

**BLUE EARTH COUNTY  
DRUG COURT**



**Sobriety Checkpoint**

***PARTICIPANT HANDBOOK***

Your Name \_\_\_\_\_

## TABLE OF CONTENTS

<b>Welcome</b>	<b>Page 3</b>
<b>Overview</b>	<b>Page 4</b>
<b>The Drug Court Team</b>	<b>Page 4</b>
<b>Progress Reports</b>	<b>Page 5</b>
<b>Drug Court Hearings</b>	<b>Page 5</b>
<b>Phases of Drug Court</b>	<b>Page 5</b>
<b>Confidentiality</b>	<b>Page 8</b>
<b>Drug Court Program Rules</b>	<b>Page 8</b>
<b>Chemical Testing</b>	<b>Page 10</b>
<b>Search and Arrest Requirements</b>	<b>Page 10</b>
<b>Program Fees</b>	<b>Page 11</b>
<b>Incentives</b>	<b>Page 11</b>
<b>Sanctions</b>	<b>Page 11</b>
<b>Termination from Drug Court</b>	<b>Page 13</b>
<b>Graduation</b>	<b>Page 13</b>
<b>Conclusion</b>	<b>Page 14</b>
<b>Important Phone Numbers</b>	<b>Page 14</b>

## WELCOME TO THE BLUE EARTH COUNTY DRUG COURT

This Handbook was designed to answer your questions, and to help you successfully complete the requirements of the Blue Earth County Drug Court program. As a participant, you are expected to follow the instructions given to you by the Drug Court Judge and your Drug Court probation officer; as well as to comply with the treatment plan developed for you by an approved treatment provider.

The Drug Court is divided into four phases that must be successfully completed in order to graduate from the program. This Handbook details what is expected of you as a Drug Court participant. It reviews general program information, as well as what specific things you must do to complete each phase of the program.

If you are reading this Handbook, it means that you have been accepted into Drug Court based upon your history of drug/alcohol use, and encounters with law enforcement. It also means that we are confident that Drug Court will help you learn how to make successful choices, free of the influence of drugs or alcohol.

You are encouraged to share this Handbook with your family and friends.

## OVERVIEW

The Blue Earth County Drug Court is a four-phase intervention program for adults who have pled guilty to one or more felony drug offenses, one or more gross misdemeanor, or Felony DWI offences, and who are having difficulty staying clean and sober. The Drug Court Program is for addicted offenders. The program treats a drug as a drug and an addict as an addict, regardless of the drug of choice. It is a collaborative effort between the 5<sup>th</sup> Judicial District Court, the County Attorney's Office, the Public Defender's Office, the Health and Human Services Agency, police agencies, and probation and treatment providers. By working together, as a Drug Court Team, we seek to provide a variety of programs and consistent supervision tailored to support and help you maintain a drug-free life.

Drug Court involves intensive supervision of clients by a probation officer, frequent court appearances, mandatory drug and alcohol counseling, regular attendance at self-help groups (NA or AA) and random drug testing. The Court awards incentives for compliant behavior and imposes sanctions for negative behavior. Participants who do not comply with the rules may be placed in short-term custody, moved back to the previous phase of drug court or a variety of other sanctions. Participants may also be terminated from Drug Court. All of the staff working with Drug Court will assist you to make sure you understand what is expected of you.

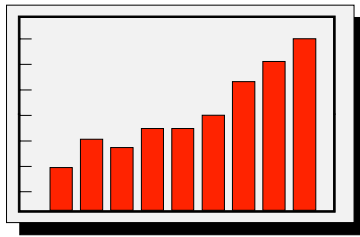
### THE DRUG COURT TEAM



The Drug Court Judge makes all decisions regarding your participation in the Drug Court Program with input from the Drug Court Team. In addition to the Judge, the Drug Court Team consists of the following members:

- Assistant Public Defender (your attorney)
- Assistant County Attorney
- Case Manager/Assessor
- Treatment Provider
- Probation Officer
- Police Officer Liaison
- Drug Court Coordinator

Prior to each Drug Court session, the Drug Court team members familiarize themselves with your progress and the judge discusses that progress with you during the Drug Court session.



## **PROGRESS REPORTS**

Before your Drug Court hearing, the judge is given a progress report presented by your Probation Agent and Treatment Provider. The progress report discusses your drug test results, attendance, participation and cooperation in the treatment program, employment or other requirements that were imposed. The judge may ask questions about your progress and discuss any problems you may be having. If you are doing well you may be rewarded with reduced program requirements or, at times, other incentives like movie tickets. If your progress reports show that you are not doing well, the judge will discuss this with you and determine future action, which could include a sanction in order to help you remember your goals in the program. Sanctions can be anything from increased program requirements to jail custody.



## **DRUG COURT HEARINGS**

As a Drug Court participant, you are required to appear in Drug Court on a regular basis. When you appear you are expected to bring your meeting card providing the dates and signatures proving you have attended your three weekly meetings. You also need to give the Judge your journal prior to your court date. Failure to do so may result in a sanction. The number of times you must appear depends upon the phase of drug court you are currently in. Failure to appear will result in the issuance of a warrant for your arrest and detention in jail until you can appear before the court. If you have questions about your court appearances you may contact your probation agent, treatment provider or your attorney.

## **DRUG COURT PHASES**

Drug Court is an 18 month program divided into four phases, including an Alumni program after you graduate. You must successfully complete each phase before entering into the next phase. Each phase has a key concept or focus. The basic minimum requirements are listed below. In addition, it is expected that you will be employed for 40 hours per week and/or participating in educational or vocational training to improve your employment opportunities.

<b>PHASE ONE</b>	
<b>Key Concept:</b>	<b>Stabilization, Assessment &amp; Orientation</b>
<b>Length of phase:</b>	Approximately 2 weeks (which may follow detoxification or inpatient services)
<b>Requirements:</b>	Drug Court attendance <b>weekly</b> ; at least 3 random urine tests per week; complete chemical health assessment, develop treatment plan; meet with drug court probation agent to determine legal eligibility; 4 motivational enhancement therapy sessions with a counselor; at least 3 support meetings per week (AA ,NA,SMART RECOVERIES,WOMEN FOR SOBRIETY, AND OR ONE OTHER MEETING THAT PROVIDES SUPPORT TO BE APPROVED BY PROBATION). ; receive a mental health assessment and follow all recommendations if ordered by probation. 10:00pm curfew (checked at least 2 times per week). At least two contacts with your probation officer per week.
<b>Requirements in order to move to the next phase</b>	Treatment goals are established and identified progress toward meeting those goals. Participant has met with Probation staff to sign all paperwork and complete an LSI, and must have begun treatment sessions.
<b>PHASE TWO</b>	
<b>Key Concept:</b>	<b>Recovery and Responsibility to Self</b>
<b>Length of phase:</b>	A minimum of 6 months
<b>Requirements:</b>	Drug Court attendance <b>weekly</b> ; turn in your meeting card signed and dated weekly; turn in your journal one time weekly; turn in weekly schedule to probation weekly; at least 3 random urine tests per week; up to 3 group sessions per week; 1 individual counseling session per week; at least 3 support meetings per week (AA,NA,WOMEN FOR SOBRIETY,AND OR ONE OTHER MEETING THAT PROVIDES SUPPORT TO BE APPROVED BY PROBATION); 10:00pm curfew (checked at least 2 times per week). At least four contacts per week with probation staff.
<b>Requirements in order to move to the next phase</b>	Meeting all treatment goals as identified for recovery and life changes. Meeting all probation goals, no sanctions within the last 3 months, current with all fees and fines, no positive tests in 3 months.  Six (6) family participation sessions completed

### PHASE THREE

<b>Key Concept:</b>	<b>Maintenance of Recovery and Responsibility to Self and Others</b>
<b>Length of phase:</b>	A minimum of 6 months
<b>Requirements:</b>	Drug Court Attendance at least <b>every other week</b> ; turn in your meeting card weekly; turn in your journal to the judge before court; at least two random urine tests per week; up to 2 group sessions per week; at least 1 individual counseling session per month; at least 3 support meetings per week (AA,NA,WOMEN FOR SOBRIETY,AND OR ONE OTHER SUPPORT MEETING APPROVED BY PROBATION) . Continue to develop skills to avoid relapse, set boundaries, and improve family relationships, medical and mental health stability. 10:00pm curfew checked at least 2 times per week. At least three contacts with probation per week.
<b>Requirements in order to move to the next phase</b>	All ties with addiction culture are severed. You may be asked not to be with family or friends that are addicts. Treatment goals are met.

### PHASE FOUR

<b>Key Concept:</b>	<b>Reinforce a clean, sober and legal lifestyle</b>
<b>Length of phase:</b>	6 months or longer
<b>Requirements:</b>	Drug Court attendance at least <b>monthly</b> ; at least one random urine test per week; up to 1 group session per week; at least 3 support meetings per week or an approved alternative (participant shows evidence of having a support system -- for instance, a supportive relationship with a recovery group sponsor, therapist, teacher, family member, and/or member of the clergy who can support the participant in the recovery process). 11:00pm curfew (randomly checked at least 1x per week). At least two contacts with probation weekly.
<b>Requirements for Graduation;</b>	Consistently implementing behaviors that support long term abstinence. Consistent negative or “clean” drug tests for at least 6 months. Earn GED or High School Diploma 4 months sanction free Evidence of active involvement in the recovery culture All dimensions at level 1 or below Fulltime employment or fulltime student All program fees are paid All fines need to be paid or have payment schedules set up.

<b>GROSS MISDEMEANOR DWI TRACK</b>	
<b>Eligibility Criteria:</b>	Participants must have two or more DWI priors Participants need to have one or more prior treatment participation
<b>Length of Track:</b>	12 Month Minimum (at least 4 months per phase)
<b>Requirements:</b>	Possibility of SCRAM Monitor for the first month; Court attendance at least one time per month; at least 3 support meetings per week; drug testing at least one time per week; Employed, with at least 40 hours per week or enrolled in school; abide by 10:00 pm curfew being checked at least twice a week; suspended jail time; reduced fines; Attend drug court specific treatment (3 times a week for the first 3 months, 2 times a week for phase 3 and one time per week in phase 4).

### **CONFIDENTIALITY**

State and federal law requires that your identity and privacy be protected. In response to these regulations, Drug Court personnel, case managers and treatment providers have developed policies and procedures to help protect your privacy. You are required to sign Consent for Release of Information. This disclosure of information is for the sole purpose of hearings and reports concerning your specific Drug Court case. Failure to sign this release will result in a sanction or dismissal from the program.

### **DRUG COURT PROGRAM RULES**

As a participant you are required to abide by the rules outlined in the participant contract, including, but not limited to the following:

**Totally abstain from the use of illegal drugs and alcohol.**

This condition is fundamental to successful completion of the program. Any prescription and over-the-counter medication must be approved by the Drug Court team prior to use. Abuse of prescription and over-the-counter drugs will result in a sanction. Use of someone else's prescription or non-approved medication will result in a sanction. Inform you're treating physicians that you are a recovering addict, and that you may not take narcotic or addictive medications or drugs. Do not associate with people who use or possess drugs.

**Attend all treatment sessions as scheduled.**

This includes individual and group counseling, educational sessions, and other treatment as directed. Unexcused missed treatment sessions will result in a sanction.

**Be on time.**

Be on time for court and treatment sessions. If you are late for treatment, you will not be allowed to participate and will be considered non-compliant. Contact your counselor if there is a possibility that you may be late. You also need to be on time for all scheduled probation meetings failure to show up will result in a sanction.

**Attend all scheduled Drug Court sessions.**

You must attend all court sessions as scheduled by the Drug Court probation agent. As a participant, you are expected to dress appropriately for court. You are expected to wear a shirt or blouse, pants, dress or skirt of reasonable length. Shoes must be worn at all times. Clothing bearing offensive, violent, racist, sexist, drug or alcohol-related themes or promoting or advertising alcohol or drug use is considered inappropriate. Hats may not be worn. Gang attire is also inappropriate. Sleeveless shirts and body piercing other than earrings are not allowed in court. Sunglasses cannot be worn in court unless medically approved.

**Submit to chemical testing (urinalysis, breath tests) as requested.**

You will be tested throughout the entire program. During the first phase you will be tested frequently and randomly. If you miss a test or are not home for a curfew test it will be viewed as a positive test. The officer will not return to your home after they leave it will also be viewed as a positive test. As you progress through the program, testing is required on a less frequent basis. The goal of the Drug Court program is to help you achieve total abstinence from alcohol and illicit drugs. However, a positive test will not automatically terminate you from the program. The judge will review your overall performance with the drug court team to determine the appropriate consequence or consequences.

**Do not make threats toward other participants or staff or behave in a violent manner.**

Violent or inappropriate behavior is not tolerated and will be reported to the Court. This behavior may result in a sanction or termination from the program. You may not possess any weapons while in the Drug Court program.

**Keep the Drug Court team, probation agent, treatment provider and police officer liaison informed of your current address and phone number at all times.**

**Maintain confidentiality of other Drug Court participants.**

Treatment cannot succeed unless all participants maintain the confidentiality of other participants and of information disclosed in treatment.

**Employment/Education Requirements:**

You are expected to perform 40 hours of structured activity per week. This may be accomplished by actively seeking or maintaining employment, attending school/job training, performing unpaid alternative community work assignments or other activity approved by the Drug Court Probation Agent.

**Abide by all other rules and regulations imposed by the Drug Court Team.**

Other rules and requirements are outlined in the Drug Court Participation agreement that you must sign in order to enter the program.

## CHEMICAL TESTING

You will be drug tested randomly throughout your entire Drug Court Program. You will be provided with a copy of the chemical testing policy of Blue Earth County Community Corrections.

- You will be observed to ensure freedom from errors.

**The following will count as a positive (dirty) test:**



- If you miss a test
- Stalling - If you are unable to provide a sample within a reasonable amount of time (normally 15 minutes) or if it is not of sufficient quantity to test
- Any adulteration of any sort
- If a positive test needs to be sent to a commercial laboratory for confirmation, you will be required to pay for the cost of the test.
- A positive PBT or a missed curfew check will be viewed as a violation of the Drug Court rules. (If you do not come to the door after the officer calls and knocks it is viewed as a missed and or positive test. They will not return to your home).
- If you have a positive test in any drug court phase, the judge, based on recommendations from the drug court team, will apply immediate sanctions including time in jail to help you stop your drug using behavior.



## SEARCH AND ARREST REQUIREMENTS

As a participant in Drug Court, you are required to submit your person, vehicle, place of residence or area to search and seizure of narcotics, drugs or other contraband at any time of the day or night with or without a search warrant, without prior notice and without probable cause by any peace officer or probation officer or their representative. Any law enforcement officer who observes a current participant of Drug Court in any of the following circumstances is authorized to arrest that individual:

- ingesting a controlled substance or alcohol;
- in violation of any criminal law;
- being under the influence of a controlled substance or alcohol;
- possessing a controlled substance or alcohol or drug paraphernalia;

- being in the presence of a person in possession of controlled substance(s) and a reasonable person in a like position would conclude that drugs are present.
- Being in possession of any weapons

Participants detained in jail after arrest will be brought before the Drug Court judge for hearing.

## PROGRAM FEES

As a Drug Court participant, you must agree to pay a minimum program fee of \$20 per month, not to exceed \$360 regardless of the length of time you are in the program. You are also responsible for paying for the cost of treatment which is separate from the drug court program fee. There may be other fees to pay depending on your situation and needs, such as: any fee for a confirmation of a chemical test; classes or skills training, etc. You must be current with all of your payments before you are allowed to move to the next phase of your program.

### Where to pay fees:

- Pay the monthly program fee and any chemical test fees to the Blue Earth County Community Corrections Dept.
- Pay fees for other services directly to the agency providing the service to you.



## INCENTIVES

Incentives are used to recognize and reward participation and progress. Upon the recommendation of the Drug Court Team, participants may be given rewards or incentives for compliant behavior. The most frequently used incentive is the judge publicly recognizing progress during court sessions and acknowledging to the participant and the entire court the participant's hard work and accomplishments. Individuals who are doing well may also be put into an "express" group and placed early on the court calendar thereby decreasing the time the participant must spend in court.

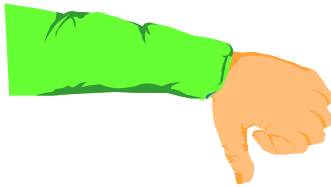
## SANCTIONS

There are immediate and direct consequences for all conduct, both positive and negative. Sanctions follow violations and are applied as close to the time of failure as possible by the Drug Court. Incentives and sanctions are applied at the **participant's** next scheduled review/status hearing, with the exception of serious violations (e.g. positive UA, new crime, etc), in which case the participant appears at the **next** review/status hearing.

Sanctions are used to emphasize the strict expectations and requirements of the program including participant accountability and to provide more structure and support when it is needed. Although final sanction decisions are made by the judge, the Drug Court team is involved in the process.

- **Behaviors**: Clean UA, no new legal involvement, no curfew violation
- **Incentives**: Praise, progress through phases, gift certificates, later curfew, fewer drug tests, fee reduction, increase travel privileges, sports tickets, or entry for fishbowl drawings.
- **Behaviors**: Positive drug tests, new crime, or curfew violation
- **Sanctions**: Community service, increased curfew, increased drug testing, house arrest, electronic monitoring, increased review/status hearings, weekend detention, essay's, apology letters to judge and group, SCRAM monitoring or day in jury box.
- **Treatment Response**: Increase in services, or referral to other services.
- **Behaviors**: Family involvement in support networks, improved family relationships, staying current with child support payments, attendance at family sessions, completion of parenting classes, attendance in pro-social activities, or involvement in the community.
- **Incentives**: Praise, family outings, gift certificates, transportation vouchers, daycare vouchers, care packages, movie passes, coupons from local businesses, or credit against community service hours
- **Behaviors**: No improvement in the use of resources or family relationships, non-attendance at parenting classes, non-compliance with in-home family counseling, or non-compliance with family sessions.
- **Sanctions**: Lecture from the judge, community service hours, essay's, life skills program,
- **Treatment Response**: Increase in services, in-home family counseling, increase in therapeutic visits, parenting classes, anger management program.
- **Behaviors**: Employment attendance, or increased performance, attendance and completion of CD treatment, attendance at family sessions, involvement in pro-social activities, attendance and completion of GED program, obtain stable housing, involvement in the community, or support groups.
- **Incentives**: Recreational activities, new clothes, later curfew, gift certificates, praise, coupons from local businesses, movie passes, phase acceleration, care packages, fee reduction, excused early from court or entry for fishbowl drawing.

- **Behaviors**: Unemployed, no response to educational goals, missed classes, no involvement in pro-social activities, association with negative peers, or non-compliance with treatment goals and expectations.
- **Sanctions**: Community service hours, increased curfew, increased drug testing, electronic monitoring, SCRAM monitoring, increased review hearings, reset in current phase or return to prior phase, increased office visits, increased support group attendance, day in the jury box, essay's, apology letters, or weekend detention.
- **Treatment Response**: Make-up missed classes, mentoring/tutoring, educational assessment, referral to job skills assessment, or financial counseling.



## TERMINATION FROM DRUG COURT

Warrants, new arrests or a violation of any aspect of your treatment plan may result in your termination from the Drug Court Program. Other violations, which may result in termination, include the following:

- Missing and/or positive drug tests;
- Altered drug test;
- Demonstrating a lack of program response by failing to cooperate with the probation agent or treatment program;
- Violence or threat of violence directed at treatment staff, other participants of the program or other clients of the treatment providers;



## GRADUATION

Upon your successful completion of a treatment program and satisfaction of all other court requirements including continued sobriety, you will graduate from Drug Court.

Graduation from the Drug Court program is recognized as a very important event. Your loved ones are invited to join you at a special ceremony as the Drug Court Team congratulates you for successfully completing Phases I - IV of the Drug Court program and achieving your goal to establish a drug-free life.

Upon your graduation from the Drug Court Program, you are welcome to come back and visit drug court at any time.

### CONCLUSION

The goal of the Blue Earth County Drug Court Program is to help you achieve a life free of dependence on mind-altering substances. The Judge, court staff and the Drug Court Team are here to guide and assist you, but the final responsibility is yours. To succeed, you must be motivated to make this commitment to a drug free life.



### DRUG COURT PHONE NUMBERS

Probation Agent: \_\_\_\_\_

Treatment Provider: \_\_\_\_\_

Testing Phone #: \_\_\_\_\_

Public Defender (your attorney): \_\_\_\_\_

Police Officer Liaison: \_\_\_\_\_

Other: \_\_\_\_\_