



**DRUG COURT
PARTICIPANT HANDBOOK**

LYON AND CHASE COUNTIES

Updated January 2019

MISSION STATEMENT

Drug Court in the 5th Judicial District will strive to reduce recidivism of alcohol and drug offenders in the criminal justice system and provide community protection with a cost effective, integrated continuum of care through the development and utilization of community resources. Drug Court will hold probationers accountable and support them in achieving long-term recovery, to become law-abiding citizens and successful family/community members.

WELCOME

Welcome to the Fifth Judicial District's Felony Drug Court Program. This handbook is designed to answer questions, address concerns and provide overall information about the Adult Drug Court Program. As a participant, you will be expected to follow the instructions given to you by the Judge, Intensive Supervision Officer/Case Manager and the Treatment Staff. There will be an approved treatment plan developed specifically for you and you will be expected to comply with that plan. This handbook will detail what is expected of you as a Drug Court participant and review general program information. It is intended to be a standard guide to Drug Court participants within the Fifth Judicial District. Some guidelines may vary at the discretion of the Drug Court team. All participants are encouraged to share this handbook with family and friends. Your supportive family and friends are always encouraged and welcome to attend Drug Court sessions with you.

ABOUT DRUG COURT

Drug Courts are an innovative alternative to prison with emphasis on accountability and intensive monitoring for individuals charged with a drug related offense. In 1989, the first Drug Court was established in Dade County, Florida, when a group of concerned Miami leaders noticed that the criminal justice system was unable to adequately address drug addiction or combat the crime that this problem causes. The types of Drug Court programs vary across the country. All programs use a new type of courtroom environment where the offender undergoes treatment and counseling, submits to frequent and random drug testing, makes regular appearances before the Judge, and is monitored closely for program compliance. While Drug Courts vary widely in scope, organization, and points of intervention, all share an underlying premise that drug use is not simply a law enforcement or criminal justice problem, but a public health problem with roots deep in society. Drug Court programs see the Court, and specifically the Judge, as filling a role that goes beyond that of adjudication.

ABOUT THE DRUG COURT PROGRAM

The Fifth Judicial District's Drug Court Program began as a result of the passage of Senate Bill 123 in the 2003 legislative session. This law established a non-prison sanction of certified drug abuse treatment programs for certain offenders sentenced on or after November 1, 2003, for convictions of felony drug possession. The law also provided for mandatory evaluations and treatment of those so convicted, prior to the court sending the offender to a penal institution, unless there were specific departure criteria, or the offender had previously been unsuccessfully discharged from a SB123 treatment program. All offenders convicted under the provisions of SB123 and placed on Community Corrections to be supervised by the 5th Judicial District were previously assigned to the Drug Court Program. Non-SB123 offenders were considered for assignment to Drug Court if the sentencing Judge referred them for evaluation by the Drug Court team and the team agreed to accept the offender into the program.

The Drug Court Program was modified in July of 2014 and provided specific entry and program requirements. Each case sentenced to Community Corrections is evaluated to determine whether they meet the criteria for entry into the program.

The Drug Court team meets every Wednesday afternoon for the call of the docket for that week. Unless excused by the Judge, all participants will be required to attend and remain in the courtroom until the end of the session. Prior to the docket call, the treatment team will have met and reviewed each participant's progress.

The Drug Court Program is for addicted offenders. The program treats a drug as a drug and an addict as an addict, regardless of the drug of choice.

DRUG COURT RULES

Attend all ordered treatment sessions.

This includes individual and group counseling, educational sessions and other treatment as directed. Unexcused missed treatment sessions will result in a sanction. If any substance abuse issues arise, increased interventions may be imposed. You must bring your drug court planner with you to all treatment meetings, NA/AA meetings, probation appointments and drug court.

Be on Time.

If you are late for treatment, you will not be allowed to participate and will be considered non-compliant. Contact your counselor if there is a possibility that you may be late.

Wear appropriate clothing.

You must dress appropriately for court. The following is considered inappropriate:

- Clothing bearing drug or alcohol related themes, promoting or advertising alcohol or drug use
- Clothing with inappropriate language
- Tank tops, spaghetti straps, bare midriffs
- Torn clothing
- Sunglasses, hats and bandanas are not to be worn inside the Courtroom.
- Sagging pants, pants must be around your waist
- No booty shorts;
- No bandanas;
- No indication of gang affiliation.

Do not make threats toward other participants or staff or act in a violent manner.

Violent or inappropriate behavior will not be tolerated and will be reported to the Court. This behavior may result in a sanction or termination from the Drug Court Program.

Attend all scheduled Drug Court sessions.

You must attend all court sessions as directed by the Judge or Probation Officer. Please remain in the courtroom until the session has ended unless excused by the Judge.

Submit to drug and alcohol testing as requested.

You will be tested throughout the entire program by both probation and treatment providers. You will be tested frequently and randomly. Adulterated urine, which may include diluting, tampering or falsifying, will be considered as a positive test and may result in sanctions or termination from the program. You must submit to drug testing pursuant to the drug and alcohol testing guidelines. The goal of the Drug Court Program is to help you achieve total abstinence from alcohol and mood altering substances. Dishonesty concerning use will result in a more harsh sanction.

Always tell the truth.

Overcoming chemical dependency is not easy. This will take your best effort. Always remember that the end result is to assist you in maintaining a clean and sober life.

If moved back a phase, you must remain in that phase a minimum of 30 days.

Follow all rules as established by the phases of the program.

Participants must make regular court payments.

TERMINATION GROUNDS

If a participant fails to comply with program requirements there will be a system of progressive sanctions applied in an effort to motivate the participant to succeed. A participant may be terminated for drug use, new law violation, violence or aggressive behavior in treatment, failure to meet treatment goals, behavior that is disruptive in group or threatens the success of other participants, failure to attend treatment groups or court reviews.

PHASES/TRACKS

Phases

Phase I –Acute Stabilization

Length, approximately 60 days with a minimum of 14 consecutive days of clean time to advance

- Develop and follow an individualized treatment plan with treatment provider.
- Follow the rules of probation supervision.
- Call in daily for drug and alcohol testing instructions and submit to testing as directed.
- Probation meetings once per week.
- Home visits a minimum of twice a month.
- Drug Court appearances weekly.
- Abide by a 10 pm curfew.

Requirements to progress to Phase II:

1. Successfully perform all requirements as stated in Phase I
2. Mandatory 14 days of continuous clean time as verified by tests.
3. Attend a minimum of four weeks of recommended treatment sessions.
4. Complete Phase Advancement Form and turn in to your probation officer.
5. Recommendation of drug court team for movement to Phase II.

Phase II – Clinical Stabilization

Approximate Length, minimum of 90 days or as needed pursuant to assessment and progress in program.

- Continue to follow recommended treatment plan.
- Minimum of 4 AA/NA or other community self-help meetings per week. Complete reflections sheets and turn in to your officer.
- Call in daily for drug and alcohol testing instructions and submit to testing as directed.
- Probation meetings per LSI-R level.
- Drug Court appearances every 2 weeks.
- Gain/Maintain approved employment unless otherwise modified by the Court.
- Begin or continue other specialized services or interventions as assigned by the team.
- Follow rules of probation.
- Abide by a 10 pm curfew.

Requirements to progress to Phase III:

1. Successfully perform all of Phase II requirements
2. Mandatory 30 days of consecutive clean time as verified by testing.
3. Continue attending and participating in recommended level of treatment.
4. Complete Phase Advancement Form and turn in to your probation officer.
5. Recommendation of drug court team for movement to Phase III.

Phase III – Pro-Social Habilitation

Length, minimum of 90 days or as needed pursuant to assessment and progress in program.

Requirements:

- Continue to follow recommended treatment plan.
- Attend a minimum of 3 AA/NA or community self-help meetings per week if working full time; otherwise attend 4 AA/NA or community self-help meetings per week. Complete reflections sheets and turn in to your officer.
- Call in daily for alcohol and drug testing instructions and submit to testing as directed.
- Probation meetings per LSI-R
- Drug Court appearances every 3 weeks (or more often as required by the team).
- Obtain a self-help group sponsor.
- Complete first three steps of the self-help program and be prepared to discuss your progress with the Judge or any team member.
- Maintain approved employment unless modified by the Court.
- Abide by a 10 pm curfew.
- Mandatory 45 consecutive days of clean time as verified by testing.

Requirements to progress to Phase IV:

1. Successfully perform all of Phase III requirements
2. Mandatory 45 days of consecutive clean time as verified by testing.
3. Continue attending and participating in recommended level of treatment.
4. Complete Phase Advancement Form and turn in to your probation officer.
5. Recommendation of drug court team for movement to Phase IV.

Phase IV –Adaptive Habilitation

Length: minimum of 90 days or as needed pursuant to assessment and progress in program.

- Complete recommended treatment.
- Attend a minimum of 3 AA/NA or community self-help meetings per week if working full time; otherwise attend 4 AA/NA or community self-help meetings per week. Complete reflections sheets and turn in to your officer.
- Call in daily for alcohol and drug testing instructions and submit to testing as directed.
- Probation meetings per LSI-R
- Drug Court appearances monthly.
- Continue step work with sponsor and be prepared to discuss your progress with the Judge or any team member.
- Maintain approved employment unless modified by the Court.
- Abide by an 11 pm curfew.
- Mandatory 90 consecutive days of clean time as verified by testing.

Requirements to progress to Phase V:

1. Successfully perform all of Phase IV requirements.
2. Mandatory 90 days of consecutive clean time as verified by testing.
3. Complete recommended level of treatment.
4. Complete Phase Advancement Form and turn in to your probation officer.
5. Recommendation of drug court team for movement to Phase V.

Phase V –Continuing Care

Length: minimum of 90 days or as needed pursuant to assessment and progress in program.

- Defendant will create and develop a continuing care plan and review with probation officer.
- Attend a minimum of 3 AA/NA or community self-help meetings per week if working full time; otherwise attend 4 AA/NA or community self-help meetings per week.
- Call in daily for alcohol and drug testing instructions and submit to testing as directed.
- Probation meetings per LSI-R
- Drug Court appearances as directed by the Judge.
- Continue step work with sponsor and be prepared to discuss your progress with the Judge or any team member.
- Maintain approved employment unless modified by the Court.
- Mandatory 120 consecutive days of clean time as verified by testing.
- Completion of all required interventions.
- Recommendation of drug court team to graduate.

GRADUATION REQUIREMENTS

To be eligible for graduation the participant must:

- Complete requirements of all phases of the program
- Satisfactory completion of all treatment services
- Have no new law violations
- Full time W-2 employment and/or involved in an academic program unless modified by the Court
- Be drug and alcohol free for 120 consecutive days with continuous clean drugs tests
- Develop continuing care plan with treatment provider and probation officer at least two months before graduation (so they can practice following the plan for two months before graduation)
- Submit the Drug Court Graduation Application with references a minimum of 6 weeks prior to graduation. After it is submitted with two letters of reference, it will be reviewed by the treatment team.
- Following approval of graduation application the participant must submit a graduation essay at least 2 weeks prior to graduation. This is a neatly written or typed 2 to 4 page essay that addresses their understanding of personal problems of addiction, criminal thinking, and relapse prevention.

GRADUATION CEREMONY:

Graduations occur quarterly. It is a very special event. Graduates will be given the opportunity to speak at the commencement ceremony (but do not allow grandstanding). The Judge, provider, CC and possibly a guest speaker will speak. Invited guests will be recognized. Graduates should dress for a special occasion. Graduates are called up separately and provided with a graduation certificate. Judge will state that he will waive the fee to have their record will be expunged. Cake and punch are provided at the end of the ceremony. Graduates will have a picture taken with the Judge in his robe.