

Participant Handbook

7th District Problem Solving Court

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SUBJECT TO CHANGE



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7th District High Risk Drug Court Program

WELCOME TO THE 7th DISTRICT HIGH RISK DRUG COURT

Congratulations! You have made it through the application, screening and assessment process and you have been accepted into 7th District High Risk Drug Court. The 7th District High Risk Drug Court program is especially designed for you. Through the use of judicial supervision, long-term treatment, intensive supervision, work, community service, education services, and frequent drug testing, this program will provide you with usable tools and an opportunity to break the cycle of substance abuse and crime. The ultimate goals of drug court are to improve our community's safety by reducing repeat offenses and to improve the quality of your life through improved functioning and personal responsibility. Upon the completion of drug court, you will have a solid foundation to build upon in order to lead a crime free, alcohol/drug free, healthy life.

Please read the handbook carefully and thoroughly.

You are expected to follow all the guidelines in this handbook. You will be required to sign a contract indicating that you have read, understand, and can follow the rules outlined in this handbook.

ELIGIBILITY

Drug Court targets High-Risk and High-Need Participants; participants who are diagnosed with drug or alcohol dependency and who are at substantial risk for reoffending or failing a less intense program such as probation or treatment. 7th District High Risk Drug Court uses validated standardized assessment tools, administered by trained evaluators to determine high-risk and high-need eligibility. The drug court does not consider subjective determinations or opinions as part of the eligibility process.

7th District High Risk Drug Court does not determine eligibility based on race, religion, ethnicity, gender, sexual orientation, sexual identity, physical or mental disability, or socioeconomic status.

INTRODUCTION

Drug Court is made up of a team which includes the Judge, the Prosecutor, Law Enforcement, the Public Defender's Office, Adult Probation and Parole, and licensed substance abuse treatment professionals, and as needed, other community partners. The judge receives recommendations and reports from all team members at a staffing prior to court. Based on the reports and recommendations, the judge tailors orders designed to support you in addressing and combating the substance abuse issues that brought you into the criminal justice system. You will be required to appear in court frequently so that the judge and team may review your progress, and reward you for doing well or sanction you when you do not live up to your obligations. **You will always have an opportunity to address the court on your own behalf and with the assistance of counsel.** It is normal for you to wonder how long the program will take and when you can "start your life." Drug Court is a chapter in a life already started. The team has developed a four-phase program with

minimum time frames for completion. You can successfully complete the program in 24 months, which may be reduced to 18 months due to incentives and compliant behavior. Be mindful that the program is designed to build your skills so that you can maintain your success for a lifetime. Your focus in any phase should always be to calculate your progress, not your time; as such, the program may be extended beyond 24 months to meet your individual needs. Program extensions will always be for good cause and will never be arbitrary. Movement from one phase to another is dependent upon the completion of objective criteria.

The Program's duration is twenty-four (24) months and consists of four phases. Each phase has specific benchmarks that must be achieved before advancement:

- Honesty and Ownership Phase (26 Weeks)**
- Building Awareness and Skills Phase (26 Weeks)**
- Stable Foundation Phase (26 Weeks)**
- Sustaining Support Phase (26 Weeks)**

All phases of the Court program encompass vocational and educational components in conjunction with providing substance abuse treatment, drug testing, and supervision with judicial oversight.

A. HIGH RISK DRUG COURT

A1. JUDGE'S ROLE

The Drug Court Judge is aware of the significant impact of substance abuse on the court system, the lives of participants and their families, victims of criminal behavior, and the entire community. The Judge is committed to the overall drug court concept and program goals, and works as the team leader to encourage participant success. The Judge is the ultimate arbiter of factual controversies and makes the final decision concerning the imposition of incentives or sanctions. The Judge makes these decisions after taking into consideration the input of the other Drug Court team members and discussing the matter in court with the participant or the participant's legal representative. The Judge relies on the expert input of duly trained treatment professionals when imposing treatment-related conditions.

The Judge has many other daily responsibilities which require judicial attention. The Judge is prohibited from discussing a case unless all parties are present. Therefore, direct contact with the Judge outside of court regarding drug court is not permitted. By agreeing to participate in drug court, you are authorizing the Judge to make an exception by allowing the Judge to discuss your progress at team staffings outside of your presence. **The Judge cannot give you legal advice. Any Motions must be submitted through the appropriate channels.** The Judge attends non-court meetings with other team members not only to review and evaluate participant progress, but also to evaluate appropriate alternatives. In addition, the Judge is an advocate for the Program by creating community interest in the program. The Judge stays abreast of current law and research on best practices in Drug Courts by regularly attending educational events related to the drug court process.

A2. PROSECUTOR'S ROLE

The prosecutor is responsible for screening participants for eligibility for High Risk Drug Court. The prosecutor along with you, and your attorney, must agree that High Risk Drug Court is a suitable component for any negotiated plea agreement accepted as a part of the sentence imposed by the Judge. The prosecutor attends staffing sessions, as part of the collaborative team, to monitor participant progress through the Program, and to recommend appropriate sanctions, incentives and rewards for participants. The prosecutor shares the goal of successful treatment completion. The prosecutor's role in drug court is non-adversarial. However, in the event of a probation revocation hearing, the Prosecutor's office will be advocating the State's position, which may be adverse to your own position.

A3. DEFENSE ATTORNEY'S ROLE

A Defense Attorney's role is to evaluate the participant's legal situation and protect his/her legal rights. Additionally, the Defense Attorney should provide advice to assist in determining legal options, treatment options, program conditions, and potential sentencing outcomes.

At the time of sentencing when you agree to enter into High Risk Drug Court, you have the right to have legal counsel to advise and assist with such a decision. If for any reason, you should be brought before the Court for violating the terms of the High Risk Drug Court Agreement, you have the right to legal counsel and a right to be heard. The Defense Attorney also attends weekly staffing meetings to discuss your progress in a non-adversarial setting to assist your successful recovery.

A4. COURT COORDINATOR'S ROLE

The Court Coordinator is the administrative assistant of the 7th District High Risk Drug Court. The Coordinator's primary role is to prepare weekly status reports regarding the Drug Court participant's compliance and to explain the drug court program to you at an initial orientation.

The Coordinator will meet with you when necessary about any aspect of your Drug Court participation involving paperwork, fees, compliancy issues, missed meetings, etc. The Coordinator is your contact regarding fee issues, and will monitor your financial obligation to the Court. The Court Coordinator also keeps the Judge informed on the most updated information regarding each participant. The coordinator does not make recommendations to the court or participate in the team discussions.

A5. PROBATION OFFICER'S ROLE

The probation officer will handle the intensive supervision of the participant. Your probation officer attends weekly staffing meetings to discuss your progress in the program. Your probation officer may report progress or violations to your sentencing judge. You will have terms and conditions of probation that are separate and apart from your drug court responsibilities. It is *your* responsibility to comply with both drug court and probation terms and conditions. The probation officer may work in coordination with the tracker for home and work visits as well as on site specimen testing and searches.

A6. DRUG COURT TRACKER ROLE

Local law enforcement accepts the concept of Accountability Courts as being the best alternative to reducing repeat DUI and drug offenses. Participant supervision and monitored compliance with program conditions is essential to continued law enforcement support.

The Drug Tracker is a Deputy of the Local County Sheriff's Office and is primarily responsible for monitoring and supervising a participant. As a condition of your participation in High Risk Drug Court, the drug court tracker has the authority to visit you anytime, day or night, at home, at school, or at work, to set a curfew and inquire of your associates. During these visits you may be subject to specimen tests or a search of your property. Furthermore, the drug tracker attends staffing to inform the Judge and other team members of your progress in the Program.

A7. DEPARTMENT OF CHILD AND FAMILY SERVICES

The Department of Child and Family Services participates in Drug Court by providing protection, support, and appropriate interventions on behalf of the families and children of Drug Court participants who are also involved in services with the Division.

A8. TREATMENT CLINICIAN'S ROLE

The initial role of the treatment clinician is to clinically assess each participant to develop a comprehensive treatment plan. Your assigned clinician will be responsible for managing your treatment while you are a participant in Drug Court. Each clinician attends staffing with other members of the High Risk Drug Court Team to keep them informed of a participant's progress through treatment. It is your counselor's responsibility to relay information pertinent to a participant's continued sobriety to the Judge and the rest of the Team in order to properly treat each participant. The clinician also attends weekly staffing meetings to discuss your progress.

B. Program Guidelines

B1. TARGET POPULATION

Adult drug courts are not designed to treat all drug-involved adult offenders. They were created to fill a specific service gap for drug-dependent offenders who were not responding to existing correctional programs—the ones who were not adhering to standard probation conditions, who were being rearrested for new offenses soon after release from custody, and who were repeatedly returning to court on new charges or technical violations.

B2. HISTORICALLY DISADVANTAGED GROUPS

Participants who have historically experienced sustained discrimination or reduced social opportunities because of their race, ethnicity, gender, sexual orientation, sexual identity, physical or mental disability, religion, or socioeconomic status receive the same opportunities as other to participate and succeed in the Drug Court.

B3. COURTROOM BEHAVIOR

Attendance in Court is a critical and mandatory condition of participation in High Risk Drug Court. Court sessions are held weekly OR bi-weekly depending on your court and your attendance is based on which phase you are currently in. It is your responsibility to know the dates of court sessions. The frequency of your attendance can be found in Phase of Drug Court.

On designated court days, if you report early, please wait outside the courtroom until allowed inside. You will be given your next date of attendance during your appearance at court. If you have any questions regarding whether or not you are to appear on a given court date, contact the court clerk. The weekly court schedule is also available at <http://www.utcourts.gov/cal/>. Failure to attend court on your designated date will result in the issuance of an arrest warrant.

Your attire should be appropriate for a court appearance and should not include hats, shorts, tank tops, bare midriffs, or sunglasses. Additionally, clothes displaying offensive language such as violent, racist, sexist, alcohol or drug related themes are not permitted. Loud, disruptive, disrespectful, obscene or threatening behavior will not be allowed. No food, drink, pagers, cell phones, or other distracting items are allowed in the courtroom. Guests and support persons are allowed in the courtroom, but are expected to maintain appropriate courtroom behavior. If you bring children, they must remain quiet and under your control. Participants are expected to show support and encouragement to fellow participants both in and out of the courtroom.

When addressed by the Judge, you should respond by speaking clearly and directly. You should always remain until dismissed. The court will appropriately address violations of courtroom behavior. When speaking with the Judge, the Drug Court team or court staff members do so with courtesy and respect.

B4. ASSOCIATIONS/SOCIAL MEDIA

During the Drug Court program, you SHALL NOT associate/communicate, in any way, with any persons known or suspected to be involved with illicit drugs or substances including alcohol. Whether or not a person is a “known-user” should be determined by the judge/team. Participants in the Drug Court program SHALL NOT associate/communicate with each other outside of treatment. You *may* also be prohibited from associating with persons deemed inappropriate by the Drug Court team. This may include, but is not limited to:

- Persons who are incarcerated;
- Persons with a criminal record;
- Persons who are on juvenile, misdemeanor, or felony probation or parole;
- Persons suspected of engaging in criminal activity;
- Persons who are participating in drug/alcohol treatment program, including Drug Court programs.

In addition, your social media activities are also subject to the rule regarding associations, and

as such you will be held accountable for your social media activity and associations.

B5. MOTIONS/LEAVE REQUESTS

As a participant in High Risk Drug Court, you are required to attend all meetings as assigned. Failure to attend will result in progressive sanctions. Special requests to be excused from meetings must be staffed and approved by the Drug Court Team. **Requests to miss any High Risk Drug Court session, group/treatment meeting, and probation meetings, to leave the jurisdiction of this Court or to stay at a residence other than your primary residence of record must meet the following requirements:**

- 1.** All motions are to be submitted in writing a minimum of 5 days in advance, unless stipulated to or for other good cause, in order to allow for the motion to be reviewed by the Prosecutor's office, the Defense Attorney, and the Judge. A Motion is only a request to do or not do something. You must see if the Court issued an order granting or denying your motion. **Motions requesting to travel outside the county (Emery, Carbon) will not be granted if you are in Phase 1.**

- 2.** All requests must have verified documentation attached when applicable. Your motions should contain as much specificity as possible, so that the court has all the information available to make a decision and so that a ruling on your motion will not be delayed. For example, when asking to leave town for more than a day, it is important that you request an excuse for any meetings, work hours, or drug testing that you might miss; otherwise you will be required to make up any missed hours and may receive sanctions for missed drug tests. Motions can be obtained from the District Court Clerk's Office. Once the motion is completed in full, return it to the Clerk' Office. Generally, 3-5 days are required for a motion to be ruled on. Once the motion has been ruled on, you can pick it up at the Clerk's Office. Motions and corresponding orders will not be mailed to you.

- 3.** There may be times when you know you are going to receive a jail sanction. You may request in advance to serve your time on your days off from work or school. In this event, you must fill out the Motion to report to jail. This Motion does not have to be provided to the County Attorney or the Public Defender. This motion has blank spaces for you to fill out the day and time you wish to report to jail. Make sure you fill out the Motion completely, including a.m. or p.m. reporting times.

If your request is granted to leave Court Jurisdiction for more than a single day, you must report the day following your return for a drug test regardless whether you are scheduled or not. In the event of a sudden illness and/or death of an *immediate family member, contact the Drug Court Tracker for permission to proceed. He will attempt to contact the Judge in the event of an emergency. **Do not proceed until you have received permission from the Drug Court Tracker.** You are responsible for contacting treatment and informing them of any meetings you will be missing. Remember, it is your responsibility to get permission and travel permits from your probation officer for some travel as well.

1. All unexcused absences, missed meetings, missed drug tests, or unexcused work hours are subject to sanctions to be determined by the High Risk Drug Court Team.
2. Unless you have permission to be away from your primary residence of record, you are required to stay at that residence. Under no circumstances should you reside at another residence, even if it is just overnight. Leaving the jurisdiction of the court (your assigned county) for any reason requires prior notice and approval by your Probation Officer and/or the Judge.
3. You are required to be “reachable” by any member of the drug court team at all times. Failure to respond to messages in a reasonable period of time (no more than 2 hours and such lesser time as circumstances dictate) will result in possible sanctions by the court. If you lose your cell phone, your cell phone is disconnected, and/or you are unreachable, you are required to notify the Drug Tracker immediately.
4. Changes of address must be provided in advance to both the tracker and the court.
5. If you are placed on a curfew, the curfew begins at the time set by the Judge or Drug Court team member and ends at 6:00 a.m. the following day, or 20 minutes before you’re are scheduled for work or school, whichever event occurs first.

*For the purposes of this manual “immediate family” includes spouse, children, siblings, parents, and grandparents only.

B6. HONESTY

Honesty is a core component of High Risk Drug Court. Dishonesty will only impede your recovery and hold back your progression through the Court. **It is your responsibility to disclose any violation of the terms of this Court to your treatment clinician, the Drug Tracker, and the Drug Court Judge.** Dishonesty of any form: lying, tampering or adulterating drug screens, presenting fraudulent documents, etc. will not be tolerated and will subject a participant to substantial sanctions. Defrauding or lying may lead to a participant’s termination from the Court and/or substantial confinement time. Honesty is essential to your successful participation in Drug Court.

B7. FINANCES

1. As a condition of your participation in Drug Court, you are responsible for the cost of your treatment and supervision. **Therefore, seeking and maintaining employment is a condition of your continued participation.** A documented disability to work will be addressed on a case-by-case basis. Participants who are employed are less likely to use alcohol and/or other drugs when they are working.
2. A weekly fee will be assessed as a part of your participation in High Risk Drug Court based upon a sliding scale. **It is your responsibility to keep your fees current.** No motions will be granted to miss meetings or to travel unless your fees are current, absent good cause.

3. All Drug Court fees are to be paid through Four Corners Community Behavioral Health. Acceptable forms of payment include cash, check and credit or debit card. **Be advised, if you have a returned check, you will no longer be allowed to pay with checks.**
4. You are expected to pay your participant and supervision fees in full monthly. The Drug Court is willing to work with individuals in regard to financial issues. However, as previously stated, a requirement of the Drug Court is that you must pay for the treatment services and supervision received throughout your participation. **If you cannot meet your financial obligations, it is your responsibility to discuss your situation with your individual treatment provider or Clinic Supervisor and develop a solution.** Should you at any time accrue an arrearage of \$200.00 or more, the judge will address the issue in court. **It is your responsibility to meet with, provide documentation for, and discuss your financial situation with your individual treatment provider if you are unable to meet your payment plan obligation.** Please note that any arrearage or failure to make payments as directed by your payment plan will subject you to appropriate sanctions by the Court.

B8. MEDICATION

During your time in Drug Court, you may find that medications are a necessary part of improving your health for a variety of medically necessary reasons. Prior to taking medication of ANY KIND, including over the counter medication, you are required to submit a motion to the drug court for approval. Please complete the following steps prior to taking medications:

1. Obtain the High Risk Drug Court Protocol for Physicians and Dentists Disclosure Form from the Drug Court Coordinator.
2. Fill out a Release of Information for the prescribing physician and/or dentist or provider.
3. After your appointment and prior to filling a prescription, complete and submit a motion containing the name of the prescribing physician, and all documentation pertaining to the medical necessity of the medication.
4. Once you have received permission from the court to proceed, fill the prescription and take the medication only as prescribed. Provide proof of such to the court when requested.

In the case of an emergency, complete the following steps:

1. Contact Drug Court Tracker, or if not available, inform Probation Officer of emergency.
 2. Upon release from emergency procedure, and in a timely manner, provide medical documentation via a motion to the court regarding the nature of the emergency and all medications that were given and/or prescribed.
 3. When possible, complete the Protocol for Physicians and Dentists and complete a Release of Information to the court.
5. The Drug Court team relies on expert medical input to determine whether a prescription for an addictive or intoxicating medication is medically indicated and whether non-addictive, non-intoxicating, and medically safe alternative treatments are available. In the event the use of such a medication is medically indicated, and

alternative treatments have been ruled out, your approval to take the medication will be conditioned on close monitoring by a physician with training in addiction psychiatry or addiction medicine, and there must be a plan to taper off the medication.

B9. DRUG TESTING (Policy and Procedure)

- 1.** It is the expectation of this Program that each participant remain abstinent from all mood-altering substances throughout the course of their involvement with High Risk Drug Court (including post-graduation, if your probation term has not expired). Frequent and random drug testing is used to monitor participants' compliance. You may be asked to submit a sample at any time by any member of the Drug Court Team. You must be prepared to submit a specimen at the time of the request to whomever asks, be it one of the Treatment Clinicians, the Drug Court Tracker, Probation or the Court, etc. **Failure to appear for, refusal to provide a sample, tampering with or diluting, altering or providing an insufficient sample for a test will be grounds for a sanction.**
- 2.** Random Drug Testing: As a participant in High Risk Drug Court, you are subject to random screens, for which you will call in daily. Appearance for random drug testing is mandatory. Failure to appear for a random test is a violation of the terms of Felony Drug Court and will be addressed by the Court. Drug testing includes specimen testing for alcohol and intoxicating substances. Specimen testing may include urine, sweat, oral fluid (saliva), hair, blood or eye scanning.
- 3.** Procedure for Daily Random Drug Testing: Your individual Drug Court will provide you with a procedure regarding drug testing policies in your county. It is your responsibility to know and understand those policies. **Failure to abide by the Drug Testing Policy of your county is grounds for immediate sanction.**

Upon the request of a drug test:

- You must indicate an admission or denial of alcohol and/or drug use. **Honesty is a crucial component for recovery and participation in Drug Court. The Court will consider self-disclosure of use a mitigating circumstance when sanctions are imposed.**
- The only people allowed in the testing area at the time of administration are you and the individual overseeing the collection of the sample.
- You will not be allowed to leave the testing area, or to drink excessive fluids until a specimen is rendered.
- Failure to produce a sample will be viewed as a positive test and will be subject to sanctions.
- You may not carry purses, coats, bags, etc. into the testing area.
- Shirtsleeves should be rolled up to the elbow and you may be requested to remove

additional clothing to ensure the validity of a specimen.

- The test cup must contain a minimum 1/3 level to be adequate for testing.
 - Collection of urine sample will be observed. In the event a drug test cannot be observed, a temperature strip will be used to ensure sample integrity.
 - If a urine sample does not provide an acceptable reading on the temperature strip, the participant is required to provide another sample before leaving the collection site.
 - **Use of an artificial device of any type to alter the test, including specimen substitution, will result in significant sanctions, including possible termination from the program.**
 - **Failure to comply with any of the above guidelines or refusing to provide a sample is considered an offense worth sanctioning.**
4. You may not be able to stop using alcohol/drugs immediately and recovery will not occur overnight. However, any use of illegal drugs will be sanctioned. **You will be held accountable for everything you put in your body.** Admitting use prior to the drug test will be taken into account in the sanctioning process. Conversely, not admitting to, and denying new use after a positive result on a drug screen will result in a more severe sanction.
 5. Participants must provide a testable sample. Samples that are dilute or tampered with will result in a sanction. A dilute sample is one where the creatinine level is below 20ng/mL. (Creatinine: the substance in urine resulting from muscle breakdown) Creatinine levels below 20 are not normal and are indicative of consumption of large quantities of water. (Specific Gravity is the concentration of solids relative to the amount of water). Specific Gravity outside the range of 1.0030 to 1.0200 is indicative of abnormally large quantities of water. **You are cautioned to not consume more than 8 ounces of liquid 1 hour prior to testing.** A tampered sample is one where the urine is in a condition that is not testable due to interference or other chemical reaction or is otherwise altered. This includes specimen substitution.
 6. As part of your participation in drug court, you are agreeing to the use of on-site drug screening devices that will yield an immediate presumptive result. Once you have been notified of a presumptive positive, dilute or otherwise altered test, you will have the opportunity to either sign a Statement of Admission to the test or if you disagree with the outcome, you may request a confirmation test be completed by signing a Confirmation Request. If you fail to sign either a Statement of Admission or a Confirmation Request within one week from the date of the test result, then you waive any right to challenge the accuracy or validity of the initial test result. You will be responsible for the costs of all presumptive and confirmation tests which are confirmed as positive dilute or otherwise altered.
 7. **It is YOUR responsibility to limit your exposure to the products and**

substances that contain ethyl alcohol or which could cause your test result to be anything other than a valid negative test. It is your responsibility to read product labels, to know what is contained in products BEFORE you use or consume them. You should not take drinks, substances or medications from non-medically qualified persons as a response to ailments. You should guard your drink and food at social outings. Do not use products containing alcohol such as: Cough/cold syrup, hair tonic, perfume, medical alcohol, wood alcohol, after shave lotion, sterno, mouth wash, and extracts (lemon, vanilla, etc.), non-alcoholic beer or wine, hand sanitizer. This is not an exhaustive list. **When in doubt, do not use, consume or apply foreign products.**

8. If, due to a change in work schedule a participant wants to change his or her testing schedule, the participant shall file a motion with the court with the proposed schedule change attached, and a proposed testing schedule. The Drug Court Staff shall review the proposed change and determine if the change can be accommodated or determine an alternative.
9. If, due to an emergency, a participant must change his or her testing time, he or she may make contact with the tracker to arrange an alternative time.

B10. WEEKLY REPORTING

1. As condition of your participation in High Risk Drug Court, you will be required to turn in weekly reports that show your employment, education, or community service hours, weekly meeting attendance, and any potential issues regarding compliancy. Proof of payment from your employer should be turned in with your paperwork. Persons completing community service hours must work at only approved sites. Hours are to be worked for a non-profit organization, supervised by someone other than a relative. Absent court consent, no more than 10 hours per week may be worked at any one location. Participants who are not employed or going to school will be required to complete the employee orientation process through the Department of Work Force Services. Participants will be required to make an appointment with Vocational Rehabilitation Services.
2. Employment/Community Work Logs and Self-Help/Pro-Social Attendance Sheets may be obtained from Four Corners Community Behavioral Health.
3. All Work Logs and attendance sheets must be turned in to Four Corners Community Behavioral Health by 5 pm every Monday. The reporting week runs from Monday 12:00 am until Sunday 11:59 pm.
4. Your work log will document your compliance in five (5) specific areas:
 - o Abstaining from drug and alcohol use as evidenced by negative urine analysis tests.
 - o 100% attendance at all recommended treatment programs (IOP, aftercare, individual, etc.).
 - o 100% attendance at all required self-help/pro-social activities.
 - o Current on all court ordered obligations, including but not limited to, fines, treatment, AP&P obligations, prior sanctions, assignments, etc.
 - o Satisfied all work/school/community service hours.

B11. ABSCONDING POLICY

If you abscond for any reason, you will be subject to serious sanctions. There is zero tolerance for such a disregard of your responsibilities to High Risk Drug Court. Rather than running from a problem, bring it to the attention of a member of the Drug Court Team and they will work with you in an attempt to find a solution. Absconding will only complicate the situation and may lead to removal from this Program and the possible revocation of the balance of your probation. **Again, Honesty is essential to your successful participation in Drug Court.**

B12. RETAIL ALCOHOL SALES AND SERVICE INDUSTRY

1. Employment in restaurants that serve alcohol is permitted, provided participant maintains sobriety and program compliance. Failure to maintain sobriety and program compliance will result in a Court ordered removal from the work site.
2. Program participants shall not enter or frequent bars or any other business whose primary purpose in sales is alcoholic beverages.

B13. PHONE POLICY

All drug court participants regardless of phase shall possess a means of immediate communication (cell phone). Straight Talk, prepaid phones or any phones on plans that do not allow for a history of phone calls or text messages are not allowed. Immediately upon obtaining a new cell phone, a participant must text his or her name and cell # to the drug court staff. Each participant shall have only one cell phone or other electronic means of communication.

All drug court participants will provide all members of the drug court staff accurate records of all electronic communication upon request. All devices are subject to search including forensic analysis to determine if a participant is using applications such as SnapChat to avoid detection of activity that would be a violation of drug court policies.

Participants who violate this provision may be required to obtain a phone without data capabilities, commonly known as a “dumb” phone. In the event a participant is ordered to switch to a “dumb” phone, they shall surrender their smart phone to the trackers.

B14. GPS MONITORING

At the discretion of the court, any participant may be required to wear a GPS monitoring device, such as an ankle monitor. The participant is responsible for ensuring that the device is charged at all times. If the participant allows the device to become discharged or otherwise non-functional, the court may: add to the time the participant must wear the device, be subject to house arrest or jail time. If the participant deliberately removes or damages the device he or she will be liable to pay the cost of the device, and may be otherwise sanctioned, including termination.

B15. POLYGRAPH POLICY

If a polygraph examination is required, you will be responsible for the cost of the polygraph if it is determined that you have been deceptive, or if you ask to cancel the polygraph within 48 hours of the scheduled test. If you have not been deceptive, you will not be responsible for the polygraph testing cost. By entering the Drug Court Program, you are acknowledging that as a special condition of your probation, you may be required to undergo polygraph examinations and you further acknowledge that you are waiving any objection to the admissibility of the polygraph results for Drug Court Purposes only. Additionally you are specifically waiving any objection to the expertise of the polygraph operator to testify to the results or reliability of the polygraph machine, or results. Prior to graduating Drug Court, you may be required to undergo a polygraph examination at your own expense.

C. Treatment

C1. PHASES OF THE COURT

As stated before, the Drug Court consists of four (4) phases. Your progression through each phase is dependent upon your active participation. You control, to a certain extent, how long you will stay in each phase of the program based upon your behavior and compliance. The requirements for each phase are listed below.

Honesty and Ownership Phase (26 weeks)

1. This phase is intended to offer stabilization to the participant. The duration of this phase is 26 weeks, which can be reduced to 20 weeks if you are in complete compliance.
2. You will be required to attend court on the 2nd and 4th Wednesday of the month at 830am.
3. You will be required to call in daily, seven days a week, to the Drug Court UA Hotline. Participants will be required to test randomly throughout the week.
4. You are to submit tracking cards and work logs to Four Corners Community Behavioral Health each Monday by 5 p.m. The reporting week runs from Monday 12:00 am to Sunday 11:59 pm.
5. You will be required to complete 20 hours of work, school, community service, or a combination of those three items a week. Persons completing community service hours must work at approved sites only. (Community Service hours are to be worked for a non-profit organization, supervised by someone other than a relative. Absent Court consent, no more than 10 hours per week may be worked at any one location.) In addition, only 10 hours of job search will be approved by the court each week.
6. You will be required to attend 3 Self-Help and/or Pro-social meetings a week, subject to approval by the court.
7. You will be required to complete a Substance Use Dependence and Mental Health Assessment at Four Corners Community Behavioral Health.
8. You are to attend treatment as recommended by Four Corners Community Behavioral Health.
9. Participants awaiting admittance to treatment will be required to attend a self-help recovery program daily until engaged in treatment (As available in your county).
10. You will be required to have 100% attendance in Treatment (unless otherwise excused by drug court staff member) for 8 weeks prior to phase advancement.

11. You will be required to have at least 60 consecutive days without the illicit use of drugs and alcohol before being eligible to advance. This is evidenced both by your behavior and the absence of illicit drugs and alcohol in your UAs.
12. You will be required to observe an 8pm curfew unless otherwise excused by the court. You will be required to contact the Drug Court Tracker prior to 8pm to confirm your compliance.
13. You will be required to complete the following homework, which will be reviewed in your individual treatment meetings prior to presenting in court (5 and 5).

Building Awareness and Skills Phase (26 Weeks)

1. This phase is meant to support healthy living and developing the skills to sustain recovery. The duration of this phase is 26 weeks, which can be reduced to 20 weeks if you are in complete compliance.
2. You will be required to attend court on the 2nd and 4th Wednesday of the month at 8:30am.
3. You will be required to call in daily, seven days a week, to the Drug Court UA Hotline. Participants will be required to test randomly throughout the week.
4. You are to submit tracking cards and work logs to Four Corners Community Behavioral Health each Monday by 5 p.m. The reporting week runs from Monday 12:00 am to Sunday 11:59 pm.
5. You will be required to complete 25 hours of work, school, community service, or a combination of those three items a week. Persons completing community service hours must work at approved sites only. (Community Service hours are to be worked for a non-profit organization, supervised by someone other than a relative. Absent Court consent, no more than 10 hours per week may be worked at any one location.) In addition, only 10 hours of job search will be approved by the court each week.
6. You will be required to attend 3 Self-Help and/or Pro-social meetings a week, subject to approval by the court.
7. You are to attend treatment as recommended by Four Corners Community Behavioral Health.
8. You will be required to have at least 90 consecutive days without the illicit use of drugs and alcohol before being eligible to advance. This is evidenced both by your behavior and the absence of illicit drugs and alcohol in your UAs.
9. You will be required to obtain stable housing prior to advancing from this phase.
10. You will be required to complete the Dep. of Workforce Services Vocation Skills Class, unless you are employed full time.
11. You are required to pay a weekly Drug Court Supervision fee based upon a sliding scale to Four Corners Community Behavioral Health. In order to maintain compliance, your fees must be paid on time and remain under \$200.00. If your fees owed amount to over \$200.00, you will not be considered in compliance.
12. You will be required to be in compliance for 6 consecutive weeks prior to advancement.
13. You will be required to observe a 9pm curfew unless otherwise excused by the court. You will be required to contact the Drug Court Tracker prior to 9pm to confirm your compliance.
14. You will be required to complete the following homework, which will be reviewed in your individual treatment meetings prior to presenting in court (5 and 5).

Stable Foundation Phase (26 weeks)

1. This phase is characterized by building a foundation to support your recovery. The duration of this phase is 26 weeks, which can be reduced to 20 weeks if you are in complete compliance.
2. You will be required to attend court on the 4th Wednesday of the month at 830 am.
3. You will be required to call in daily, seven days a week, to the Drug Court UA Hotline. Participants will be required to test randomly throughout the week.
4. You are to submit tracking cards and work logs to Four Corners Community Behavioral Health each Monday by 5 p.m. The reporting week runs from Monday 12:00 am to Sunday 11:59 pm.
5. You will be required to complete 30 hours of work, school, community service, or a combination of those three items a week. Persons completing community service hours must work at approved sites only. (Community Service hours are to be worked for a non-profit organization, supervised by someone other than a relative. Absent Court consent, no more than 10 hours per week may be worked at any one location.) In addition, only 10 hours of job search will be approved by the court each week.
6. You will be required to attend 3 Self-Help and/or Pro-social meetings a week, subject to approval by the court.
7. You are to attend treatment as recommended by Four Corners Community Behavioral Health.
8. You are required to pay a weekly Drug Court Supervision fee based upon a sliding scale to Four Corners Community Behavioral Health. In order to maintain compliance, your fees must be paid on time and remain under \$200.00. If your fees owed amount to over \$200.00, you will not be considered in compliance.
9. You will be required to have at least 120 consecutive days without the illicit use of drugs and alcohol before being eligible to advance. This is evidenced both by your behavior and the absence of illicit drugs and alcohol in your UAs.
10. You will be required to have completed you High School Diploma or GED equivalent prior to advancement.
11. You will be required to present a Community Service Project, reviewed and approved by your individual treatment provider, to the court prior to advancement. The project must consist of at least 20 hours of service, and demonstrate some measurable good to the community.
12. You will be required to maintain 8 weeks of consecutive compliance with the Drug Court Rules prior to advancement.
13. You will be required to observe a 10pm curfew unless otherwise excused by the court. You will be required to contact the Drug Court Tracker prior to 10pm to confirm your compliance.
14. You will be required to complete the following homework, which will be reviewed in your individual treatment meetings prior to presenting in court (5 and 5).

Sustaining Support Phase (26 Weeks)

1. This phase is characterized by building and maintaining the support systems for long-term sobriety. The duration of this phase is 26 weeks, which can be reduced to 20 weeks if you are in complete compliance.
2. You will be required to attend court on the 4th Wednesday of the month at 830am.
3. You will be required to call in daily, seven days a week, to the Drug Court UA Hotline.

- Participants will be required to test randomly throughout the week.
4. You are to submit tracking cards and work logs to Four Corners Community Behavioral Health each Monday by 5 p.m. The reporting week runs from Monday 12:00 am to Sunday 11:59 pm.
 5. You will be required to complete 40 hours of work or school or a combination of those two items a week. Community service hours will not be accepted during this phase unless authorized by the court through a motion, or are otherwise ordered through the court.
 6. You will be required to attend 3 Self-Help and/or Pro-social meetings a week, subject to approval by the court.
 7. You are to attend treatment as recommended by Four Corners Community Behavioral Health.
 8. You are required to pay a weekly Drug Court Supervision fee based upon a sliding scale to Four Corners Community Behavioral Health. In order to maintain compliance, your fees must be paid on time and remain under \$200.00. If your fees owed amount to over \$200.00, you will not be considered in compliance.
 9. You will be required to have at least 180 consecutive days without the illicit use of drugs and alcohol before being eligible to advance. This is evidenced both by your behavior and the absence of illicit drugs and alcohol in your UAs.
 10. You will be required to complete a Community Service Project and present said project before the court at least 1 court date prior to commencement. **YOU WILL NOT BE ABLE TO PRESENT YOUR PROJECT AND COMMENCE ON THE SAME DATE.** The project must consist of at least 20 hours of service, and demonstrate some measurable good to the community. Include pictures and a written summary of your project.
 11. You will be required to have 12 consecutive weeks of compliance prior to Commencement.
 12. You will be required to give a final presentation to the court outlining what you have learned in Drug Court. You will be required to review this presentation with your treatment provider prior to presenting in court.

NOTE: The times stated for the duration of any one phase is a minimum time frame. Participants who are not in compliance may not advance within the time frame provided. Participants may be required to complete previous phase assignments depending on circumstances of non-compliance.

C2. INCENTIVES AND REWARDS

Incentives are an important part of recovery. The program is structured to reward you for your active and committed participation. Incentives and rewards will be equal in nature to other participants in the same phase with comparable conduct and will be administered throughout the program.

C3. SANCTIONS

The Drug Court has a range of sanctions of varying degrees as a response to infractions in the program. Consequences will be equal in nature to other participants in the same phase

with comparable conduct. Violations of goals that are relatively easy for a participant to accomplish like truthfulness, or attending counseling/meetings may have higher sanctions than goals that are more difficult to accomplish. The sanctions for program goals that are difficult to accomplish will increase in severity for continued violations.

REMEMBER: The sanctions listed in this handbook are only intended to give you some expectation of sanctions related to violations of drug court rules. All sanctions are subject to the full discretion of the Drug Court Judge.

At the end of this handbook, you will find a table of incentives and rewards as well as a table of sanctions. You will always have an opportunity to be heard concerning the imposition of incentives, sanctions and therapy adjustments. The public defender will be available to assist you in addressing the court and/or team.

C4. TERMINATION

Your continued participation in this Program is contingent on compliance with the guidelines and regulations. Serious violations or continuous violations will subject you to being terminated from this Program. 7th District High Risk Drug Court is committed to providing you and all other participants with an opportunity and environment conducive to helping you obtain and maintain a sober and drug free lifestyle. The following are just some examples of non-compliance that could result in your termination from this Program:

1. An immediate risk to public safety. Committing a new criminal offense (level of offense and circumstances will be considered).
2. Altering or tampering with drug screens.
3. An accumulation of violations and the continuance of non-compliance with Program guidelines, after the imposition of graduated sanctions and treatment/supervision adjustments have been utilized.
4. An inability or unwillingness to remain free of illicit use drugs and alcohol , or to engage in treatment or drug court programing.

We want you to succeed! We only consider termination as a last resort. The goal is to help you help yourself. Nevertheless, not everyone who enters High Risk Drug Court is committed to maintaining sobriety and compliance with Program conditions. The Team may determine that the removal of a person for non-compliance is the most appropriate action for the success of all other participants.

C5. Medication Assisted Treatment

Medication Assisted Treatment (MAT) is an accepted best practice standard in High Risk Drug Court. **In order to qualify for MAT in drug court, you must take the following steps:**

1. Meet with your individual FCCBH treatment provider for evaluation and referral for MAT.
2. Meet with a licensed physician for evaluation and prescription of MAT.
3. Submit a written motion to the court, along with all medical documentation, requesting approval for MAT.
4. Await approval by the court prior to commencing MAT.
5. Upon approval by the court, follow prescribed usage of MAT and provide documentation of such to the court upon request.

6. When determining if it is appropriate to terminate MAT, a motion must be submitted to the court with documentation by the prescribing physician detailing a timeframe and medical necessity.

Remember, **ALL MAT IS SUBJECT TO APPROVAL BY A LICENSED PHYSICIAN AND THE COURT.**

C5. COMMENCEMENT

CONGRATULATIONS!

Upon your successful completion of a treatment program and satisfaction of all other court requirements including continued sobriety, you will matriculate from Drug Court. Matriculation from the Drug Court Program is recognized as a very important event. Your loved ones will be invited to join you at a special ceremony as the Drug Court Team congratulates you for successfully completing the High Risk Drug Court Program and achieving your goal to establish a drug-free life.

We are all looking forward to this major event in your life. Our hope is that you will have established a sober, healthy, and productive lifestyle. Remember, your recovery is an ongoing process. At this point in your treatment, you will have made a very strong beginning to this lifelong endeavor. We invite you to continue as Alumni of the Court and be a mentor to new participants. You may be pleasantly surprised and rewarded by the significant influence you could play in helping others overcome their addiction. This is a way for you to maintain contact with us and remember what it was like for you when you first entered the Court.

D. Quick Guide

This quick guide will help you navigate Drug Court. It does not cover everything in the handbook, **SO REMEMBER TO READ THE HANDBOOK**, as you are responsible to know and abide by the information contained therein.

D1. Court (pg.7)

1. Court is on the 2nd and 4th Wednesday of every month for phase 1 and 2.
2. Court is on the 4th Wednesday of every month for phase 3 and 4, unless you are not in compliance.
3. Court begins at 830am.
4. No hats, no inappropriate clothing, no cellphones or other electronics.
5. Be respectful to the Judge, other participants, and staff
6. 5 Target Behaviors are: No substance use, Honest, Attending Treatment, Hours Complete, Current on Fees and Fines.

D2. UAs (pg. 11)

1. Call In# 435-609-9683
2. Call In Time: 8-9 am for females. 6-7 pm for males. Produce sample within 1 hour of call in time.
3. Missed UA is considered a positive. Late or non-producing is considered a positive UA.
4. UAs currently performed at Four Corners.
5. In the case of an emergency, contact the Drug Court Tracker to adjust testing times. Failure to contact the Tracker is considered a missed UA.

D3. Green Sheet/Check-in (pg. 13)

1. Green sheet is due Monday at 5 pm to Drug Court Coordinator.
2. Week runs from Monday 12 am, to Sunday 11:59 pm.
3. Includes hours worked, school time, community service hours, treatment attendance, pro-social attendance, UA attendance.
4. Hours must be signed by non-family supervising individual.
5. 1 hour per job application completed.

D4. Motions (pg. 8)

1. Motion form can be picked up at the courthouse.
2. All motions to be returned to the courthouse clerk with a minimum of 5 days prior to request date or court, except in the case of emergency.
3. Motions should include all relevant information pertaining to request.
4. Motions to travel should include places, travel companions, dates, times, missed treatment and UAs.
5. If traveling overnight, test immediately upon return.
6. In the case of emergency, contact the Drug Court Tracker prior to travel.
7. For motions related to medication and medical procedures, see Medication on page 10.

D5. Important Phone #s

1. UA Call in: 435-609-9683
2. Curfew Call in: 435-381-3415
3. Drug Court Tracker, Dep. Shaun Bell: 435-749-9379 (text or call)
4. Probation Officer, James Weaver: 435-381-2143
5. Treatment, Four Corners: 435-381-2432

D6. Treatment

1. Attend all treatment as recommended by the treatment team and drug court.
2. Be on time. 15 minutes late is considered a missed group and is subject to sanction by the court.
3. Be respectful. Confidentiality is a must. Violating confidentiality is considered a violation of drug court rules, and is subject to sanction by the court.
4. In the event of an emergency, contact Four Corners at 435-381-2432 and obtain permission prior to missing a group.
5. Groups missed due to changes in work schedule or medical emergency must be documented and a motion must be submitted to the court to excuse the group.

D7. Fees (pg. 9)

1. All Drug Court fees must be current in order to be in compliance with drug court.
2. Drug Court fees must be kept under \$200 in order to be in compliance.
3. If Drug Court fees are over \$200 dollars, a payment plan must be made and be followed in order to maintain compliance.
4. Payment plans may be made at Four Corners with a case manager.

E. Sanction/Incentive Matrix

E1. SANCTION MATRIX, levels of graduated responses

(These are guidelines only; they do not create any right or expectation on behalf of the participant)

Level 1	Level 2	Level 3
Community Service up to 15 hours	Advancement Frozen	Community Service – more than 30 hours
Court Staffing	Community Service – up to 30 hours	Hold for Drug Court
Curfew Reduction 1-3 hours	Double hours (work, CS, education)	Incarceration
Letter of Apology	House Arrest / GPS Monitor	Medical / Medication
Make up hours (work, CS, education)	Increased supervision / structure	Pay for confirmation tests
Make up Groups	Planner / meet with case manager	Reduction to lower phase
Make up Payments	Restart Phase	Termination
Writing assignment / Book report		

SANCTION MATRIX, violations

Phase Level	Violations <i>(listed alphabetically)</i>	1 st	2 nd	3 rd
All	Absconding, failure to report	3	3	3
1, 2, 3	Association	2	2	3
4	Association	2	3	3
All	Conduct – New felony or Misdemeanor Person crime including DUI	3	3	3
All	Conduct – New felony or misdemeanor non person crime	2	3	3
All	Conduct – Public safety Threat, Assaultive Behavior	3	3	3
1, 2, 3	Curfew	1	1	2
All	Disrespect	1	2	3
All	Financial Obligations – Court fine, supervision, treatment	1	1	2

All	Hours (short) - Community Service, Education, Work	1	2	3
All	Hours (short) – Pro-Socials	1	1	1
All	Missed Call-In, weekly reporting	1	1	2
All	Missed – Group	1	1	2
All	Missed – Individual Counseling	3	3	3
All	Releasing Information About Participants	1	2	3
All	Sexual Harassment	2	3	3
All	Substances – Positive Test Result, Failure to Produce	2	3	3
All	Urine Sample – Contested	3	3	3
All	Urine Sample – Diluting, Tampering	3	3	3
All	Urine Sample – Insufficient Amount (less than 30 mL) and/or late submission	1	1	2

E2.Incentives

At each drug court appearance, the judge will specifically ask you to report on the five target behaviors:

1. Substance use free as evidenced by self-report and negative results on UA tests.
2. 100% attendance in all required treatment meetings (IOP, Aftercare, individual/group) and pro-socials.
3. 100% Honesty
4. Current on all court ordered obligations (fines & fees, treatment, AP&P, prior sanctions or assignments).
5. Satisfied required work/school/ community service hours.

When you report compliance on all 5 behaviors and you achieve certain accomplishments, you may be eligible to receive 10 days off your phase, up to a total of 40 days off each phase. Please note: You may only apply for each incentive once during your time in drug court, and four phase off incentives in each phase. In order to obtain the 10 days off, you must file a motion with the court documenting that you completed one or more of the following:

- Obtaining full time employment
- Job Promotions
- Obtaining your own residence
- Purchasing a vehicle
- Clean time milestones (60 days, 90 days, 120 days, 180 days, 1 year, 2 years)
- Educational or Vocational advancement (GED/Diploma/degree/Certification/License)

- Educational Accomplishments such as Honor Roll or Dean's List
- Obtaining your Driver's License
- Getting custody of children back
- Filing Tax Return timely (provide signed 1040 form as proof)
- Quitting smoking or chewing tobacco
- Savings account balance of \$300 or more
- Paying off restitution or fine.
- Consecutive weeks in compliance (phase 1 - 4 weeks, Phase 2 - 6 weeks, Phase 3 - 8 weeks, Phase 4 - 10 weeks)
- Advancing in treatment. (IOP & MRT)
- Other achievements as recognized by the court.

You are eligible to obtain credit for each accomplishment once.

As a condition of drug court, you are eligible to obtain \$750 worth of credit towards your court fine by completing phases and commencing. You may receive the following upon completion of each phase: Phase 1 - \$125, Phase 2 - \$125, Phase 3 - \$200, Phase 4 (commencing) - \$300. A motion must be filed with the court requesting the credit at the completion of each phase and prior to commencement.