

FANNIN COUNTY DRUG COURT PROGRAM

PARTICIPANT HANDBOOK Guidelines and Program Information

The Mission of the Fannin County Drug Court Program is to enhance public safety by providing a judicially supervised regimen of treatment and innovative case management to substance abuse offenders with the goal of returning sober, law-abiding citizens to the community and thereby closing the “revolving door” to the criminal justice system.

WELCOME TO DRUG COURT

This handbook is designed to:

- Answer questions
- Address concerns
- Provide information about DRUG COURT

As a participant in DRUG COURT, you will be required to follow the instructions given in Court by the Judge and comply with the treatment plan developed for you. This handbook will explain what is expected of you. It will also provide general program information. ***Ask any member of the Drug Court team to explain anything in this handbook that you do not understand!***

WHAT IS DRUG COURT?

DRUG COURT is a special program within the Fannin County Criminal Justice System. It is a court-supervised program for those arrested in Fannin County who face criminal charges and who also have a drug addiction, including alcohol addiction.

DRUG COURT involves frequent court appearances, random drug testing as well as group and individual counseling. DRUG COURT awards incentives for good behavior and imposes sanctions for negative behavior. The DRUG COURT team will assist you to ensure you understand what is expected of you.

DRUG COURT has been developed to help you achieve total abstinence from illicit and illegal drugs. The program is designed to promote self-sufficiency and to return you to the community as a productive and responsible member.

THE DRUG COURT TEAM

DRUG COURT is a unique non-adversarial program that involves working with a team of individuals who are all dedicated to your recovery. The DRUG COURT Team consists of:

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| ➤ 336 th District Court Judge: | Christina Tillett |
| ➤ Coordinator: | Brandi Todd |
| ➤ Prosecutor: | John Skotnik |
| ➤ Public Defenders: | Quiency Brannan |
| ➤ Treatment Representatives: | Matt Cook |
| ➤ Evaluator: | Corey Baker |
| ➤ Director of Community Supervision: | Corey Baker |
| ➤ Community Supervision Officer: | Braley Gann |
| ➤ Law Enforcement: | Terry Edington |

The Team will be present to guide and assist you, but the final responsibility is yours. You must be motivated to make this change and commit to a drug-free life.

FREQUENTLY ASKED QUESTIONS

What Do I Do?

DRUG COURT participants are required to be on community supervision and supervised out of the 336th District Court. Your community supervision conditions are a contract between you and the Judge. This document explains what is expected of you and what will happen if you do not follow the rules. DRUG COURT participants are required to attend treatment, as directed, and to remain drug and alcohol free.

How Long Will I Be In DRUG COURT?

DRUG COT is a six-phase program that lasts approximately 18 months. The amount of time you spend in DRUG COURT is determined by your individual progress.

How much does it cost?

The cost to participate in DRUG COURT is zero, but you will be required to continue paying your community supervision fees as originally ordered. The cost for the six months substance abuse treatment component is calculated on a sliding scale. Depending on your income, you may be required to pay a portion of the treatment cost. The program fees are spread across the length of your time in DRUG COURT and consideration is given to participants' ability to pay. There are additional fees for each positive urinalysis test.

WHAT'S IN IT FOR ME?

DRUG COURT gives you the opportunity to:

- Develop Job Skills
- Rebuild Family and Community ties
- Live a drug and crime free life

A New Beginning

DRUG COURT offers you the chance to move forward in your life. Remember, there are many people who make up the DRUG COURT TEAM and they all want to see you succeed. If you take advantage of the assistance offered, you will discover many ways to make a better life for yourself.

The Benefits of a DRUG COURT Dismissal

- If you received a deferred adjudication, you may be eligible for your case(s) to be dismissed. (That means you can say you have no criminal convictions regarding this case).
- You will have better job prospects.

Consequences of Conviction

- A felony drug conviction causes housing difficulties with public housing and with apartment complexes that run criminal background checks.
- A conviction may cause you to lose your parental rights.

- You may be barred from getting a license in certain occupations, such as hairdresser, barber, law or medicine. You may be barred from work in the fields of childcare, education and health care.
- You will lose your right to apply for citizenship.
- You will lose your right to vote in elections if you are convicted of a felony offense.

While we recognize that addiction is a treatable disease, it is important for you to remember that you are in DRUG COURT because of criminal behavior.

STEPS TO SUCCESS

“There’s no elevator, you have to take the steps.”

Your treatment plan begins with an Orientation followed by six phases. Each phase consists of treatment goals, activities and requirements that you must meet in order to complete the DRUG COURT Program.

In all phases you must:

- Meet with your Community Supervision Officer as directed.
- Attend court sessions as directed
- Attend counseling as directed
- Abide by the rules of DRUG COURT

The DRUG COURT Team must recommend to the Judge that you are ready to move to the next phase.

Remember: If you miss appointments, fail to stay away from drugs and alcohol or ignore other requirements you will be sanctioned.

Orientation

Your first appearance at DRUG COURT will be to observe a court session.

You will be required to appear at a scheduled time and place, for a drug and alcohol assessment. This assessment will be used by the DRUG COURT team to design your treatment plan.

At another court date, you will be interviewed by the DRUG COURT team and admitted to the DRUG COURT if you are deemed eligible by the DRUG COURT team

It seemed like so much at the beginning – going to court, going to treatment, meeting with my Community Supervision Officer. But looking back, the time went by very fast, and now I am done and my life is so much better.

---DRUG COURT Graduate

Phase I – *Choice*

All participants enter DRUG COURT in Phase I. Phase I begins after you sign your new DRUG COURT order. Phase I is focused on helping you:

- Work toward a drug and alcohol-free life, and
- Establish a foundation for abstinence.

The objectives include:

- Detoxification and abstinence
- Referral and admission to treatment
- Early recovery work

To advance to Phase II, you must meet all the Phase I requirements, which include:

- Report in person to their community supervision officer one time per week;
- Appear bi-monthly before the Drug Court Judge;
- Attend Alcoholics Anonymous or Narcotics Anonymous daily, 90 in 90;
- Be free from drugs and alcohol for at least 30 consecutive days;
- Participate in group and individual counseling;
- Search for suitable housing;
- Seek appropriate employment on an ongoing basis;
- Submit to testing to determine any use of illegal drugs and alcohol;
- Comply with Drug Testing Protocol (Color Call-in Program);
- Report all medical appointments and any medications;
- Sign all releases to community supervision officer and treatment program;
- Obtain and maintain an AA/NA sponsor; and
- Earn 300 cumulative points.

Remember that your moving to the next Phase is based on the Choices you make.

Phase II – *Change*

Phase II will concentrate on

- Stabilizing you in treatment,
- Helping you confront underlying issues surrounding your addiction, and
- Motivating you to change behavior

Advancement requirements to Phase III include:

- Report in person to their community supervision officer one time per week;
- Appear bi-monthly before the Drug Court Judge;
- Attend Alcoholics Anonymous or Narcotics Anonymous 4 times per week;
- Participate in group and individual counseling;
- Maintain suitable housing;
- Maintain appropriate employment on an ongoing basis or attend school full time;
- Remain drug and alcohol free for at least 90 consecutive days;
- Comply with Drug Testing Protocol (Color Call-in Program);
- Report all medical appointments and any medications.

- Maintain an AA/NA sponsor and work on 12 step programs.
- Earn 600 cumulative points.

***All Phase II participants are expected to meet higher expectations.
Relapses will be treated in a stricter manner.***

***Remember that moving to the next Phase is based on
how you deal with the Changes of recovery.***

Phase III & IV- Challenge

The focus of these phases is to:

- Help you rise to the challenge of recovery as a way of life.
- Promote continued challenges towards self-sufficiency while you reconnect with the community.
- Take responsibility for your actions.

***All Phase III - IV participants are expected to meet higher expectations.
Relapses will be treated in a stricter manner.***

Advancement Requirements include:

- Report in person to their community supervision officer two times per month;
- Appear bi-monthly before the Drug Court Judge;
- Attend Alcoholics Anonymous or Narcotics Anonymous 3 times per week;
- Attend group counseling;
- Remain drug and alcohol free;
- Comply with Drug Testing Protocol (Color Call-in Program);
- Report all medical appointments and any medications;
- Completion of GED if appropriate
- Maintain an AA/NA sponsor and progress with work on 12 step programs;
- Phase III – Attainment of 900 cumulative points
- Phase IV – Attainment of 1200 cumulative points

Phase V & VI – Transition and Aftercare

The focus of these phases is a transition to a lifetime of sobriety.

Report in person to their community supervision officer 1 time per month;

- Appear bi-monthly before the Drug Court Judge;
- Attend Alcoholics Anonymous or Narcotics Anonymous 3 times per week;
- Remain drug and alcohol free;
- Comply with Drug Testing Protocol (Color Call-in Program);
- Maintain an AA/NA sponsor and progress with work on 12 step programs;
- Phase V – Attainment of 1500 cumulative points; and
- Phase VI – Attainment of 1800 cumulative points

*Now that you have made the Choices,
made the Changes and met the Challenges,
You are Ready for Graduation.*

Graduation – *A time to celebrate your accomplishments*

Once you have completed all the necessary requirements in Phases V & VI, you may be eligible to have your case dismissed and to graduate from DRUG COURT.

Recovery Requirements:

- Assuming responsibility for oneself
- Ability to make good choices

You will be able to invite your family and friends to join you at your DRUG COURT graduation ceremony.

Life Change Requirements:

- Complete all DRUG COURT phases
- Progress toward vocational, educational and employment goals
- Pass Hair Follicle drug test
- Submit a written Graduation Application
- Be approved for graduation by the Drug Court Team.

*Following your graduation, you will be invited to
participate in the DRUG COURT Alumni Association.
Sobriety is a Lifetime Effort!*

Continuing Care

In order to provide you with a continuing support system and to ensure that you can maintain your valuable sobriety, upon graduation you are encouraged to seek support groups that offer guidance as you continue on with your sobriety. **Please take advantage of this opportunity of continuing support of the sobriety you have worked so hard to achieve.** Your participation will also be an opportunity to prove to others and yourself that you are committed to a new life as a productive, law-abiding, clean and sober member of society.

WHAT ARE THE RULES OF DRUG COURT?

As a DRUG COURT participant, you will be required to abide by the following rules:

➤ **Cease all drug activity and associations with substance using peers.**

You will not possess, sell, or use alcohol or illegal drugs. Any relapse by you involving drugs and/or alcohol, must be reported to your Community Supervision Officer immediately. Do not reside or associate with anyone who uses illegal drugs.

➤ **Comply with drug and alcohol screening.**

You will be required to comply with random drug testing. One of the primary goals of DRUG COURT is to help you remain free from alcohol and drugs. A positive test or admission of substance use may result in a sanction or change in treatment. Repeated substance use will result in a sanction or termination from DRUG COURT.

You are responsible for any medication consumed without a doctor's prescription. There are some over the counter medications that might alter urine results due to ingredients.

You are responsible for reading all labels or consulting with your pharmacist or doctor before taking any medication.

Any medication – regardless whether it comes from a doctor or bought over – the-counter – must be cleared with your Community Supervision Officer in advance.

Although not every consumption of poppy seeds will test positive for opiates, clients are advised that they are responsible for ensuring that no poppy seeds are ingested. All positive results where a claim is made regarding poppy seeds will remain positive for opiates.

Drug tests may be conducted at your home, the office of Community Supervisor Office and/or at your treatment facility. You will be tested throughout all six phases of DRUG COURT.

➤ **Follow Your Treatment Plan.**

You must attend all treatment and support services appointments. This includes counseling, educational sessions, and AA/NA meetings.

➤ **Appear In Court As Scheduled.**

You will be required to appear in front of the Judge on a regular basis. The Judge will be given progress reports regarding your drug tests, attendance and participation in your treatment program. The Judge will ask you about your progress and discuss any problems you are having. DRUG COURT is held every two weeks at the Fannin County Courthouse on a date and time you will know.

➤ **Be On Time.**

If you are late, you may not be allowed to attend and will be considered non-complaint.

Your treatment schedule will vary according to your progress. It is your responsibility to keep all scheduled appointments and arrive on time. You must review your treatment plan and follow it carefully.

➤ **Treat others with respect.**

You should respect the opinions and feelings of other people in DRUG COURT. Verbal or physical threats to anyone will not be tolerated. Any inappropriate behavior will immediately be reported to the Court and may result in a severe sanction or your termination from the program.

➤ **Dress appropriately for Court and Treatment sessions.**

- Shoes must be worn at all times.
- Belt must be worn with pants.
- Clothing bearing drug or alcohol related themes or promoting or advertising alcohol or drug use is considered inappropriate.
- Sexually suggestive clothing is inappropriate.
- Sunglasses may not be worn inside the Court or at a treatment facility unless medically approved.

➤ **Be law abiding.**

Obey all laws of the State of Texas. You are required to refrain from any further violation of the law. New arrests, whether or not they lead to formal charges, may result in your being terminated from DRUG COURT. Any re-arrest must be reported to your Community Supervision Officer immediately.

➤ **Do not unlawfully drive a motor vehicle.** Do not drive a motor vehicle without a valid driver's license and if ordered by the Court, do not drive a motor vehicle unless it is equipped with a deep lung device.

➤ **Notify of address changes.** Notify your community supervision officer prior to any address changes in work or home.

➤ **Maintain employment and/or attend school.** Obtain and maintain employment, attend school or a combination of both.

➤ **Comply with all terms and conditions of community supervision.**

PROGRAM INCENTIVES, THERAPEUTIC ADJUSTMENTS AND ADMINISTRATIVE SANCTIONS

Incentives may be awarded by the Judge, following consultation with the DRUG COURT Team for positive behavior and compliance with rules and requirements of the DRUG COURT program.

Incentives May Include:

- Decreased Reporting and/or Requirements
- Decreased Drug testing
- Recognition of sobriety
- Certificate for completion of each Phase (is this correct?)
- Drawings
- Awards and gift cards
- Probate Fees
- Credit for community service
- Additional points awarded
 - Perfect score incentive includes waiver of \$250 towards fines and 50 hours community service credit as follows:
 - A perfect score in the first half of the program, upon earning 900 points; and
 - A perfect score in the second half of the program, upon earning 1800 points.
 - If a perfect score through the completion of the program at 1800 points, the option of an additional \$150 waiver towards a fine or 25 hours of community service credit.

Failure to comply with DRUG COURT rules may result in therapeutic adjustments and/or sanctions.

Possible Violations

- Missed drug test
- Positive drug test
- Watered down (“diluted”) drug test
- Non-participation in treatment program
- Missed meetings or other treatment requirements
- Termination from treatment program
- Missed court appearances
- Tardiness
- Failure to follow Drug Court Rules

Therapeutic Adjustments May Include:

- Increase drug testing frequency or some type of substance abuse detection methods
- Attend additional groups or classes
- Additional AA/NA attendance
- Written assignments
- Pay for missed counseling sessions
- Homework
- Prepare talk/presentation to give to Court
- Commitment to residential treatment, including SAFPF (Substance Abuse Felony Punishment Facility)

Administrative Sanctions May Include:

- Additional recovery-related homework
- Increased drug testing
- Increased frequency of court appearances
- Additional community service
- Pay additional fees
- Return to earlier phase
- Increase reporting to community supervision
- Loss of points
- Time in jail
- House arrest, curfew or electronic monitoring, SCRAM
- Termination from DRUG COURT Program
- Revocation of your community supervision and PRISON

DRUG TESTING PROTOCOL

The purpose of drug screening is to deter substance abuse, identify defendants with chemical dependency, and protect the public. It is commonly held that persons under the influence of illicit drugs (including the abuse of alcoholic beverages) tend to make irrational decisions and choices, which often lead to criminal behavior. Through random drug screening and the application of punitive sanctions for positive results, it is hoped that participants will be deterred from abusing alcohol and drugs

Fannin County Drug Court (FCDC) utilizes urinalysis, oral swab, hair follicle, and breath tests that screen for Methamphetamines, Amphetamines, Cocaine, Marijuana, Alcohol, Opiates, Fentanyl, Barbiturates, Benzodiazepines, Methadone, and Buprenorphine.

The Courts have ruled that the obtaining and testing of urine for the presence of drugs is a medical procedure and the rules of confidentiality formally used to safeguard the results of medical procedures apply. It is the policy of the FCDC that all drug test results will remain confidential. In addition to FCDC team members, the persons authorized to obtain the results are:

- a. The Defendant
- b. Defendant's Attorney (with signed release)
- c. The Court of Record (including community supervision staff)
- d. Prosecuting Attorney or Assistant
- e. Substance Abuse Treatment Provider (providing services for GCRC participants).

The defendant may authorize the release of a drug screening result to any other person, employer or organization of their choosing provided they sign a Release of Drug Test Results by specifying to whom the results are to be released.

Procedures

All defendants are ordered, as a condition of community supervision, to submit to random drug tests and shall voluntarily provide a urine sample upon request from the supervising officer. REFUSAL to comply with such request shall be documented as a violation. Tampering or attempting to tamper with a urine sample shall be documented as a violation.

All defendants participating in the FCDC will be required to participate in a Color Call-In program in addition to being subject to random drug and alcohol tests. All defendants will be admonished on the procedures of and sign an acknowledgment of understanding for the Color Call-In program.

RANDOM DRUG TESTING POLICY

1. All Drug Court Participants shall call in to the Adult Community Supervision Department (903-583-7446) every Monday, Wednesday, & Thursday between the hours of 7:00 a.m. and 9:00 a.m.
2. You will be notified of the color drawn that day. It is the Participant's responsibility to know their phase and color.
3. If your color is drawn, you MUST report to the Community Supervision Department THAT DAY before 11:45a.m. to submit to UA.
4. There will be a sign-in sheet provided and it is the participant's responsibility to sign-in for the UA.
5. Those failing to call in before 9:00 a.m. or failing to report for UAs without approval of Supervising Officer will be in **VIOLATION**.

I understand and agree to abide by this Drug Testing Policy,

Participant

Date

Officer

Date