

# Northwest Regional Adult Drug Treatment Court

## Participant Handbook



Participant's Name: \_\_\_\_\_

Date: \_\_\_\_\_

Participant's Initials: \_\_\_\_\_

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## **I. Introduction**

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Welcome to the Northwest Regional Adult Drug Treatment Court. This handbook has been designed to answer questions and to provide information about this program. It is the responsibility of each participant to follow all of the requirements in this handbook and to follow the direction of the Drug Court Judge and the Drug Court Team. In order to be fully successful in this program, participants must make recovery the number one priority in his/her life. This program involves a great deal of time and commitment on the part of each participant. Every participant should carefully review this document with an attorney to fully understand what is expected of them upon entry into the Drug Court. Every participant should also be aware that it will take a great deal of time to successfully complete this program. In FY16, the average length of time that successful graduates spent in Virginia Adult Drug Treatment Court programs was 623 days (nearly 21 months).

### **A. Mission Statement**

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The mission of the Northwest Regional Adult Drug Treatment Court is to reduce substance abuse and related criminal activity and enhance public safety through collaboration, treatment, supervision, and accountability.

## **II. Entry Process**

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### **A. Eligibility Criteria**

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The following are the eligibility criteria for entry into the Northwest Regional Adult Drug Treatment Court:

Candidates **must**:

- Have a pending felony charge or charges directly involving drugs or alcohol, or a pending felony charge or charges that were motivated by or closely related to the use of drugs or alcohol
- Have a pending probation violation matter with a suspended sentence of at least 12 months
- Enter a plea of guilty, *nolo contendere* with a stipulation that the Commonwealth's evidence is sufficient to sustain a conviction, or admit the violation of probation
- Reside in the City of Winchester, Frederick County or Clarke County
- Have a recommended supervision level of "High" as indicated by the COMPAS assessment
- Meet the DSM-V criteria for substance use disorder
- Be age 18 or over at the time of sentencing or adjudicated as an adult
- Voluntarily agree to participate in the program

## **B. Entry and Referral Process**

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A case will enter the drug treatment court through a referral process commenced by the Commonwealth's Attorney, Defense Attorney, or probation officer. The Defense Attorney and Commonwealth's Attorney will initially screen the case for eligibility. If determined to be eligible for participation, the case will be sent to the probation officer for a risk/need assessment. If the case is determined to meet the criteria for high risk/high need, a clinical assessment will be completed by a treatment provider and a case treatment plan will be developed. The case will then be referred back to the defense attorney for preparation of a written plea agreement. The plea agreement will provide that the Defendant enters a plea of guilty or *nolo* contendere to the charge(s), or admits that he or she is in violation of the terms and conditions of probation. No adjudication of guilt will be entered for felony deferral cases, or no sanction will be entered in probation violation cases, and the case will be transferred to the drug treatment court docket. Upon successful completion of the drug treatment court program, the felony cases will either be dismissed or reduced with an agreed disposition, and the probation violation matters may be dismissed from the court's docket. Upon unsuccessful completion of the drug treatment court program, the case will be transferred back to the referring court for disposition consistent with the terms of the written plea agreement.

The intake assessment will be administered by a local treatment provider working with the drug treatment court. The assessment will consist of an individual interview, administration of a clinical assessment instrument to assist with a clinical diagnosis of substance dependency (and any other appropriate diagnoses), and the review of the COMPAS. A report will be generated with diagnostic impressions, a statement of risk and need, and recommendations for treatment (which may or may not include involvement in the drug treatment court). For referral to the drug treatment court, a diagnosis of substance dependency and a level of at least medium risk for criminal recidivism and medium need for treatment will be required, with high risk and high need preferred. Potential clients with needs for medication assisted treatment (MAT) may not be refused admission to the program on this basis alone if otherwise qualified. The report from the assessment will be utilized to determine final acceptance for drug court and to develop the individual treatment plan for the participant.

### **III. Program Components**

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#### **Treatment**

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Participants in Drug Treatment Court will be provided treatment through a substance abuse treatment provider in the Winchester community. An intake assessment is required prior to entry into the program.

Participants are required to attend all treatment groups and sessions, as well as community support groups as prescribed in the individual treatment plan.

#### **Supervision**

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While participants are in the Drug Treatment Court, they will be placed on a personal recognizance bond status. A probation officer with District 11 Probation and Parole, along with a sheriff's deputy and/or police officer will conduct supervision. Participants will report to the probation office for supervision appointments based on phase of the program. Additionally, the deputy and police officer will conduct home and employment checks regularly.

#### **Ancillary Services**

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Referrals to other agencies for assistance will be monitored for compliance. These referrals may include the Department of Social Services, Literacy Volunteers, adult education, vocational services, and many others.

#### **Phase Structure**

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The Drug Treatment Court is made up of 5 phases. Participants must progress and meet all milestones prior to advancing to a new phase. The total duration for all phases is a minimum of 15-18 months, and participants must complete all 5 phases to graduate.

##### **PHASE I – STABILIZATION**

**(At least 60 days)**

- Court appearances 1 time per week
- Urine screens at least 3 times per week
- Meeting with Probation Officer at least 1 time per week
- Home or field contacts at least 1 time per month
- Comply with treatment and supervision recommendations as prescribed by treatment provider
- Work to obtain/secure stable housing
- Obtain medical assessment
- Develop case plan
- 9:00 pm curfew unless the team authorizes a change due to work
- Change people, places and things
- In order to advance: regular attendance at treatment, office visits, being honest, at least 14 consecutive days of abstinence immediately prior to advancement to Phase II

## **PHASE II – INTENSIVE TREATMENT**

**(At least 90 days)**

- Court appearances every other week, unless otherwise directed by the Court
- Urine screens at least 3 times per week
- Meeting with Probation Officer 1 time per week
- Home or field contacts at least 1 time per month
- Initiate a plan for payment of all costs/fines/restitution/fees
- Create a budget assessment
- Review case plan
- Comply with treatment and supervision recommendations as prescribed by treatment provider
- Develop support network
- Begin job search/community service/educational or vocational education
- Maintain stable housing
- 10:00 pm curfew unless the team authorizes a change due to work
- Maintain positive people, places and things
- In order to advance: regular attendance at treatment, office visits, being honest, at least 30 consecutive days of abstinence immediately prior to advancement to Phase III

## **PHASE III – RELAPSE PREVENTION AND PERSONAL PLANNING**

**(At least 90 days)**

- Court appearances every 3 weeks
- Urine screens at least 2 times per week
- Meeting with Probation Officer at least 2 times per month
- Home or field contacts at least 1 time per month
- Comply with treatment and supervision recommendations as prescribed by treatment provider
- Begin criminal thinking therapy
- Maintain support network
- Review case plan
- Maintain employment of at least 30 hours per week, perform 30 hours of community service per week if not employed, or be involved in an educational or vocational program
- Maintain stable housing
- Establish pro-social activity
- Make progress towards completion of payment of all costs/fines/restitution/fees
- 11:00 pm curfew unless the team authorizes a change due to work
- Maintain positive people, places and things
- In order to advance: regular attendance at treatment, office visits, being honest, at least 60 consecutive days of abstinence immediately prior to advancement to Phase IV

## **PHASE IV – TRANSITION**

**(At least 120 days)**

- Court appearances 1 time per month
- Urine screens at least 1 time per week
- Meeting with Probation Officer at least 1 time per month
- Home contacts at least 1 time per month
- Comply with treatment and supervision recommendations as prescribed by treatment provider
- Maintain support network
- Maintain pro-social activity
- Maintain employment of at least 30 hours per week, perform 30 hours of community service per week if not employed, or be involved in an educational or vocational program
- Maintain stable housing
- Make progress towards completion of all costs/fines/restitution/fees

- Midnight curfew unless the team authorizes a change due to work
- Develop aftercare plan
- Review case plan
- Maintain positive people, places and things
- In order to advance: compliance with treatment, compliance with supervision, maintain pro-social activity, maintain sober network, at least 90 consecutive days of abstinence prior to graduation

**PHASE V – AFTERCARE**  
**(At least 90 days to 180 days)**

- Court appearances 1 time per month
- Urine screens at least 1 time per month
- Meeting with Probation Officer at least 1 time per month
- Home contacts at least 1 time per month
- Comply with treatment and supervision recommendations
- Maintain support network
- Maintain pro-social activity
- Maintain employment of at least 30 hours per week
- Maintain stable housing
- Complete payment of all program fees (unless demonstrated inability to pay exists)
- Be compliant with payment plan for court costs and fines
- Comply with aftercare plan
- Maintain positive people, places and things
- In order to commence: compliance with treatment, compliance with supervision, maintain pro-social activity, maintain sober network, at least 180 consecutive days of abstinence prior to commencement

Phase promotion is predicated on the achievement of realistic and defined behavioral objectives, such as completing a treatment regimen or remaining drug-abstinent for a specified period of time. As participants advance through the phases of the program, sanctions for infractions may increase in magnitude, rewards for achievements may decrease, and supervision may be reduced. Treatment is reduced only if it is determined clinically that a reduction in treatment is unlikely to precipitate a relapse to substance use. The frequency of drug and alcohol testing is not reduced until after other treatment and supervisory services have been reduced and relapse has not occurred. If a participant must be returned temporarily to the preceding phase of the program because of a relapse or related setback, the team develops a remedial plan together with the participant to prepare for a successful phase transition.

## **Drug Testing**

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Drug Treatment Court participants are expected to be drug and alcohol free. The Court monitors compliance through random drug testing for alcohol and illicit substances. The Phases of the program will determine the number of drug screens that will be administered to participants. In all phases, drug tests will be administered on a random basis, and will be observed. If the participant has relapsed, or for any reason the Drug Court Team feels the participant should be screened more frequently, the participant will be required to submit additional drug screens.

All participants will be given a location and time to report for a drug screen. Drug screens may also be administered during home contacts. It is the responsibility of the participant to report to the assigned location at the time given for the test. If a participant misses a screen, refuses a screen, fails to produce a specimen, or supplies a sample that is not of sufficient quantity it will be considered a positive test and the participant will be sanctioned accordingly.

The Drug Treatment Court currently uses instant urine tests. A result appears within minutes of taking the test which will indicate a positive or negative result. If a specimen tests positive for a substance, the participant will be notified immediately. The participant will be given the opportunity to admit or deny use of the substance. If a participant disputes the results of a screen, he or she may request that a sample be sent to a laboratory for a confirmation test. The participant will incur a fee of up to \$90.00 for requesting confirmation from the laboratory. This fee must be paid by the participant before the sample will be sent to the laboratory for confirmation. If the participant is unable to pay the fee within 1 week, the Court will consider a waiver of the fee if the participant demonstrates a true inability to pay. The fee paid by the participant for the confirmation test will be non-refundable. If the initial screen is positive for Fentanyl, the participant will be remanded to jail pending the results of the confirmation test.

## **Diluting/Tampering**

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The Drug Treatment Court team will assume that a test was altered when the laboratory results confirm the diluted sample has a low creatinine level. The diluted test will be considered positive and the participant will be sanctioned accordingly.

Likewise, any participant who substitutes or alters their specimen or tries in any way to modify their bodily fluids for the purpose of changing their drug test results will be considered to have produced a positive test for drugs/alcohol and that will result in sanctioning.

## **Attendance**

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Attendance is mandatory throughout the Drug Treatment Court. If a participant is ill, he/she must personally speak with his/her probation officer in order to be excused from any program activities. Participants are still obligated to produce a urine screen if it is his/her scheduled day unless other arrangements are made with the probation officer. If a participant's illness persists for 2 days or more, he/she MUST have a doctor's excuse verifying the illness.



In the case of an emergency, participants must call their probation officer immediately if the emergency will affect attendance for any scheduled program activity.

In the event of inclement weather, please listen to the WINC radio station at 92.5 FM for program announcements. Participants may also call the probation officer for direction. If the Winchester, Frederick and Clarke County Circuit Court are all closed and the participant is scheduled for a court appearance, he/she is not required to appear.

## **Court Appearances**

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Court sessions are conducted every **Tuesday at 2:00 P.M.** at the Joint Judicial Center, 5 North Kent Street, Winchester, Virginia. If a participant is late to Court, he/she is subject to immediate sanction by the Court. Drug Court participants are expected to behave and dress appropriately for all drug treatment court activities, including Court sessions, counseling sessions, probation appointments, community service obligations and ancillary service appointments. Clothing bearing drug or alcohol related themes, promoting or advertising alcohol or drug use, or bearing graphic violence, profanity or sexual innuendo are considered inappropriate for wear to any drug treatment court activity. Participants are expected to treat team members, all referral agencies' personnel, and other participants respectfully

Participants will be called forward to the table in front of the Judge individually. When speaking to the court, participants must speak in a loud, audible voice in order to be heard by the court. Participants are encouraged to invite family members, sponsors, and other supportive persons to attend Court. All sanctions, incentives and therapeutic adjustments will be imposed by the Court and given in writing to each participant. If the Court sanctions a participant to jail, the participant can expect to be remanded to jail immediately from the courtroom. The Court will notify each participant when they are allowed to leave the courtroom.

## **Curfew**

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All participants are subject to a curfew of 9:00 p.m. in Phase I of the program, unless otherwise adjusted by the Drug treatment Court Team due to a work schedule. Additionally, participants will be subject to a curfew in other phases of the program based on program progress and compliance as determined by the Drug Court Team. If a participant needs an adjustment to his/her curfew, he/she must get permission in advance from the Drug Court Team to have the curfew modified for any reason. In the event of a medical emergency, curfew may be waived. Participants must contact his/her Probation Officer after the medical emergency has resolved.

## **Program Fees**

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Participants are required to pay a **\$900** non-refundable program fee for participation in Drug Court. This fee is payable as follows:

Phase 1 - Develop a payment plan for Drug Treatment Court Fees

Phase 2 - Pay \$18 a week or \$90 a month. Need to pay at least \$270 to advance to Phase 3

Phase 3 - Pay at least \$540 to advance to Phase 4

Phase 4 and 5 - Pay \$900 to commence, unless there is a demonstrated inability to pay.

Participants will be permitted to perform community service at the rate of \$10 per hour to satisfy the fee requirement, but they must make some financial contribution toward payment of the fee. Payments can be made before or after court hearings at the office of the Drug Treatment Court Administrator. Payments may be made in the form of cash, cashier's check, or money order. Participants are also required to pay any restitution associated with his/her criminal case.

## **Travel Restrictions**

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Participants may not travel outside of the Commonwealth of Virginia without permission from the Probation Officer **prior** to traveling. Participants may travel outside of these designated areas for employment purposes. If a participant will be traveling outside of the Commonwealth of Virginia or greater than 25 miles for employment purposes, approval to travel will be arranged by the Probation Officer in advance.

## **Sanctions**

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A formal system of sanctions has been developed to address noncompliant behavior. The sanctions will be predictable, immediate, consistent and appropriate to the seriousness of the violation. If the court deems that a sanction is appropriate, any of the following may be ordered:

- Reprimand from court
- Writing assignment/Essays
- Attend a criminal docket and write a report on lessons learned from the experience
- Attend an entire drug court docket session
- Community service hours
- Curfew restrictions
- Restriction on activities
- Increased supervision from a Probation Officer
- Increased contact with court
- Increased urine screens
- Fees for additional urine screens
- Home electronic monitoring
- Travel restrictions
- Jail time
- Termination

The list of sanctions is not exhaustive. Other sanctions and requirements to aid in a participant's recovery may be ordered by the court as deemed appropriate.

## **Incentives**

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Participants, who are progressing through the Phases of the program and are in compliance with program rules, merit the award of incentives to recognize positive behaviors and accomplishments. The following are examples of incentives:

- Recognition from the court and the Drug Court Team
- Certificates of recognition
- Gift certificates, medallions, movie passes, etc.
- Release from drug court docket early
- Promotion to higher phase
- Decreased court appearances

The list of incentives is not exhaustive. Other incentives may be given by the court as deemed appropriate.

## **Commencement**

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In order to commence from Drug Treatment Court, participants must:

- Successfully complete all Phases of the program
- Maintain employment
- Attain a GED, if possible
- Maintain sobriety for a minimum period of 180 days
- Complete a pre-commencement exit interview with the Drug Treatment Court Team

**The decision on whether a participant is eligible to commence shall be conditioned upon the recommendation of the Drug Treatment Court Team and with approval of the Drug Treatment Court Judge.**

The Drug Treatment Court Team will hold a commencement ceremony for each graduate. Family members and friends are welcome to attend the ceremony.

## **Termination**

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The Drug Treatment Court is committed to working with participants to ensure that they successfully complete the program requirements. However, the Drug Court Judge can expel participants for any reason deemed sufficient by that Judge. The following are considered grounds for termination:

- Conviction of a new felony offense
- Conviction of a new misdemeanor offense resulting in an active jail sentence of more than 30 days
- Repeated instances of dishonesty
- Persistent failure to comply with program rules
- Threatening staff or peers

- A violation of confidentiality
- Possession of weapons
- Any form of sexual harassment
- Absconding

Any participant being expelled from the program will have a termination hearing. If a participant is terminated, his or her case will be returned to the referring court for final disposition. **Termination from the Drug Treatment Court Program is not appealable, and the Participant expressly waives his or her right to appeal the decision to terminate him or her from the program.**

## **Expectations**

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Drug Court participants are expected to comply with the following requirements:

1. The participant will appear in court on all scheduled dates, on time and dressed appropriately.
2. The participant must attend all meetings and appointments.
3. The participant must tell the truth.
4. The participant will follow the treatment plan as developed by his/hertreatment provider.
5. The participant will tell the probation officer, treatment provider, or the Court before he/she changes address, changes or disconnects his/her telephone number, or changes his/her employment.
6. The participant will be tested for the presence of drugs on a random basis according to procedures established by the Drug Treatment Court Team. The participant will be given a location and time to report for a drug screen. It is the responsibility of the participant to report to the assigned location at the time given for the test. If the participant misses a screen, refuses a screen, fails to produce urine, produces a diluted or tampered screen, or supplies a sample that is not of sufficient quantity it will be considered a positive test and the participant will be sanctioned accordingly.
7. The participant must be employed, in school, or in a training program as required by the Drug Court Judge.
8. The participant will attend community support meetings as directed.
9. The participant must pay all court fees in full prior to graduating the program.
10. The participant will agree to sign any and all releases necessary to monitor his/her progress in the Drug Court Program.

Drug Treatment Court participants will refrain from committing the following acts:

1. The participant will not possess, use, distribute, sell, or have under his/her control any drug or drug paraphernalia, except as authorized by a lawful prescription.
2. The participant will not possess or consume alcohol.
3. The participant will not knowingly associate with persons using, possessing, or distributing a controlled substance except in the context of treatment.
4. The participant will not live with a convicted felon, unless approved by the Drug Treatment Court Team.
5. The participant will not violate any law, and understands that if he/she engages in any criminal act, he/she may be prosecuted for any new charges and the new charge may be the basis of his/her exclusion or expulsion from the Drug Court Program.
6. The participant will not ingest excessive amounts of fluids prior to a drug screen due to

the possibility of a diluted screen.

7. The participant will not substitute or alter their drug screen specimen or try to modify their bodily fluids in any way for the purpose of changing their drug test results.

#### **IV. Contact Information**

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Clerk of the Winchester Circuit  
Court 5 North Kent Street  
Winchester, VA 22201  
(540) 667-5770

Clerk of the Frederick County Circuit  
Court 5 North Kent Street  
Winchester, VA 22201  
(540) 667-5770

Clerk of the Clarke County Circuit  
Court 102 North Church Street  
Winchester, VA 22602  
(540) 955-5116

Winchester Commonwealth's Attorney's  
Office 24 Rouss Avenue, Ste. 200  
Winchester, VA 22601  
(540) 722-7940

Frederick County Commonwealth's Attorney's  
Office 107 North Kent Street, 4<sup>th</sup> Floor  
Winchester, VA 22601  
(540) 665-6383

Clarke County Commonwealth's Attorney's  
Office 102 North Church Street  
Berryville, VA 22611  
(540) 955-5120

Office of the Public Defender for the City of Winchester and Counties of Frederick and  
Clarke 117 East Piccadilly Street  
Winchester, VA 22601  
(540) 722-3450

Winchester Police  
Department 231 East  
Piccadilly Street Winchester,  
VA 22601  
(540) 662-4131

Frederick County Sheriff's  
Office 1080 Coverstone Drive  
Winchester, VA 22602  
(540) 662-6168

Clarke County Sheriff's  
Office 100 N. Church St.  
Berryville, VA 22611  
(540) 955-5152

District 11 Probation and  
Parole 100 Premier Place  
Winchester, VA 22601  
(540) 722-3404

Northwestern Community Services  
1014 Amherst Street  
Winchester, VA 22601  
(540) 667-8888 ext.1

Tiffany Cadoree  
Drug Treatment Court  
Administrator 305 East Piccadilly  
Street  
Winchester, VA 22601  
(540) 303-3520

**V. Participant Contract**

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**Northwest Regional Adult Drug Treatment Court**

**CONTRACT**

Participant: \_\_\_\_\_  
Date: \_\_\_\_\_

**VIRGINIA:**  
**IN THE CIRCUIT COURT OF \_\_\_\_\_:**

I, \_\_\_\_\_, after consulting with my attorney and fully understanding the expectations of the Northwest Regional Adult Drug Treatment Court, (Drug Treatment Court), agree to participate in the Drug Treatment Court and fulfill all of the program requirements. I understand and agree that I will continue to be supervised by the Department of Probation and Parole and I will comply with all of my current probation obligations. I understand that entry into and successful completion of Drug Treatment Court is a condition of my probation and/or pretrial release. This condition means that I will have additional obligations beyond what was required of me before being referred to the Drug Treatment Court.

I understand and agree that after I enter into this contract, I will not have a defense attorney to represent me at each Drug Treatment Court hearing. I understand that I will not be present during team staffing meetings during which my case will be discussed. I understand that the Drug Treatment Court can impose sanctions on me, up to and including incarceration, without my attorney being present. I understand that if I am served with a Notice of Termination from the program, the Court will advise me that I can revoke my waiver of counsel and the Court will appoint an attorney to represent me if I choose at the termination hearing. I understand that I also can choose to continue in my waiver of counsel at the termination hearing. I understand that the Drug Treatment Court will notify my attorney if I am terminated from the program so that I will have legal representation when I am sentenced. I understand and agree that during my participation in the Drug Treatment Court I will be on a personal recognizance bond which can be revoked by the program Judge or another Judge of the Circuit Court.

By agreeing to participate in Drug Court, I understand and agree that I will be waiving some of my rights. I agree that:

**Waiver of Fourth Amendment Rights-** I waive my Fourth Amendment rights against unreasonable searches and seizures during the time that I am in the Program, to wit: I shall submit my person, place of residence, and property to search or seizure at any time of the day or night by any law enforcement officer with or without reasonable suspicion, probable cause or a warrant.

Participant's Initials: \_\_\_\_\_

**Consent to Disclose Confidential Records-** I waive my right to maintain confidentiality of substance abuse records, presentence investigation reports prepared in my criminal cases and any other confidential record relevant to participation in the Drug Treatment Court. I agree and consent to the disclosure of such records and agree that I will execute any disclosures or releases necessary for the examination and use of these records. I consent to allow information concerning me to be given to all the Drug Court members or authorized parties, as needed, to carry out official tasks of the Drug Court. This means that the program can discuss my case with treatment providers, medical professionals, social/community case workers or others who are providing services to me during my program participation. I understand that my participation in Drug Court may result in my status being entered into law-enforcement databases. I understand that all such information may be discussed in open court. I understand that if I withdraw my consent, or if I refuse to provide consent to the release of this information, I may be terminated from Drug Court.

## **Program Rules**

By agreeing to participate in the Drug Treatment Court, I am committed to abide by the following requirements:

- 1. Honesty and Attendance-** I will be honest. I will attend all treatment meetings, court dates and other scheduled appointments. I will be respectful, dress appropriately, be on time, and remain in a sober condition when I attend program events. I understand that a failure to appear for an appointment, meeting, or court date can result in the immediate issuance of a capias or bench warrant. I will not use an electronic device including a cellular telephone during program events. This does not include an electronic monitoring device installed at the direction of Drug Court.
- 2. General Good Behavior-** I will be of general good behavior, keep the peace and commit no new criminal offenses. I will not associate with any person engaged in criminal activity. I will not knowingly associate with any drug users or drug dealers, and I will not frequent places where controlled substances are unlawfully used, sold, distributed or administered.
- 3. Participation and Supervision-** I will fully participate in substance abuse treatment as directed by Drug Court and I agree to be supervised by a person or persons designated by the Drug Court. I will cooperate with my treatment team at all times. My treatment plan will be subject to regular review and will be modified or enhanced where appropriate. Length of treatment participation will be determined by the treatment provider and/or the Drug Treatment Court. My treatment plan may require me to enter a residential treatment program or detoxification program.
- 4. Progression in the Program-** Advancement in the Program will be conditioned upon the recommendation of the Drug Treatment Court Team and with approval of the Drug Treatment Court Judge. The total length of my participation in the program will depend on the nature of my substance abuse problem, treatment success and my own behavior.



**5. Use of Drugs and Alcohol** - I will not use alcohol, illegal drugs, mood altering substances of any kind, or medications prescribed to others:

- I understand that the use of alcohol or unapproved drugs will result in the Drug Treatment Court imposing sanctions on me.
- I understand I will be tested for the presence of drugs in my system on a random basis according to procedures established by the Drug Treatment Court Team.
- I understand that I will be given a location and time to report for my drug tests.
- I understand that it is my responsibility to report to the assigned location at the time given for the test.
- I understand that if I am late for a test, or miss a test, it will be considered as a positive test for drugs/alcohol and that I may be sanctioned.
- I understand that if I fail to produce a urine specimen or if the sample provided is not of sufficient quantity, it will be considered as a positive test for drugs/alcohol and that I may be sanctioned.
- I understand that if I produce a dilute urine sample, it will be considered a positive test for drugs/alcohol and that I may be sanctioned.
- I have been informed that the ingestion of excessive amounts of fluids can result in a diluted urine sample and I understand that my urine sample will be tested to ensure the sample is not dilute.
- I understand that substituting or altering my specimen or trying in any way to modify my bodily fluids for the purposes of changing the drug testing results will be considered as a positive test for drugs/alcohol and will result in a sanction.
- I understand that all prescribed medications or over-the-counter medications taken by me must be approved by my treatment team and by Drug Court before being taken except in a serious emergency. Failure to substantiate a serious emergency will result in a sanction.
- I understand that I must provide the Probation Officer with documentation of a valid prescription within 24 hours of receipt from the physician.
- I understand that I must disclose to any physician intending to prescribe me medication that I am a participant in the program.

**6. Program Fee, Fines and Restitution-** I will pay all fines and fees as directed by the Drug Court. I agree to pay the required fee of \$900.00 according to the following fee schedule:

Phase 1 - Develop a payment plan for Drug Treatment Court Fees

Phase 2 - Pay \$18 a week or \$90 a month. Need to pay at least \$270 to advance to Phase 3

Phase 3 - Pay at least \$540 to advance to Phase 4

Phase 4 and 5 - Pay \$900 to commence, unless there is a demonstrated inability to pay.

I understand that I will be permitted to perform community service at the rate of \$10 per hour to satisfy the fee requirement, but I also must make some financial contribution toward the fee.

**7. Drug Testing-** I understand that I will be required to provide urine specimens and submit to alcohol or other drug testing at any time while I am in Drug Court. That testing may include submission to a preliminary breath test administered by law enforcement personnel if consistent with my drug court agreement. Falsifying, altering, tampering with or diluting any submitted specimens is prohibited. I agree that the Drug Court may generally rely on a presumptive chemical test result for alcohol or drugs. I may request that the results of the screening test be sent to a laboratory for review,

but I will pay the cost of the test in advance before the sample will be sent to the lab for confirmation. I will be sanctioned or my participation in the Drug Court may be terminated for my failure to be honest about my drug or alcohol use.

**8. Reporting-** I will, within 24 hours, report to the Drug Treatment Court and my probation officer all contacts with non-program law-enforcement agencies, probation, or courts during my participation in Drug Treatment Court.

**9. Residence-** I will notify the Drug Treatment Court Team of any changes to my place of residence or employment within 24 hours.

**10. Travel-** I understand that my whereabouts will be monitored and limitations on where I may travel will be imposed. I agree that I will not travel outside of my designated area without permission from the Drug Treatment Court. I agree to regularly provide current and reliable contact information to the Drug Court.

**11. Curfew-** I understand I will be subject to a curfew. Curfew violations will result in a sanction. I agree that Drug Treatment Court may direct persons such as law-enforcement, probation or community corrections personnel to monitor such a curfew.

**12. Home Visits-** I agree to submit to home and community visits as directed by the Drug Treatment Court. These contacts may occur at my home, my workplace, a treatment center, the courthouse, or anywhere deemed necessary consistent with the goals of Drug Court. These contacts may be from law-enforcement, probation or community corrections personnel.

**13. Housing –** I understand that the Drug Treatment Court team must approve any living arrangement while I am in the program. I understand that I may be permitted to reside with other Drug Treatment Court participants while I am in Phase I, II and III of the program ONLY if the housing is therapeutic or recovery based. I understand that I may be permitted to reside with other Drug Treatment Court participants while I am in Phase IV or V of the program ONLY if I present a detailed written plan to the team that includes a budget for payment of any security deposit, rent, utilities and other shared expenses, and addresses how the living arrangement will further my recovery.

**14. Additional Services-** I agree that Drug Treatment Court can refer me or direct me to cooperate with or participate in many activities as may be required for my successful completion of the program. Such activities may include, but are not limited to performing community service, writing papers, attending educational or vocational training, participating in pro-social activities or classes, and attending psychiatric or psychological counseling, testing or treatment. I understand that Drug Court may also require that I submit to a medically approved medication regimen that is monitored by program personnel. I agree to comply with all referrals and follow all the rules of the programs to which I am referred. Failure to follow such program rules or Drug Treatment Court directives will result in a sanction up to and including termination from the program.

**15. Relationships** - I agree that I will not engage in an intimate relationship with other program participants. I understand that contact of a sexual nature with another program participant is prohibited.

**16. Sanctions** - I understand and agree that sanctions, including incarceration, may be imposed by the Drug Court for my failure to comply with the conditions imposed by the Drug Court. I understand that my failure to comply can result in additional conditions and requirements being imposed upon me. I understand that the Drug Treatment Court Judge or the original sentencing Court can, after a court hearing, revoke all or part of the suspended sentence(s) imposed on my underlying conviction(s).

**17. Termination** - I understand that I will be scheduled for a termination hearing and expelled from Drug Treatment Court for the following:

- Conviction of a new felony offense
- Conviction of a new misdemeanor offense resulting in an active jail sentence of more than 30 days
- Repeated instances of dishonesty
- Persistent failure to comply with program rules
- Threatening staff or peers
- A violation of confidentiality
- Possession of weapons
- Any form of sexual harassment
- Absconding

**Termination from the Drug Treatment Court Program is not appealable, and the Participant expressly waives his or her right to appeal the decision to terminate him or her from the program.**

If I am terminated from the program, that termination can be considered by the Court at any subsequent hearing in my case.

Executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Participant Signature

\_\_\_\_\_  
Participant Printed Name

I hereby certify that the above-named Participant was provided ample time to read and/or understand this Contract, and that I was present and advising the Participant concerning the waivers contained herein, the terms and conditions of participation in Drug Court and the consequences of the Contract's execution.

\_\_\_\_\_  
Attorney Signature

\_\_\_\_\_  
Attorney Printed Name

\_\_\_\_\_

**This Court finds that the defendant's decision to execute this Contract and waive the rights identified herein was made voluntarily and intelligently with an understanding of the nature and consequences of such execution and waiver and does hereby accept such Participant into the Northwest Regional Adult Drug Treatment Court.**

Entered this day of \_\_\_\_\_ 20\_\_.

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Northwest Regional Adult Drug Treatment Court  
Circuit Court Judge