
- Throughout the program defendants are subject to routine and random alcohol and drug testing. A positive alcohol or drug test can result in termination from the CBCF.
- CBCF programming consists of three progressive phases:
  - Phase 1 – Upon entry into the program, clients must stay in the facility for a minimum of 30 days. They are assessed for substance abuse, education, employment, decision-making skills, and other needs. As appropriate, they will begin alcohol and/or drug treatment, GED studies, employment classes, and various life skills classes such as health, anger management, parenting, and financial responsibility. Clients with severe mental illness will receive case management, medication, and access to psychiatric care. Mental health services are provided in cooperation with the Cuyahoga County ADAMHS Board and the Cuyahoga County Court of Common Pleas.
  - Phase 2 – The client will be permitted to leave the facility for pre-approved purposes such as job searching, registering in a vocational school or college, doctor visits, and Narcotics Anonymous/Alcoholics Anonymous meetings. Attendance at these activities is verified by staff. The clients continue substance abuse treatment, cognitive skills, and GED classes, as appropriate.
  - Phase 3 – Once a client obtains employment or is enrolled in school, he is permitted to leave the facility for scheduled work or school activities. It is expected that clients maintain their schedule and contribute to payment of court costs, fines, restitution, and child support. In this phase, they are also permitted passes to visit with family. Aftercare classes such as substance abuse relapse prevention and cognitive skills are required for maintaining changes in behavior. As clients prepare to re-enter the community they will seek suitable housing, establish financial responsibility, and, if appropriate, develop contacts in the community for continued substance abuse counseling, GED testing, and any other identified needs.
- Community service (20 hours) is required of all CBCF clients in addition to any other court-mandated hours. Community service and necessary transportation to work sites are arranged by Court Community Services of Cleveland.
- Clients who leave the CBCF facility without authorization will be considered AWOL, their status will be reported to the court, escape charges will be filed, and a warrant will be issued for their arrest. AWOL status can result in the sentencing judge finding the offender to be in violation of probation, with the possible termination from probation and the imposition of a prison term.



## Post Supervision

- Upon successful completion of all phases of the CBCF program, and a demonstrated ability to live independently, clients are released and supervision is transferred to their probation officer, if applicable, to complete the remainder of their community control conditions including continued probation supervision and reporting.
- If an offender is on community control and is terminated for failure to complete CBCF programming, it constitutes a violation of community control sanctions and he may be sent to prison. Many judges use a CBCF placement as a last chance alternative to prison incarceration. The likely consequence of termination from the CBCF is a term of imprisonment in a state prison.

## Family Involvement

Research shows that family and social support are key factors in differentiating between those who re-offend and those who do not. The CBCF offers multiple ways for families and support networks to be involved. These include:



- Family/Friend Orientation - A presentation that explains programming, visitation, and other information that will help clients and their families develop, build, and maintain a positive relationship.
- Family Matters Education Program - This program, offered to family members affected by addiction, provides encouragement and support. Sessions presented by professional chemical dependency treatment counselors are designed to break the cycle of chemical dependency through increased knowledge and implementation of healthy living skills.

## Other Information

- Clients will receive a phone pass immediately upon entering the CBCF and will be permitted to receive visitors the first week.
- Pay phones are available for outgoing calls only. Calling cards are accepted.
- Washer and dryer facilities are available at a minimal cost.
- Upon arrival at the facility, clients go through an intake process which includes meeting with staff, reviewing facility rules, participating in assessments, and taking a tour.
- Within three days of admission clients meet with an assigned caseworker to determine the specific goals to be achieved during program placement.

### The following services are offered to clients at the CBCF

Case Management	Employment Services	Mental Health Services
Substance Abuse Assessment	Recreation Programming	Religious Services
Substance Abuse Education & Prevention	Community Services	HIV AIDS Awareness Class
Substance Abuse Treatment & Aftercare	Family Matters Education Program	Parenting Classes
Cognitive Skills Programs	Child Support Enforcement Agency	Money Management
12-Step Programs	Housing Assistance	Family/Friend Orientation
Crisis Intervention Counseling	Clothing Assistance	Bureau of Motor Vehicles Education Class
	Life Skills Development	Cognitive Behavioral Classes
	Health Services/Classes	