

JEFFERSON COUNTY DRUG COURT PROGRAM

108 E. 2nd Street
Madison, IN 47250

Open: Mon, Tues, Thurs, Fri 8:00 am to 4:00 pm; Wed: 8:00 am to 7:00 pm

Drug Court Participant Handbook

“We are committed to providing a safe environment for the community by implementing evidence-based programs designed to reduce recidivism and to provide services to participants.”

Jefferson County Court Services Agency Mission

Our Core Values

Accountability

Respect

Honesty

Integrity

Teamwork

DRUG COURT HANDBOOK

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Welcome to Drug Court

This program is based on the national Drug Court Model Best Practice Standards. The first Drug Court began in 1989 and there are now over 2700 Drug Courts across the United States. This program has been designed to help you overcome the substance abuse issues that led to your current charges.

The Jefferson County Drug Court started in 2011 and is designed to enhance public safety by providing a judicially supervised regimen of services to substance abusing applicants with the goal of returning the law-abiding citizens to the community and thereby closing the “revolving door” to the criminal justice system. The goal of Drug Court is to provide services to participants to establish a life of Recovery – a process of change through which individuals improve their health, wellness, develop a self-directed life, and strive to reach their full potential.

This handbook is designed to answer questions, address concerns, and provide information about Drug Court. As a participant, you will be expected to follow the instructions given in Drug Court by the Judge, comply with the case plan that will be developed by you and your case manager and the treatment plan that will be developed by you and your counselor.

You will attend Court on a regular basis in order to discuss your case with the Drug Court Judge. You will receive incentives or sanctions according to how well you have followed the rules of the program.

Once you complete all of your requirements, you can be considered for graduation. If you are ready to make a change, Drug Court will give you the tools to live a life in recovery.

DEFINITIONS

Assessment: To gather information about your drug and alcohol use and lifestyle to find the best treatment for you.

Confidentiality: The requirement not to discuss specific names and personal information learned during treatment with anyone outside of the treatment group.

Counselor/therapist: The person who provides your treatment services, in group and individual sessions, and gathers information about your efforts.

Drug Court Judge: The Judicial Officer who directs court each time you attend and talks with you about your efforts.

Drug Court Coordinator: The Director of Court Services who oversees the operations and funding of the program component.

Case Manager: The person who monitors your progress through the program to make sure that all Drug Court requirements are being met.

Drug Court Team: The group of professionals, including the Judge, Prosecutor, case manager, Probation Officer, Drug Court coordinator, counselors, public defender and law enforcement representative that provide both legal and treatment oversight of your case.

Drug Testing: A test administered randomly or for cause to determine if the you have used illegal substances. Any failures to test or diluted drug tests will be considered positive drug tests by the drug court team. You may also have to submit to random breathalyzer tests, which uses a hand-held device designed to test for alcohol in the breath.

Incentives: The possible rewards the Drug Court Judge offers you for following the program rules.

Sanctions: The possible negative responses (penalties) the Drug Court Judge uses when you fail to follow program rules as directed.

Therapeutic Adjustments: An adjustment to your treatment plan to assist in behavior modification.

Self-help or Support Groups: A group that provides support and an opportunity for personal growth in your new drug-free lifestyle. Examples include Alcohol Anonymous, Narcotics Anonymous, Celebrate Recovery or small group support groups at church or in the community.

Treatment: Counseling that you will attend during your entire time in the program. This may include residential treatment, intensive outpatient substance abuse counseling, standard outpatient substance abuse treatment, relapse prevention, family counseling, individual counseling, anger management, domestic violence counseling, aftercare, cognitive-behavioral therapy or any other counseling that may be appropriate for you.



Eligibility Criteria

Target Population: The program will accept adult (age 18 or over) male and female applicants charged with various felony drug charges and non-violent crimes that are committed by applicants having substance abuse issues. An individual does not have the right to participate in Drug Court.

Program Eligibility Criteria: To be eligible for the program, the participants must meet specific criteria as set out in IC 33-23-16-13 or IC 33-23-16-14. Any felony offense (except those listed in the ineligible criteria) are eligible for Drug Court upon review and approval of the Prosecutor's Office.

- The applicant must be age 18 or over.
- The applicant must be charge with a felony offense
- The applicant must admit to having a substance abuse problem
- The applicant must meet the criteria of having a substance abuse disorder as determined by the screening process in the Drug Court evaluation
- The applicant must be a resident of Jefferson County
- The applicant must be an American Citizen or have a legal green card
- The applicant must have scored moderate-high to high risk on the Indiana Risk Assessment

Program Ineligibility criteria: The Drug Court team will consider the applicant ineligible under the following circumstances:

- The applicant is before the Court for a violent or sex offense
- The applicant is before the Court for a forcible felony defined under IC 35-31.5-2-138 (unless approved by the prosecutor)
- The applicant is before the Court for a misdemeanor offense
- The applicant has been convicted of a violent criminal offense within the last 10 years
- The applicant has a prior sex offense conviction
- The applicant is an Illegal-Alien
- The applicant is charged with OMVUI
- The applicant is charged with a Drug Dealing offense
- The applicant is low-risk according to the IRAS

Drug Court Team:

Judge Superior Court, Blaine Goode
Drug Court Case Manager, Mitch Burch
Defense Attorney, Sherry Porter,
Peer Recovery Specialist, Tiffany Dossett

Drug Court Coordinator, Amber Finnegan
Prosecuting Attorney, David Sutter/Emily Schebler
SA Treatment Provider, Laura Hildebrand
Mental Health Provider, Catherine Walker



PROGRAM GOALS AND PROVIDED SERVICES

Goals:

The goals of the program are to promote public safety, reduce the frequency of recidivism, and provide services to participants to address individual needs to establish a life of Recovery. Additional goals include reducing the severity of substance abuse, as well as its related personal and social problems among those substance abuse applicants participating in the program.

These goals are reviewed and if necessary, updated annually by the Drug Court Team.

Services Provided:

Jefferson County Drug Court will provide the following services to each participant:

- 1.) Assessment: To gain information to make appropriate referrals to a variety of services and programs.
- 2.) Education: To provide information and knowledge to reduce risk for further alcohol and drug problems and other health risk factors.
- 3.) Substance Abuse and Mental Health Treatment Referrals and Monitoring: To refer to the appropriate treatment facilities who will provide substance abuse and mental health treatment and needs.
- 4.) Case Management: To ensure that all terms and conditions of the program as outlined by the Court and the participants' treatment/case plan are met.
- 5.) Support Group Monitoring: To encourage and verify attendance at self-help meetings.
- 6.) Cognitive-Behavior treatment programs: To address anti-social thoughts and behaviors *Moral Recognition Therapy* for male and female participants, *Moving On* for female participants, *Coping with Anger*, *MRT-DV*, and *Carey Guides*. All programs are offered through community corrections.
- 7.) Ancillary Service referrals: To refer to various life-skill programs to enhance recovery (budgeting, parenting, family counseling, job readiness/retention, organizational skills, problem solving, vocational training, educational services, transportation, food/social assistance, child care, etc.)
- 8.) Court review hearings: To inform the Court of the participants' compliance on a consistent basis.
- 9.) Urine Drug Screening: Participants will be randomly drug screened as outlined in the phase levels portion of this handbook.



PROGRAM REQUIREMENTS

The Drug Court participants will be required to sign a consent for release of confidential information form so that there may be open communication between the Court that ordered the participant to the program and the Drug Court Team. This communication is necessary to keep the Judge and Drug Court Team updated on your progress or lack of progress with your program requirements.

The Drug Court Program consists of five phases. Once you have completed the requirements for each phase, you will apply to move to the next phase which will be reviewed by the Drug Court Team. If your application is approved, your case plan will be updated and you will move to the next phase. Once you have completed Phase 5 you can graduate from the program. Upon graduation from the program your case will be disposed as stated in the Drug Court Agreement. The *minimum* amount of time it will take to complete this program is eighteen months.

Phase 1 – Acute Stabilization (min. 60 days)

Weekly court

Comply with treatment

Comply with supervision

Develop case plan

2 office visits/ week

Monthly home visits

2 drug screens per week

Address housing

Obtain medical assessment

Change people, places and things

Curfew 9 pm

To Advance:

- Regular attendance at Treatment

- Office visits

- Being honest

-Clean time minimum of 14 days

-Complete overdose prevention education

Phase 2 – Clinical Stabilization (min. 90 days)

Weekly court

Engage with treatment

Comply with supervision

Continue address medical needs

Changing people, places and things

2 office visits per week

Review case plan

2 drug screens per week

Maintain Housing

Address Financial (budget assessment

End of phase begin focus on peer support groups

10 pm curfew

To Advance:

- Engaged with treatment
- Compliance with supervision
- Clean time min of 30 consecutive days

Phase 3 – Pro-Social Habilitation (min. 130 days)

Bi-weekly court

Engage with treatment

Comply with supervision

Continue address medical needs

Demonstrate changing people, places and things

Weekly office visits

Review case plan

Monthly home visits

2 drug screens per week

Begin criminal thinking program -

Establish pro-social activity

11 pm curfew

To Advance:

- Engaged with treatment
- Compliance with supervision
- Begin Pro-social activity
- Began recovery network
- Address medical needs
- Clean time 45 min consecutive days

Phase 4 – Adaptive Habilitation (min. 130 days)

Bi-weekly court

Engage with treatment

Comply with supervision

Continue address medical needs

Continue changing people, places and things

Bi-weekly office visits

Review case plan

Monthly home visits

2 drug screens per week

Complete criminal thinking program

Maintain pro-social activity

12 am curfew

As needed based upon assessment:

Job training; parenting/family support/vocational training

To Advance:

- Engaged with treatment
- Compliance with supervision
- Maintain Pro-social activity
- Engage recovery network
- Address medical needs
- Clean time 60 min consecutive days
- Began employment, vocational training/school
- Begin to address ancillary services

Phase 5 – Continuing Care (min. 130 days)

Court monthly

Engaged with treatment

Comply with Supervision

Continue addressing medical needs

Continue changing people, places and things

Review case plan

Monthly office visits

Monthly home visits

Maintain housing

2 UDS per week

Development of an aftercare plan

Maintain pro social activity

As needed upon assessment:

Job training

Parenting/family support

Vocational training

To Graduate

- Engaged with treatment
- Compliance with supervision
- Maintain pro-social activity
- Maintain recovery network
- Maintain other employment, vocational training/school
- Address ancillary services
- Clean time 120 min consecutive days



GRADUATION

Once the requirements of the phases have been completed, a participant can apply for to graduate from the Drug Court Program. Once the Drug Court Team approves graduation, a celebration will take place after the Drug Court session. Graduates are welcome to invite family and friends to the graduation and all will have an opportunity to speak. The graduate will be given a gift, a completion certificate and will get to tear up the charging information (or petition to revoke) in their case. The Drug Court Team would preferred that before a participant graduates, they should have a plan in place on staying connected with Drug Court for a period of time if needed. By the end of the Drug Court Program you should:

- Have the ability to be a sponsor or mentor for Drug Court participants or others in the recovering community
- Be involved in an alumni group to maintain contact with past and present Drug Court members
- Stay connected in the recovering community



COURT APPEARANCES

You will be required to attend court as outlined in the phases above. Drug Court sessions are open to the public and held on Wednesday nights at 3:30 pm in the Superior Court room. **BE ON TIME** each court session. Proper Court etiquette includes the following:

- Dress appropriately. No muscle shirts, hats, sunglasses or clothing with inappropriate pictures or sayings. Shorts and dresses should be of modest length and should not be transparent. Undergarments should not be visible.
- Be respectful: Do not talk when other people are reporting to the Judge. Do not make inappropriate comments, facial gestures or body language. **TURN OFF YOUR CELL PHONE**. Address the Judge in a respectful manner and sit up in your chair.
- Be Prepared: Have an idea as to what you would like to report to the Judge each week. The Judge would like to hear about both your accomplishments and your struggles. Don't pretend things are great when you are struggling, and don't downplay a great achievement! The Judge will ask you your best choice of the week. Think about that question and answer it specifically. Good example: "I erased the contact information of all the people I use drugs with out of my cell phone last night".

Incentives for good behavior. The Drug Court team will strive to reward you for making progress in your recovery. Some examples of progress include: attending group, participating in group, attending appointments, having a positive attitude, staying clean, participating in positive support groups, working, paying fees, establishing healthy relationships, making positive choices, being honest with the Drug Court Team with struggles, completing homework, and supporting others. Some rewards may include:

- Getting a start each sanction free week. Once you have earned 10 starts – you get a gift certificate
- Praise from the Judge in Court
- Being one of the first to go during a court session
- Reduction in Court Appearances
- Travel Permits
- Gift Certificates
- Reduction of deferred jail days
- Promotion to the next phase
- Graduation/early termination from program
- Candy/treats
- Extra privileges

Therapeutic Adjustments: Certain conduct and behavior could result in a therapeutic adjustment to current treatment recommendations. The Drug Court Team in consultation with your treatment provider may recommend additional services or changes to your treatment plan. Examples of behaviors that may include a therapeutic adjustment: drug or alcohol use, dishonesty, associating with a known felon; dilute drug screens; obtaining a prescription for a narcotic medication; being in an establishment, whose primary function is the selling or promoting of alcohol; termination from an intervention program; Therapeutic adjustments may include (but are not limited to):

- Completing certain intervention documents and presenting them to Court (Carey Guides, Thinking Reports, Courage to Change Journals, BITS)
- Completing a mental health evaluation and following recommendations for services or medication
- Intensifying current treatment programming
- Obtain a mentor/sponsor
- Attend family counseling
- Move into transitional housing
- Complete appropriate cognitive-behavioral programming
- Complete Relapse Prevention
- Attend support/self-help meetings and provide documentation of attendance
- Increase weekly drug screens

Sanctions for poor behavior. Consequences for poor behavior will be administered during Drug Court sessions if appropriate. Some examples of behaviors that may be sanctioned include: not going to group or showing up late, not participating in group or being a negative participant, not attending appointments or showing up late, having a negative attitude, continued drugs or alcohol use when previously therapeutic responses have been implemented, not going to support meetings, not working, not paying fees, making poor choices, not engaging in a support network, committing another offense. Sanctions may include (but are not limited to):

- Verbal reprimand
- Remaining until the end of court
- Increased reporting to court and case manager
- Being placed on electronic monitoring
- Increased drug testing
- Increased home visits
- Repeat phase or phase demotion
- Written paper/thinking reports
- Community service hours
- Jail time/work release
- Revocation to prison
- Entering judgment on current charge and sentenced accordingly

You have the choice to agree with the sanction imposed or the Judge will schedule it for a hearing. If you ever have any questions about the court process or about sanctions being imposed, the Drug Court Defense Representative can answer your questions.

Your case manager will review the behavior response matrix with you during your next appointment.



REASON FOR TERMINATION

A participant may be assigned to the sanctions listed above as a result of a violation, but in some cases a termination from the program may be the only appropriate response. You may be terminated from the program for the following reasons:

- 1.) Commission of a new offense
- 2.) Failure to attend meetings, appointments or treatment
- 3.) Arriving for appointments under the influence of alcohol or drugs
- 4.) Violating the terms of the participation agreement
- 5.) Willful non-payment of fees

Processes: If violations occur, the Drug Court Team will review your case to determine appropriate response for the violation. All members of the Drug Court Team must agree to termination. The Drug Court Team defense attorney member is available to assist you if requested; however, if the team decides that you should be terminated from the Drug Court Program, your case will be set for a termination hearing. You will be given notice of the violation and a Court date. You will have the right to an attorney during the termination process. During the termination hearing, you will have the right to face all witnesses who may be testifying against you, have witnesses testify for you, and have the opportunity to be heard. The Drug Court Judge will preside over all termination hearings, but you have the right to a neutral and detached judicial officer in the termination proceedings. If you are terminated from the Program, the Drug Court Judge will sentence you pursuant to the terms of your original plea agreement.



FEES

You will be required to **KEEP YOUR FEES CURRENT** while you are participating in the Drug Court program. All fees are paid in the Jefferson Court Services Department. Payments may be made in cash, money order, cashier's check, debit or credit card. **YOU WILL ALSO BE RESPONSIBLE FOR ALL FEES ACQUIRED THROUGH YOUR TREATMENT PROVIDER.** You will owe the following fees:

- 1.) A \$100.00 assessment fee if accepted into the Drug Court Program (which includes the first month fee)
- 2.) A \$50.00 monthly fee starting the second month of participation.
- 3.) \$10/wk for 2 drug screens per week throughout supervision
- 4.) If you are placed on electronic monitor you will have a daily fee of \$12.

All Drug Court participants are given an instant drug initially with a \$5.00 charge. If the instant is negative or if the drug use is admitted, samples are not sent to the lab for confirmation. Some random samples will be sent to the lab on occasion.



DRUG SCREENS

Random Drug Screens: Random drug screens will be administered twice a week throughout the Drug Court Program. You will be given an ID number during your initial Drug Court orientation for the selection of the random drug screens.

- The participant is required to call the Court Services drug screen telephone number *everyday between the hours of 1a-159p* during the *entire* period of his/her drug court participation to determine if his/her ID number has been selected for that day's random drug screen.
- If the participant does not get through to the Court Services telephone line, it is his/her responsibility to keep calling until they have made contact.
- If the participant's ID number is selected, they are to report to the Court Services department between the hours of 8a-2p ready to provide his/her specimen.
- If the participant fails to report as directed, the missed drug screen will be discussed at the next Drug Court staffing and the appropriate sanction will be determined by the Drug Court Team.
- If the participant fails to call the number every day as directed, the issue will be discussed at the next Drug Court staffing and the appropriate sanction will be determined by the Drug Court Team.
- Even if you have had your number of drug screens that week you may be called for additional screens that week.



Important Addresses and Phone Numbers

Drug Court

Jefferson Superior Court
300 East Main Street
Madison, IN 47250
812-274-3847

Jefferson Court Services
108 East 2nd Street
Madison, IN 47250
812-274-3940

Drug Court Times

Wednesdays at 3:30 pm in Jefferson Co Superior Court

Drug Court Case Manager: Mitch Burch...812-274-3945 (office)
812-801-9758 (cell)
Drug Court Peer Recovery Specialist: Tiffany Dossett.....812-274-3949 (office)
812-571-2898 (cell)

Drug Screen Line.....866-205-5835

Treatment Agencies

Centerstone (812) 265-1918
3008 Bevcher Drive
Madison, IN 47250

LifeSpring (812) 265-4513
1405 Bear Street
Madison, IN 47250

****Attached the Clearinghouse House Resource Guide to this Handbook****

United States Attorney: Southern District of Indiana (Main Office)

United States Attorney's Office
10 W. Market Street, Suite 2100
Indianapolis, Indiana 46204
Telephone: (317) 226-63333 or (888) 368-5067
Email: uasins.webmaster@usdoj.gov