

**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
- Substantial Compliance with Drug Court Program/Probation Conditions
- 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
- Substantial Compliance with Drug Court Program/Probation Conditions
- 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
- Substantial Compliance with Drug Court Program/Probation Conditions

- 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
- Substantial Compliance with Drug Court Program/Probation Conditions

#### **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

<b>Offense</b>	<b>First Non-Compliance</b>	<b>Second Non-Compliance</b>	<b>Third Non-Compliance</b>	<b>Fourth or Subsequent Non-Compliance</b>
<b>Court – Failure to Appear</b>	(High) Warrant	(High) Warrant with Additional Jail Time	(High) Warrant with Program Termination	
<b>Missed or Late Reconnect</b>	(Low) Verbal Admonishment, Essay Assignment/Book Report, Letter of Apology, Or Daily Activity Log	(Low) 4 Hours Community Service, Second Longer Essay Assignment, Or Increased Supervision	(Moderate) 8-16 hours Community Service, Order of Informal House Arrest, or Daily Reporting	(High) 24 hour Jail Sanction To be increased per subsequent event, or Review for Possible Termination
<b>Missed Treatment Session</b>	(Low) Verbal Admonishment, Essay Assignment/Book Report, Letter of Apology, or Daily Activity Log	(Low) 4 to 8 hours of Community Service, Second Longer Essay, or Increased Supervision	(Moderate) 8 to 16 hours Community Service, Daily Reporting, or 24 hour Jail Sanction	(High) Additional Longer Jail Sanctions, or Review for Possible Termination
<b>Failure to Submit UA</b>	(Low) Verbal Admonishment, Essay Assignment/Book Report, or Increased Supervision	(Moderate) 4 to 8 hours of Community Service, 24 hour Jail Sanction, or Increased Supervision	(Moderate/High) 48 to 72 hour Jail Sanction, or Increased Supervision	(High) Review for Possible Termination
<b>Abnormally Dilute/Tampered UA</b>	(Moderate) 24 hour Jail Sanction	(Moderate/High) 48 hour Jail Sanction	(High) 3 to 5 day Jail Sanction	(High) Review for Possible Termination
<b>Positive UA</b>	(Low) Verbal Admonishment, 4 hours Community Service, Essay Assignment/Book Report, or Letter of Apology	(Low/Moderate) 8 hours Community Service, Second Longer Essay, or Increased Supervision	(Moderate) 16-24 hours of Community Service, Order of Informal House Arrest, 24 to 48 hour Jail Sanction, or Increased Supervision	(High) Formal House Arrest, 3 to 5 day Jail Sanction, Review for Possible Termination
<b>Offense</b>	<b>First Non-Compliance</b>	<b>Second Non-Compliance</b>	<b>Third Non-Compliance</b>	<b>Fourth or Subsequent Non-Compliance</b>
<b>Treatment Misconduct Issues</b>	(Low) Verbal Admonishment, Letter of Apology, or 4 hour Community Service	(Moderate) 8 to 16 hours Community Service, or 24 hour Jail Sanction	(Moderate/High) 48 to 72 hour jail sanction	(High) 3 to 5 day Jail Sanction, or Review for Possible Termination
<b>Missed Appt with ISO</b>	(Low) Verbal Admonishment, Letter of Apology, or	(Low/Moderate) 4 hours CS, Second Longer Essay or Sentences, Increased Reporting	(Moderate) 8-16 Hours CS, Order of Informal House Arrest, 24 Jail Sanction, Daily	(High) Formal House Arrest, Increased Jail Sanction,



	Essay Assignment/Book Report		Reporting with Activity Log	Review for Possible Termination
<b>Other Various Program Violations (Sanctions Depend on Severity)</b>	(Low Level Violation) Verbal Admonishment, CS Hours, Essay Assignment/Book Report or Sentences, Letters of Apology	(Low/Moderate Level Violation) Increased CS Hours, Second Longer Essay, Increased Reporting, 24 hour Jail Sanction	(Moderate/High Level Violation) Increased CS Hours, 2 to 5 day Jail Sanctions, Daily Reporting with Activity Log	(High Level Violation) Increased Jail Sanction, Order of Informal House Arrest, Formal House Arrest, Review for Possible Termination
<b>Non-Completion of Previous Sanction</b>	(Low) Previous Sanction Plus CS Hours, or Doubling of CS Hours	(Low/Moderate) Doubling of CS Hours, or Previous Sanction Plus Jail Sanction	(Moderate/High) Previous Sanction Plus 3 to 5 Day Jail Sanction	(High) Review for Further Sanction or Possible Termination
<b>Not Adhering to MAT Guidelines</b>	(Moderate/High) 3 to 5 Day Jail Sanction, Review for Possible Termination	(High) Program Termination		
<b>New Offense Non-Person Crime or Misdemeanor</b>	(Moderate/High) Review for Possible Jail Sanction while Remaining in the Program, or Review for Possible Termination	(High) Program Termination		
<b>New Offense Person Crime</b>	(High) Program Termination			

Verbal Admonishments – To be given at the time of event and reinforced by the Judge at next scheduled court appearance. Admonishments should: (a) clarify the nature of the infraction, (b) emphasize the expectation of compliance with the program, (c) indicate what sanctions await further transgressions, (d) discuss alternative actions the participant should take in the future.

Letters of Apology – To be written to the program or persons negatively impacted by the sanction. Should cover the non-compliant behavior, describe what went wrong, and discuss how the participant will react differently in the future.

Essay Assignments – Common examples of essay assignments include: lying and dishonesty, the disease of addiction, impact of addiction on the family, and factual essays about specific topics or substances.

Book Report – Assign a report based on a book or section of a book in the Drug Court Lending Library.

Daily Activity Log – Plan for activities of a specific time period to be completed by the participant. Participants then log the activities actually done in the week to report back to ISO and the court. Helps to establish problematic times and situations for participants who can then develop a plan to avoid these times and situations.

Community Service – Examples: Set up or clean up for treatment sessions, wash and wax police patrol cars, work cleaning the courthouse, pick up roadside trash or clean landfill, clean animal shelters, work for any not for profit organization approved by the ISO or the Court.

Increased Supervision – This can include additional appts with ISO's and additional UA's. Increased supervision over a short period to increase the likelihood of compliance with the program.

Daily Reporting – Participants are required to report daily to the ISO for a prescribed period of time up to several hours a day to complete cognitive based intervention worksheets or CS hours in order to address issues of non-compliance with the program.

Order of Informal House Arrest – Ordered by the Court and then monitored by the ISO. Participants are required to be at home unless completing specific activities such as employment, treatment appts, or court appearances. To be monitored through Reconnect monitoring or possible LEO checks.

Formal House Arrest – Court to require the participant to wear an ankle monitoring devise and be monitored by the ISO to address non-compliance issues with the program.

Jail Sanctions – Range in length based on the severity of the infraction. Initially jail sanctions should be allowed to be set up with participants to ensure that they do not interfere with pro-social obligations such as employment, treatment, and family. After repeated violations participants should be taken into custody immediately without any opportunity to prepare.

Termination – Removal from the program and revocation. Participants may be allowed to re-enter the program if they are not sent to prison on a revocation.

## INCENTIVE GRID

Low Level Incentive	Moderate Level Incentive	High Level Incentive
<p><u>Verbal Praise</u>            Provided for most routine accomplishments in court including timely attendance to meetings with ISO and attendance and participation in treatment.</p>	<p><u>Reduced Supervision Requirements</u>            Provided for substantial progress in drug court. Includes reduced appts with ISO, and being excused from court appearances. Typically used as participants advance through phases.</p>	<p><u>Travel Privileges</u>            Allowing weekend travel within the state or even out of state travel. Phone check ins and wearing a sweat patch for drug testing purposes may be required.</p>
<p><u>Reduction in Community Service Hours</u>            60 hours of community service is given as a part of participation in the program. Compliance with program rules can result in forgiveness of some or all of these hours.</p>	<p><u>Reduced Community Restrictions</u>            Extended curfew and eased in state travel restrictions. Typically used for participants that have shown an ability to attend appts and maintain sobriety.</p>	<p><u>Large Tangible Rewards</u>            Includes choosing out of the level two incentives box.</p>
<p><u>Recognition in Court</u>            Formal recognition from the Judge for completion of milestones such as obtaining employment or meeting consecutive clean time periods. Includes rounds of applause, handshakes from the Judge, and certificates of accomplishment.</p>	<p><u>Small Tangible Rewards</u>            Includes choosing out of the level one incentives box.</p>	<p><u>Phase Promotion</u>            Compliance with program and meeting milestones set will result in phase promotion. The program is a four phase program and moving forward from one phase to the next is both a huge incentive and accomplishment.</p>
<p><u>Court Privileges</u>            Compliance with program rules can result in being allowed to appear earlier in the docket and being allowed to leave after appearing in court.</p>	<p><u>Gift Cards</u>            Gift cards may be awarded to those participants that have shown an ability to achieve substantial compliance for a period of time.</p>	<p><u>Graduation</u>            Once a participant has completed all aspects of the program they will be allowed to graduate from the program. This also could include a release from probation and possible expungement of conviction when available.</p>

**This is not a complete list of all incentives which participants may receive. ISO's may bring a variety of things to the team that they would like to see their participants rewarded for and with. 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.





ALLEN COUNTY  
THIRTY-FIRST JUDICIAL DISTRICT  
DRUG COURT PROGRAM  
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.

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DEFENDANT

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DATE

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PROBATION OFFICER

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DATE