

WELCOME

Welcome to the Eighth 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 to you by the Drug Court Judge, your Probation Officer and members of the Drug Court Team. This handbook will detail what is expected of you as a Drug Court Participant and review general program information.

MISSION STATEMENT

The mission of the Eighth Judicial District Drug Court is to enhance public safety and benefit our community through a judicially supervised, collaborative effort to more efficiently work with non-violent substance abuse offenders, thereby effecting positive long-term change in offenders and their families lives and reducing recidivism and associated crime.

PROGRAM GOALS

- Help participants remain substance free by providing support, treatment and skills to make positive choices.
- Reduce the number of chemically dependent offenders going to prison.
- Increase the effectiveness of substance abuse treatment by providing intensive supportive supervision.

ABOUT DRUG COURT

A Drug Court is a court that has been specifically designated and staffed to supervise non-violent drug defendants who have been referred to a comprehensive and judicially monitored program of drug treatment and rehabilitation services.

Drug Court represents a very non-traditional approach to offenders who have been identified as moderate/heavy substance abusers. Drug Court is built upon a unique partnership between the criminal justice system and the drug treatment community; one which structures treatment intervention around the authority and personal involvement of a single Drug Court Judge. Drug Court is also dependent upon the creation of a non-adversarial courtroom atmosphere where a single judge and a dedicated team work

together toward a common goal of breaking the cycle of drug abuse and criminal behavior.

ELIGIBILITY CRITERIA

1. Drug addiction is a major contributing factor to the criminal activity as indicated by stipulation or plea.
2. New non-violent Felony Offense or has a pending Probation or Parole Revocation hearing.
3. The likelihood of going to prison without Drug Court participation.
4. Non-Violent offender, excluding simple assaults and domestic violent arrests.
5. Legal and clinical screenings indicate that placement is appropriate.
6. 22 years of age or older.
7. Plead guilty, written confession to charges as agreed upon by the County Attorney and Defense Attorney, waives rights.
8. Defendant expresses motivation to change his/her behavior.
9. Ability to secure full time employment.
10. If on probation or parole must have a least two years of supervision remaining.
11. No pending charges.

DISQUALIFYING CRITERIA

1. Current offense is a misdemeanor.
2. No drug addiction; or alcohol is the only substance of addiction.
3. Violent offender; arrest for Felony with a weapon.
4. Current or history of a sex offense/charges or conviction.
5. Confidential informants.
6. Legal or clinical screening indicates placement is inappropriate.
7. Mental health issues that prevent or restrict active participation.
8. Interstate Compact Supervision.

SCREENING/REFERRAL

Participants are identified and referred by probation officers, prosecutors, or public defenders. The Judge can also refer individuals from the court docket. Candidates are referred to the Drug Court Officer. The Drug Court Officer along with the Substance Abuse Liaison Counselor will conduct a Drug Court screening. Once the screening interview is completed the information collected will be presented at the next Drug Court Team Meeting for acceptance or denial into Drug Court. Upon acceptance into Drug Court the participant will begin the program as

soon as it is appropriate for them to start. Once a participant is accepted into Drug Court they will be expected to follow all treatment requirements.

SUBSTANCE ABUSE TREATMENT REQUIREMENTS

All Drug Court Participants will need to be evaluated by the Drug Court Treatment Provider, or as directed by the Drug Court Team. He/she will determine the appropriate level of care to begin your substance abuse treatment. The recommendation may include but is not limited to:

1. Outpatient treatment
 - a. Intensive Outpatient Program
 - b. Extended Outpatient Program
 - c. Continuing Care
 - d. Individual Counseling
2. Inpatient treatment /residential treatment
 - a. Long-Term
 - b. 30 Day
3. Halfway house placement
4. Violator program placement
5. Regular and random drug testing
6. Self help/sober support activities
7. Educational/vocational programs
8. Job training/social skills training

Drug Court Participants will remain in substance abuse treatment for the duration of their participation. Studies have shown the longer treatment involvement, the greater the success rate. Level of care progression will be determined by your progress and decided by your individual counselor as well as the Drug Court Team. Regular attendance and participation are required in your substance abuse treatment.

Recovery Support Groups:

Attendance and participation in support groups is encouraged by Drug Court as it strengthens the ties to the recovering community and provides encouragement for and socialization for a drug free life. Local groups include but are not limited to AA, NA, Once Lost Now Found, MOMS, DADS, Al-Anon, Al-a-Teen and Drug Court Alumni Group. Each Drug

Court Participant is encouraged to attend a minimum of two support group meetings a week and find a sponsor to work with.

Sponsor Criteria

Finding a sponsor will be required by Drug Court. The Drug Court Team reserves the right to withhold approval of any chosen sponsor. A sponsor must have minimum criteria of the following:

1. Has the sober life you would like to have.
2. Has at least three years of continuous sobriety.
3. If involved in AA or NA must attend meetings regularly, have a sponsor and has worked the steps.
4. Is available by phone and in person.
5. Must be the same sex as you are.
6. Must not be an old acquaintance or “running buddy”.
7. Must not be on supervision at the current time and not involved in criminal behavior for the past three years

You must be willing to sign a release to your sponsor. They must be pre-approved by the Drug Court Team and willing to release information regarding meetings and step work progress to the Drug Court Team. You must provide documentation of sponsor contact and step work completed with your sponsor.

Additional Classes and Groups:

Drug Court may recommend additional groups for education and support including but not limited to Mental Health, Marriage, BEP, Children in the Middle, Anger Management, Parenting Classes, etc.

High Risk Offender Unit

The accountability and success of Drug Court depends in part to random home checks. The home checks help to verify participant compliance with their Drug Court contract. The Eighth Judicial District High Risk Offender Unit will be conducting home checks before and after curfews frequently, on a random basis. In most cases participants will be advised which HRU Officer is assigned to their case by the Drug Court Officer. One of the other officers or two may make visits to the participant’s home as well. The HRU Officers are Stuart Morrow, Donn Lowney, Jason Steil and Adam Humble.

The HRU Officers will conduct breath tests, UAs and/or search the home. They can and will make arrests for new criminal acts, violations of

probation, conduct curfew checks and make arrests of others in the home if they are engaged in criminal activity. They may check to see if visitors in the home are known criminals. All this is stated in condition #12 of the probation agreement.

Drug Court Drug Screening-COLORS

Regular and random drug screenings will be required of all Drug Court participants. Drug Court participants will be assigned a color when they agree to become a member of Drug Court. The color will be assigned by the Drug Court Officer.

Each participant is required to call a 641-682-3069 ext 950 each day to listen if their color has been chosen for that day. If their color is called they must report during regular business hours to the nearest probation office. If unusual conditions exist they will report to the Ottumwa Residential Correctional Facility at 245 Osage Drive in Ottumwa after hours. On the weekends they will be instructed to report to the Ottumwa Residential Correctional Facility between the hours of 8:30 a.m. and 1 p.m. They will be given a breath test and UA. They will need to take ID with them to the facility. Failure to report as directed will be viewed as a violation of probation or parole and a violation of the participants Drug Court Contract. This will result in a sanction. A missed UA will be treated as a positive UA.

If the color code on the phone message contains the information from the previous day there is no color for that day. The message will be changed by 8:30 a.m. each day.

If a participant is suspected of drug use and denies such use and the sample is sent to lab for further testing the client will be charged \$25 for a positive lab test.

Drug Court Drug Screening-HAIR TESTS

Each participant will submit hair samples for testing every three months and pay associated costs. They will not be allowed to cut or color their hair without the permission of the supervising officer. Hair must be maintained at one inch or longer.

Regular hair analysis will be conducted at the end of each phase or as needed at a cost to the participants of \$55.00 per test. All haircuts must be approved by the Drug Court Officer. Any unapproved cuts or coloring will be viewed as an admission of guilt.

PROGRAM LENGTH

The amount of time that a participant spends in the program will be determined by individual participant progress, but will be no less than 15 to 18 months. If the participant is on probation when placed in Drug Court they must have at least two years of supervision to serve. In some cases probation will continue after successful completion of Drug Court.

PARTICIPANT RULES

Drug Court Participants are expected to follow rules, they are in detail in the Drug Court Contract and summarized here.

- Appropriate clothing is expected at all times. You must wear a shirt or blouse, pants or skirt, and shoes (no flip flops allowed). Your clothing must be neat and clean and contain no drug or alcohol related logos. No short shorts or short skirts, tank tops, halter tops or torn clothing are allowed. Sunglasses will not be worn inside the Drug Court or probation offices.
- Attend all probation meetings and treatment appointments.
- Attend all Drug Court appearances and be on time.
- Submit to urine, alcohol or other tests as required. Refusals and/or stalling will be considered a positive test.
- Maintain full time employment (32 hours or more per week). If not employed the participant will be required to job seek and provide proof of job contacts to the Drug Court Probation Officer.
- Participants will not have any relationships with any other Drug Court Participants outside of Drug Court unless approved by the Drug Court Probation Officer.

Drug Court Participants are required to complete 75 hours of unpaid community service work. Participants are required to make steady progress on completing these hours as they relate to phase advancement.

The following actions will not be tolerated:

Violence or threats of any kind
Use and /or possession of drugs and/or alcohol
Belligerent behavior
Possession of any type of weapon

Inappropriate sexual behavior or harassment
Romantic or sexual relationships among participants
Additional arrests, citations and/or violations of the law.
Any time there is an incident of substance use, the client will be expected to report the incident within 24 hours, take responsibility for the behavior, take concrete steps to prevent future use, and will be evaluated for a possible increase in the level of treatment. Sanctions will be imposed at the next Drug Court session.

Any time a drug court client becomes aware of substance use or any other violation they are expected to speak to a Drug Court Team member to assist their peer in returning to recovery. If the member chooses to remain anonymous they may leave a message for the Drug Court Team 24 hours a day at 641-682-3069.

COURTROOM RULES

The Drug Court approach involves a Drug Court Judge, Prosecutor, Public Defender, Probation Officer, Substance Abuse Liaison and court personnel. The following rules and regulations for court room conduct must be followed in all Drug Court hearings.

- Punctuality is a must. Each participant will be on time for all court appearances.
- Do not speak when the Judge is speaking.
- No participant shall approach the bench unless permission is obtained or if the Court invites you to do so.
- Participants must be clean, neatly and appropriately dressed for Court. Bare feet, the wearing of flip flops, men's hats, ball caps, tank tops, halter tops or torn clothing, sunglasses, short shorts, or short skirts and abbreviated blouses are prohibited in the court room.
- It is forbidden to be under the influence of any intoxicating beverage and /or illicit drug when in court.
- All weapons are banned from the courtroom
- All cell phones or pagers must be turned off.

Court Room Dress

Drug Court Participants are expected to follow rules, they are in detail in the Drug Court Contract and summarized here.

- Appropriate clothing is expected at all times.
 - Shirt or Blouse
 - No offensive logos
 - No drug or alcohol slogans or logos
 - No sleeveless shirts
 - No halter top or tank tops
 - No midriff tops
 - No extremely low cut tops
 - Pants or Skirts
 - No short shorts
 - No short skirts
 - No ripped or torn pants
 - No sweatpants
 - No sagging pants
 - Shoes
 - No flip-flops
 - Your clothing must be neat and clean and contain no Drug and Alcohol related logos. No torn or tattered clothing is allowed.
 - Sunglasses and Hats will not be worn inside the Drug Court or probation offices
 - No visible hickeys
 - No facial piercings (except ears)
 - No new tattoos or piercings while involved in Drug Court.
- Appropriate grooming is expected at all times. Hair must be kept neat, clean and of modest style. Extreme styles and colors are not permitted.
- The expectation is that you look like the person you want to be and not like you are still part of the drug world. Violations of these rules will be subject to sanction.

DRUG COURT CONTRACT

I, _____, recognize and accept by being placed in the Drug Court Program, I am subject to the terms and conditions of the standard probation/parole agreement. In addition, I understand I am subject to the following contract and special condition(s) which are established below.

1. I will maintain abstinence from all controlled or synthetic substances.

2. I understand that I will not consume any designer, herbal or synthetic mood altering substances including but not limited to K2, salvia, spice, bath salts or any other similar type products.
3. I will inform my Supervising Officer and the Drug Court Team of any medication prescribed for me by a physician, to include any purchase of over-the-counter medications. I will gain permission before taking these medications unless hospitalized.
4. I will not purchase, use and/or consume any alcohol beverages.
5. I will not enter taverns, liquor stores, or other establishments where the primary activity is the sale of alcoholic beverages.
6. I agree and understand that any violations of Drug Court rules can result in my immediate arrest.
7. I must submit to urine samples for testing upon request of Supervising Officer, HRU Officer, Drug Court Team or official designee.
8. I will submit hair samples for testing every three months and pay associated costs. I will not cut or color my hair without the permission of my supervising officer. Hair must be maintained at one inch or longer.
9. I must follow the Treatment Plan as negotiated with the Treatment Provider.
- 10.I must successfully complete all aspects of treatment as required by the Treatment Provider and pay all fees required to complete treatment.
- 11.I must successfully complete all classes, groups and/or counseling as required by my Supervising Officer.
- 12.I must obtain an approved sponsor, work the 12 steps and provide documentation of sponsor contact and step work progress.
13. Avoid drug seeking behavior.
- 14.I must attend all scheduled Drug Court appearances.
- 15.I must attend all scheduled meetings with the Drug Court Staff.
- 16.I must attend all scheduled meetings with my Probation Officer and Treatment Provider.
- 17.I will maintain contact with my Supervising Officer as directed, and shall not lie to mislead, or misinform my Supervising Officer, either by statements or omission of information.
- 18.I will maintain my residence as approved by my Supervising Officer, and will not move without the permission of my Supervising Officer and/or Drug Court approval.
- 19.I will maintain a curfew at my approved residence at the discretion of my Supervising Officer.

- 20.I will make myself and my residence available for home visits conducted by the High Risk Unit staff, Supervising Officer or official designee.
- 21.I will submit my person, property, vehicle, and/or personal effects to search at any time, with or without a search warrant, warrant of arrest or reasonable cause, by any Probation Officer or Law Enforcement Officer.
- 22.I will obey all federal, state and local laws. I will report any contact with any law enforcement officer within 24 hours to my Supervising Officer.
- 23.I will not leave my county of residence unless approved by my Supervising Officer.
- 24.I understand my relationships can affect my recovery. I will obtain permission from the Drug Court Team before entering into an intimate or sexual relationship and I will provide a list of my friends, and negotiate my relationships with those persons with my Supervising Officer.
- 25.I shall not have any relationship with any other Drug Court participants outside of Drug Court, treatment programs or activities, unless approved by my Supervising Officer.
- 26.I will not own, possess or transport a firearm or any other dangerous weapon as long as I am a Drug Court participant.
- 27.I will treat all persons with respect and courtesy, and refrain from assaultive, intimidating or threatening verbal and/or physical abuse.
- 28.I agree to abide by any additional conditions deemed necessary by the Drug Court Team.
- 29.I will report my use of any controlled substance, non-prescribed medication and/ or alcohol to my supervising officer within 24 hours of use.
- 30.If I am suspected of drug use and deny such use and the sample is sent to lab for further testing I will be charged \$25 for a positive lab test.

I further understand the above conditions of supervision can be modified by the Drug Court Team. I will be notified in writing of any such change.

PROGRAM OVERVIEW

The Eighth Judicial District Drug Court will be strength based and agrees to approach the participant and his/her family with a greater concern for strengths and competencies to discover mutually how these personal resources can be applied to building solutions. The initial phases of the

Drug Court interventions are intensive, gradually transitioning into less intensive intervention as the participant progresses. Throughout the program the participants are linked with appropriate specialized services. The Court may impose additional requirements.

Phase 1 -Stabilization, at least 90 days

1. Attend Drug Court and Drug Court Support Group weekly.
2. Submit and pass random drug and alcohol test as defined by the Color System.
3. Submit a hair sample for drug testing.
4. Be regularly employed or in school (32 hours or more per week).
5. Meet with Treatment Provider Counselor weekly.
6. Provide documentation of treatment activities.
7. Meet with Probation/Parole Officer weekly.
8. Establish a relationship with an approved sponsor and Drug Court mentor.
9. Advise family members of involvement in Drug Court.
10. Identify pro-social activities to participate in.
11. Comply with 9:00 p.m. to 6:00 a.m. curfew.
12. Comply with home visits and curfew checks.
13. Obey all laws and terms of probation.
14. Terminate relationships with using associates.
15. Complete all required community service work: 25 hours

Phase 2-Recovery, at least 90 days:

1. Attend Drug Court and Drug Court Support Group bi-weekly.
2. Submit to and pass random drug and alcohol tests as defined by the Color System.
3. Submit a hair sample for drug testing.
4. Meet with Probation/Parole Officer bi-weekly or as directed.
5. Continue/complete treatment begun in Phase 1.
6. Establish/maintain a relationship with sponsor and Drug Court mentor.
7. Provide documentation of treatment activities.
8. Begin to develop an aftercare plan.
9. Identify relationships in need of repair.
10. Continue to meet with Treatment Provider as directed.
11. Maintain sober, clean and approved living arrangements.
12. Comply with 10:00 p.m. to 6:00 a.m. curfew.
13. Obey all laws and terms of probation.

15. Make payment of court fines, fees, and restitution and supervision fees.
16. Be regularly employed or in school (32 hours or more per week).
17. Comply with home visits and checks with no curfew violations.
18. Complete all required community service work: 25 hours: total to this point 50 hours.

Phase 3 – Transition, at least 90 days:

1. Attend Drug Court and Drug Court Support Group every 3rd week.
2. Submit to and pass random drug and alcohol tests as defined by the Color System.
3. Submit a hair sample for drug testing.
4. Be regularly employed or in school (32 hours or more per week).
5. Meet with Probation/Parole Officer every 3rd week, or as directed.
6. Complete Reasoning Skills Curriculum
7. Continue to meet with Treatment Provider as directed.
8. Provide documentation of treatment activities.
9. Maintain a secure, sober lifestyle and residence.
10. Comply with 11:00 p.m. to 6:00 a.m. curfew.
11. Comply with home visits and checks with no curfew violations.
12. Pay all court fines, fees, and restitution and supervision fees.
13. Maintain relationship with sponsor and Drug Court mentor.
14. Complete all required community service work: 25 hours: total to this point 75 hours

Phase 4 – Pre-Release, at least 90 days:

1. Attend Drug Court and Drug Court Support Group every 4th week.
2. Submit to and pass random drug and alcohol tests as defined by the Color System.
3. Submit a hair sample for drug testing.
4. Have Supervision Fee paid in full.
5. Meet with Probation/Parole Officer every 4th week, or as directed.
6. Meet with Treatment Provider as directed.
7. Maintain regular employment or in school (32 hours or more per week).
8. Maintain a secure, sober lifestyle and residence.
9. Comply with Midnight to 6:00 a.m. curfew.
10. Meet with Drug Court Team members as directed.
11. Provide documentation of treatment activities.
11. Maintain relationship with sponsor and Drug Court mentor.

12. Complete all Court Ordered requirements.
13. Supervision fees paid in full and payment plan for outstanding Court obligations must be developed and approved.
14. Mentor a new Drug Court participant
15. Comply with home visits and High Risk Unit curfew checks.

Phase 5 – Support, at least 90 days:

1. Attend Drug Court and Drug Court Support Group every 5th week or as directed.
2. Attend all treatment after care functions 100 %.
3. Submit to and pass random drug and alcohol tests as defined by the Color System.
4. Submit a hair sample for drug testing.
5. Meet with Probation/Parole Officer monthly.
6. Maintain relationship with sponsor and Drug Court mentor.
7. Maintain full time employment or in school (32 hours or more per week).
8. Continue to mentor a new Drug Court participant.
9. Curfew will be as directed.
10. Establish an aftercare commitment to recovery.
11. Maintain a secure, sober lifestyle and residence.
12. Provide documentation of treatment activities.
13. Complete all Court Ordered requirements.

Phase 6- Relapse, length unknown:

Graduates who have experienced a relapse may apply to obtain additional support and structure upon the team's approval. They can sign a waiver and contract and return as Phase 6. The goals for phase 6 are a revamping of the aftercare plan and examine those issues that need to be resolved to maintain sobriety.

1. Return to the Color UA and hair testing systems.
2. Attend the Drug Court Treatment Group as needed or directed by the team
3. Attend Court and Drug Court Support Group on the same day as directed by the team.
4. Additional treatment as determined by the team.
5. Curfew as directed.

Phases are subject to change at any time.

Aftercare/Continuing Care Services:

The judge must approve the Aftercare Plan. The focus on Aftercare will be to reduce the known relapse factors commonly associated with substance abuse. The participant will secure employment, have education goals, obtain vocational training, be involved in support meetings and have a sponsor and mentor.

The Treatment Provider will continue with Aftercare individual and/or group treatment sessions as needed. Relapse prevention groups will be available if the client experiences a relapse.

The client will be assigned a graduate color, continue on the color UA system and continue with hair tests for 6 months after graduation. They will also have reduced home checks. Graduates are required to attend Court and Drug Court Support Group the first Thursday of every month to gain additional support. Graduates will remain on supervision for at least one year after graduation before an early release from supervision will be considered.

Graduates may attend Drug Court Treatment Group to keep them connected to the group. It will be offered as a choice or they may be directed by the Judge.

SANCTIONS AND INCENTIVES

There are immediate and direct consequences for all misconduct. Sanctions follow violations and are applied as close to the time of violation as possible by the Drug Court Team. Incentives and sanctions are applied at the participant's next scheduled Drug Court appearance.

Incentives are rewarded for positive participant performance and the incentives are the focus that drives the overall philosophy of the Eighth Judicial District Drug Court.

The Drug Court Team makes an effort to personalize incentives and sanctions to each individual. This means that because you are unique and different from each of the other participants, you may receive a different incentive or sanction than another participant for the same or similar conduct.

TERMINATION:

The Drug Court Team makes the final determination for a participant to be terminated from the program. Lack of progress and or rule violations for any of the following can result in termination.

1. Lack of progress.
2. Positive urine tests.
3. Missed or refused urine tests.
4. Failure to attend court.
5. Failure to participate or cooperate in treatment.
6. Failure to report to Probation Officer.
7. Failure to attend outside programming.
8. Failure to attend work or school.
9. New charges.

The most serious violation, a new arrest does not automatically terminate a participant from the program. If the charge filed is a felony and the participant is convicted then they will be discharged unsuccessfully. If the charge is of a violent nature and the participant is found guilty of the charge then the participant will be discharged unsuccessfully. All other charges will be considered on a case by case basis. In cases of unsuccessful termination court action within the Drug Court system will take place with the appropriate sanction being applied.

GRADUATION REQUIREMENTS

Participants who have successfully achieved their individual program goals, including educational and vocational are eligible. Those who have remained in Drug Court continuously and have successfully completed all phases of the Eight Judicial District Drug Court, including after care are eligible. Those who have completed all sanctions and have participated for a minimum of 15 months are eligible.

When the participant has met the above listed criteria for successful completion of the program, the participant will be required to have a graduation interview with the Drug Court Team. At this time they will present their aftercare plan to the Judge for approval. The Drug Court Team will then make their final decision as to the participant's graduation.

CONCLUSION

The Eighth Judicial District Drug Court has been developed to help you achieve abstinence from alcohol and drugs. The program is designed to promote self-sufficiency and to return you to the community as a productive and responsible citizen. The Judge, Probation Officer, Treatment Provider, Prosecuting Attorney, Defense Attorney and community resources are present to guide and assist you, but the final responsibility is yours.

We hope this handbook has been helpful and answers most of your questions. If you have additional questions or concerns about the Drug Court Program, please feel free to contact the Drug Court Probation Officer and any other member of the Drug Court Team.

THANK YOU FOR YOUR PARTICIPATION IN DRUG COURT!