

San Diego Collaborative Courts

Drug Court, Reentry Court, Behavioral Health Court, Veteran’s Treatment Court

Standard Eligibility: San Diego County resident, able to participate, mentally competent, and must agree to participate/comply with standard terms/conditions.

Standard Exclusionary Factors: Active confidential informants, current documented gang members, charged with or convicted of sex offenses, active felony holds, detainees or warrants.

Drug Court		Reentry Court
Judge(s)	Central: Judge Gallagher North: Judge Powazek	East: Judge Epley South: Judge Haehnle
Target Population	Misdemeanor or felony high risk offenders with high-need for substance use disorder (SUD) treatment.	Persons on probation, MS, PRCS or Parole who commit a new felony, or violation, and are assessed as having a substance use disorder (SUD) or co-occurring SUD/MH disorder.
Referral Process	At settlement conference. If all parties agree, enter change of plea and ask clerk for next Drug Court date. Drug Court Team will determine eligibility and suitability. If rejected or found ineligible, case will be sent back to court that took the change of plea for sentencing.	Occurs between change of plea and sentencing and must stipulate to a prison sentence. Assessed in custody for criminal history, risk level, substance abuse, and mental health needs. Team determines eligibility and determines suitability. If rejected or found ineligible, case will be sent back to court that took the change of plea for sentencing.
Specific Eligibility Criteria	<ul style="list-style-type: none"> • Non-violent drug offense (HS11350, HS11357, HS11364, HS11365, HS11377, HS11359, HS11368). • Other non-violent offense resulting from drug dependence (e.g. PC484, PC487, PC470, PC530.5). 	<ul style="list-style-type: none"> • On supervision at time of current offense. • Current offense is non-violent, non-serious, non-sexual. • Must be probation eligible.
Specific Exclusionary Criteria	<ul style="list-style-type: none"> • Current or prior record of sales or transportation of sales quantities (discretionary). • Diversion Eligible (PC1000, PC1210). • Record for violence, sexual offenses, or weapons. • Strike Prior, Parolee or multiple FTAs (discretionary). 	<ul style="list-style-type: none"> • PC457.1 or PC290 Registration, PC186.22 allegations, or offense pursuant to Family Code § 6211. • Prior “strike” convictions are evaluated on a case-by-case basis. However, prior “strike” allegation must be stricken at change of plea.
Program & Completion	Program is self-paced, but lasts minimum 18 months, 5 phase program. Participant may be placed in residential or out-patient treatment. Successful completion may result in dismissal of some charges upon successful completion. Requires frequent court reviews, program attendance, drug testing, employment/education. Sanctions increase in severity from community service to custody to termination.	Program is self-paced, but lasts minimum 18 months, 5 phase program. Tailored case plan and the highest level of supervision. Participant may be placed in residential or out-patient treatment. Successful completion may lead to early termination of probation, but not dismissal of charges. Violations will result in graduated sanctions and ultimately termination and execution of term of local or state imprisonment.

	Behavioral Health Court (BHC)	Veterans Treatment Court (VTC)
Judge	Judge Margie Woods, Department 1203	Judge Desirée Bruce-Lyle, Department 1201
Target Population	Mentally ill defendants who are eligible for probation on a felony or misdemeanor.	Veterans or Active Duty Military charged with a felony who are eligible for relief under PC § 1170.9.
Referral Process	Post-plea with an Arbuckle waiver, pre-sentencing. Set sentencing on BHC calendar in Dept. 1203. Contact clerk for a valid date. Defense counsel must submit referral form to DPD Connie Magaña. BHC Team determines eligibility and determines suitability. If rejected or found ineligible, case will be sent back to court that took the change of plea for sentencing.	Court imposes conditions of PC § 1170.9 probation and refers to VTC for admission hearing and further review. Set out for VTC hearing in Dept. 1201 (call for date). Entry must be approved by team. If acceptance is not unanimous, judge has final approval. Defendant must plead guilty and agree to formal probation. If rejected or found ineligible, case will be sent back to court that took the change of plea for sentencing.
Specific Eligibility Criteria	<ul style="list-style-type: none"> • Diagnosed with serious mental illness. • May include diagnosis for substance abuse disorder. • Suitable to available resources. • Approval from BHC team. 	<ul style="list-style-type: none"> • Active Duty or Military Veteran, regardless of discharge status. • Must have mental illness which is defined by PC1170.9 as including military sexual trauma (MST), traumatic brain injury (TBI), post-traumatic stress disorder (PTSD), <i>substance abuse</i> or mental health problem.
Specific Exclusionary Criteria	<ul style="list-style-type: none"> • Arson offense, sex offense, or PC290/PC457.1 registration. • Active Parolee. • Charged with use or possession of a firearm. • Charged with use of knife (discretionary). • Charged with offense involving GBI (discretionary). 	<ul style="list-style-type: none"> • Arson offense, sex offense, or PC290/PC457.1 registration. • Gang allegations. • Prior serious or violent felonies (discretionary). • Serious or violent current convictions are considered on a case-by-case basis.
Program & Completion	Program is self-paced, but lasts minimum 18 months, 4 phases. Housing plan and medication compliance prioritized. Successful completion may result in dismissal of some charges. Participant will receive case management and treatment. Requires frequent court reviews, program attendance.	Program is self-paced, but lasts 18-24 months with 3 phases and Aftercare. Participants are assigned a mentor and will be provided individualized treatment plan. Successful completion may result in dismissal or expungement. Note: A granted 1170.9(h) motion may not restore all constitutional rights (ex. 2 nd Amendment).

All Defendants sentenced to a split term pursuant to Penal Code 1170(h) will be assigned to Mandatory Supervision Court for all purposes post-sentencing unless a new felony is filed. Please contact Judge Desirée Bruce-Lyle or for more information.