

**ALLEN COUNTY
THIRTY-FIRST JUDICIAL DISTRICT
DRUG COURT**



PROGRAM HANDBOOK

WELCOME TO THE ALLEN COUNTY THIRTY-FIRST JUDICIAL DISTRICT DRUG COURT PROGRAM:

This handbook is designed to answer questions, address concerns, and provide overall information about the Drug Court Program. As a participant, you will be expected to follow the instructions given in Drug Court by the Judge and comply with the treatment plan developed with you by your Intensive Supervision Officer and Treatment Counselor. This handbook will detail what is expected of you as a Drug Court participant and review general program information. Specific questions should be directed to your Intensive Supervision Officer. All participants are encouraged to share this handbook with family and friends. Family and friends are recognized as being an important part of your recovery and are allowed to accompany you at your scheduled court status hearings.

PROGRAM DESCRIPTION:

The Drug Court is a comprehensive treatment program for defendants that uses a team approach to supervision. The Judge, probation officer, and treatment staff will regularly communicate regarding your progress. Drug Court targets individuals charged with felony drug and drug-related offenses, who have substance abuse history, and are likely to continue a pattern of crime because of their addiction.

This is a program which includes regular court appearances before a designated Drug Court Judge. The Drug Court uses a combination of positive and negative reinforcements to change behavior. You will be involved in the program at least **12 months**. In addition to substance abuse treatment, each individual will be screened for inclusion in education, job-training, family counseling, and other programs designed to alter negative behavior.

Upon entry into Drug Court you will be assigned to a treatment program that best suits your needs. Treatment will include drug testing, individual and group counseling, and any other programs deemed necessary by the Drug Court Team.

Entry into the Drug Court Program requires that the participant be convicted of a felony drug offense or be convicted of an offense that the use and abuse of illegal substances directly affected the crime of conviction. Cases may also be accepted after revocation of probation for drug related issues. Successful completion of the Drug Court Program will be recognized in a graduation ceremony for the participant and any family or friends the participant would like to have attend. If the Drug Court Program is not successfully completed, the Drug Court Team may recommend that the participant be removed from the program and revocation proceedings be started. The Drug Court Judge will make the final decision regarding termination and removal from the program. The Drug Court Judge makes the final decision on all incentives and sanctions. Your defense counsel will no longer be involved in the case once sentencing has occurred and the participant has entered the program. The participant will have a Drug Court Attorney that will be at all court appearances and will be available to meet with each participant prior to his/her appearance in front of the Court.

DRUG COURT SUPERVISION:

As a Drug Court participant, you will be required to appear in Drug Court before the Judge on a regular basis and to fulfill the requirements of the program. The Drug Court Program is divided into four phases.

PHASE I: Minimum 30 days no maximum

In Phase I, the participant begins treatment. Risk needs are addressed through the development of treatment plans. The participant is expected to begin a structured daily routine consisting of the attendance of services and supervision appointments. The participant begins random and frequent drug screens. The participant begins working through the Drug Court Interactive Journaling workbook. Length of Phase I is a minimum of 30 days.

The minimum requirements for successful completion of Phase I:

- Appear at all scheduled court sessions
- Complete drug and alcohol assessment and begin treatment determined by needs
- Complete treatment plan and case plan
- Meet with ISO as directed
- Submit **AT LEAST** two random UA's per week
- Begin work on 60 hours of community service
- Abide by curfew set by ISO
- Find suitable employment or related program or schooling
- Begin working in the Drug Court Interactive Journaling workbook
- Treatment provider must approve of move to Phase II
- Participant must have at least 30 days d/a free prior to Phase II advancement

PHASE II: Minimum 60 days and 6 months in the program no maximum

In Phase II, is the first step of stabilization. It includes the continuation of active treatment, employment services, educational programs, mental health services, and other services as deemed appropriate. The participant will continue working through the Drug Court Interactive Journaling workbook. Sixty days of consecutive abstinence is required and sanctions will increase for continued non-compliance. Length of Phase II is a minimum of 60 days and 6 months in the program.

The minimum requirements for successful completion of Phase II:

- Appear in Drug Court as directed by the Judge
- Make all scheduled appointments with treatment providers to be determined by need

- Work on goals of treatment and case plan
- Meet with ISO as directed
- Submit **AT LEAST** two random UA's per week
- Continue work on 60 hours of community service
- Continue working and making progress in the Drug Court Interactive Journaling workbook
- Abide by curfew set by ISO
- Be gainfully employed (at least 20 hours/week) or in an educational or training program at least 90 consecutive days prior to Phase III advancement
- Must have paid \$150.00 supervision fee prior to Phase III advancement
- Treatment provider must approve move to Phase III
- Participant must have at least 60 days d/a free prior to Phase III advancement

PHASE III: Minimum 90 days and 10 months in the program no maximum

Phase III is three to six months of active treatment. Participants are required to maintain employment and/or schooling. They begin developing support systems for their continued recovery from substance use and crime through community resources. The participant will continue to work through the Drug Court Interactive Journaling workbook. Substance abuse treatment is completed or is showing progress towards completion. Length of Phase III is a minimum of 90 days and 10 months in the program.

The minimum requirements for successful completion of Phase III:

- Appear in Drug Court as directed by the Judge
- Make all scheduled appointments with treatment providers to be determined by need
- Work on goals of treatment and case plan
- Meet with ISO s directed
- Submit **AT LEAST** two random UA's per week
- Continue 60 community service hours
- Continue working and making progress through the Drug Court Interactive Journaling workbook
- Abide by curfew set by ISO
- Be gainfully employed (at least 20 hours/week) or in an educational or training program at least 90 consecutive days prior to Phase IV advancement
- Must have paid **AT LEAST** \$150.00 of Drug Court or SB123 Fees prior to Phase IV advancement
- Treatment provider must approve move to Phase IV
- Participant must have at least 90 days d/a free prior to Phase IV advancement

PHASE IV: Minimum cumulative one year in the program

Phase IV is the last phase to a cumulative one year in the program. Participants move towards the end of the program and requirements will become less intense as a result. It is hoped that these last few months will provide participants with the final stabilization prior to graduation and the beginning of a drug and crime free life after Drug Court.

The minimum requirements for successful completion of Phase IV:

- Appear in Drug Court as directed by Judge
- Complete all treatment requirements prior to graduation
- Complete all goals of treatment and case plan
- Meet with ISO as directed
- Complete all work in the Drug Court Interactive Journaling workbook
- Submit **AT LEAST** one random UA per week
- Complete 60 community service hours
- Abide by curfew set by ISO
- Be gainfully employed (at least 20 hours/week) or in an educational or training program at least 180 consecutive days prior to graduation
- Must have paid all of the \$300.00 Drug Court or SB123 fees prior to graduation
- Complete a graduation application and essay prior to graduation

GRADUATION:

Upon successful completion of all four phases, including the payment of all assessed fees associated with the drug court the participant will need to complete an application for graduation with their assigned ISO. The ISO will ensure that all graduation is suitable. The graduation ceremony will be a celebration of the completing all established guidelines as listed below:

- Successfully participate in Drug Court Program at least 12 months
- 180 days of consecutive sobriety (90 consecutive days if relapse occurs in Phase IV)
- Maintain consistent employment or sufficiently be involved in a vocational/educational training program
- Accomplishment of goals stated in treatment and case plans
- Complete the Drug Court Interactive Journaling workbook
- Reasonable effort made to pay towards court related financial obligations and defined by drug court team and ISO
- Treatment provider must approve of graduation
- Approval of application and written essay for graduation by the Drug Court Team

The requirements outlined in the above stages are not all inclusive of what will be required of each participant. Additional requirements will be discussed with both the ISO and the court during each phase.

Movement between phases of the program is based on “individual progress” and will be decided by the Drug Court Team. The progress of each client will be assessed at each Drug Court Staffing. Program violations could result in return to an earlier phase. Adjustments in level of treatment may be required in each phase and will be made in accordance with the needs of the participant.

Once you have successfully completed the Drug Court program, you will be determined by the Drug Court Judge in collaboration with the Treatment Team and based on your program progress to be eligible for graduation. You will be required to have completed all phases of the program, maintained employment, and have paid all required program fees. Your family and friends will be invited to be in attendance, at the ceremony, as the Judge congratulates you for successfully completing Drug Court and achieving **YOUR** goal to live a drug free lifestyle.

Drug Court has been developed to help you achieve total abstinence from drugs and alcohol. Participation in Drug Court is a privilege and is **YOUR** personal choice. The Judge and court staff is present to guide and assist you, but final responsibility is yours. You must be motivated to make this change and commitment to a drug free life.

DRUG COURT SESSIONS:

The Drug Court Judge will be given a progress report at each Drug Court session that has been prepared by the Drug Court Team. The report will include information about your drug test results, attendance with ISO and treatment provider, attitude and participation in the program, and employment/education status. The Judge may ask you questions about progress and discuss specific problems you have been experiencing.

If you are doing well, you will be encouraged to continue with your program and work towards continued success. If you are not doing well, the Judge will discuss with you and determine further action/changes. The goal of the Drug Court is to help you achieve abstinence from drugs and alcohol. Additional penalties such as increased reporting, community service or jail sanctions are possible if deemed necessary.

Failure to appear in court on the date and time you are scheduled could also result in additional sanctions. If you cannot appear in court as scheduled due to an urgent situation, you must notify your ISO **BEFORE** your scheduled time and request to be excused and rescheduled. Leaving a message does not fulfill this obligation. Ultimately the Drug Court Judge will decide if a participant is excused from appearance.

- ❖ A copy of the Incentive and Sanction Grid is attached to this handbook.

DRUG COURT PROGRAM RULES:

As a Drug Court Participant, you will be required to abide by the following rules:

1. Follow all probation conditions.
2. Attend your assigned treatment program appointments as required.
3. Maintain appropriate dress and decorum for all Drug Court appearances.
4. Notify the Drug Court and ISO immediately of all changes in address, phone number, or employment status.
5. Be on time for all Court appearances.
6. Pay program fee assessed by the Court.

❖ A copy the Courtroom Rules and Dress Code is attached to this handbook.

PROGRAM VIOLATION/TERMINATION:

It is important to follow and keep all scheduled appointments. Program violations could result in imposition of sanctions to termination from the Drug Court. Program violations include but are not all inclusive too:

- Missed or positive drug tests
- Failing to cooperate with or actively participate in treatment program
- Failing to attend any treatment or program meeting required by ISO or Court
- Violence or threats of violence directed at program staff, treatment staff, or other participants
- Arrest or convictions for a new criminal offense

All decisions regarding sanctions or termination from the Drug Court Program will be made by the Drug Court Judge in collaboration with the Drug Court Team. Termination from Drug Court may result in a jail or prison sentence for the original offense committed.

PROGRAM SANCTIONS:

Each violation of a program rule or relapse will be reviewed individually. Discharge from the program may occur depending on the severity of the violation. However, in all cases, some type of sanction may be imposed. Sanctions may include but are not all inclusive too: increased reporting, community service hours, a short jail sentence, extension of a treatment program or an extension of time in Drug Court.

❖ A copy of the Incentive and Sanction Grids are attached to this handbook

EDUCATION and EMPLOYMENT:

Recovery from substance addiction means developing skills to become a productive and responsible member of society. During the program you will be expected to be employed or involved in an educational or vocational training program as directed by ISO.

Volunteer/community service work may also be required. During the last two phases of the program and prior to graduation employment will be required. Your ISO will assist you in obtaining and maintaining suitable employment and will refer you to the proper agencies for education, training, and job placement.

SANCTION GRID

Offense	First Noncompliance	Second Noncompliance	Third Noncompliance	Fourth Noncompliance
Court – Failure to Appear	Warrant Issued	Warrant Issued additional weekend in jail	Program Termination	
Missed Treatment Session	Verbal Admonishment Essay Assignment Letter of Apology Daily Activity Log	4 to 8 Hours CS Second Longer Essay Increased Reporting or Treatment Sessions	8 to 16 Hours CS Daily Reporting	Review for further sanction or possible termination
Failure to Submit UA	Verbal Admonishment Essay Assignment Increased Reporting	4 to 8 hours CS 24 hr Jail Sanction Increased Reporting or Treatment Sessions	8 to 16 Hours CS 48 to 72 Hr Jail Sanction Daily Reporting	Review for further sanction or possible termination
Abnormally Dilute UA	24 Hour Jail Sanction	48 Hour Jail Sanction	3 to 5 Day Jail Sanction	Review for further sanction or possible termination
Positive UA	Verbal Admonishment Essay Assignment Letter of Apology 4 Hours CS	8 Hours CS Second Longer Essay Increased Reporting or Treatment Sessions	16 to 24 Hours CS 24 to 48 Hour Jail Sanction Daily Reporting	Review for further sanction or possible termination
Treatment Misconduct Issues	Verbal Admonishment from Judge 4 Hours CS Letter of Apology	8 to 16 Hours CS with Essay 24 Hour Jail Sanction	48 hour Jail Sanction 3 to 5 day Jail Sanction	Review for further sanction or possible termination
Not Adhering to MAT Guidelines	3 to 5 Day Jail Sanction Possible Program Termination	Program Termination		
Missed Appt with ISO	Verbal Admonishment Essay Assignment Letter of Apology	4 Hours CS Second Longer Essay Verbal Admonishment from Judge	8 to 16 Hours CS 24 to 48 Hour Jail Sanction Daily Reporting	Review for further sanction or possible termination
Other Various Condition Violations (Sanction Depends on Severity)	Verbal Admonishment Essay Assignment Letter of Apology 4 Hours CS	8 Hours CS Second Longer Essay 24 Hour Jail Sanction	16 to 24 Hours CS 3 to 5 Day Jail Sanction	Review for further sanction or possible termination
New Offense Non-Person Crime	Review for Jail Sanction or possible termination	Program Termination		
New Offense Person Crime	Program Termination			
Non-Completion of Previous Sanction	Previous Plus CS Hours Doubling of CS Hours	Doubling of CS hours with Additional Jail Time	Previous Sanction Plus Additional 3 to 5 Day Jail Sanction	Review for further sanction or possible termination

INCENTIVE GRID

Behavior	Praise from Bench	Applause	Certificate	Reduced Supervision (CS Hours)	Reduced Court Appearance	Progress Through Phases	Gift Card
Complete Phase	X	X	X	X	X	X	X
Personal Achievement	X	X	X				
Clean Days Announced	X	X	X	X	X	X	X
Timely Payment of Fees	X	X		X	X	X	
Completion of Phase Activity	X	X		X		X	
Obtained Employment	X	X		X	X	X	X
Obtained Housing	X	X					X
Completing Physical	X	X		X			

This is not a complete list of all behaviors for which participants may be rewarded. ISO's may bring a variety of things to the team for which they would like to see their participants rewarded. These will be handled on a case by case basis by the Drug Court Team. Ultimately it is the Judge that makes the final decision on all incentives.

DRUG COURT DRESS CODE

Failure to abide by the dress code that is outlined in this document could result in sanction from your ISO and/or the court. Questions are to be directed to your ISO.

- Maintain good personal hygiene at all times. You are to bathe and wear clean clothes.
- No gang colors or symbols.
- No clothing that is torn or full of holes.
- No clothing bearing drug or alcohol related themes, promoting or advertising alcohol or drug use.
- No clothing with offensive messages.
- No hats, sunglasses, or bandanas are to be worn in court.
- No sheer or low cut clothing.
- No sagging of pants or jeans.
- No swim suits, pajamas, or sleep wear.

GENERAL DRUG COURT RULES

1. Punctuality is required. You shall be on time for all court appearances.
2. Do not speak when the Court is speaking. This includes when you are in the courtroom gallery. You are not to be having conversations with your neighbors. You are to be paying attention to proceedings.
3. You shall stand when addressing the Court or when addressed by the Court.
4. You shall not approach the bench unless permission is obtained from the Judge or if the Judge invites you to do so.
5. You shall not sit on the counsel table in the courtroom.
6. You shall comply with the dress code when appearing in the courtroom as the defendant or observer.
7. All cell phones must be turned off.
8. No beverages or eating is allowed in the courtroom.
9. All weapons are banned from the courtroom.
10. No tobacco products including smokeless tobacco are allowed in the courtroom. Our facilities are tobacco free.

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ACKNOWLEDGEMENT

By my signature I acknowledge that I have had explained to me and I have read or have had read to me the Allen County-Thirty-First Judicial District Drug Court Program Handbook. I further acknowledge that I have been provided a copy of the Drug Court Program Handbook.

DEFENDANT

DATE

PROBATION OFFICER

DATE