

	<p style="text-align: center;">Douglas County Adult Services Drug Court Program</p> <p style="text-align: center;">330 NE Industrial Lane</p> <p style="text-align: center;">Lawrence, KS 66044</p> <p style="text-align: center;">785.331.1300</p>
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Douglas County Drug Court Policies and Procedures Manual

Overview

Douglas County Drug Treatment Court is a four-phase program for adults who have been arrested and charged, or are currently under probation supervision, for a non-violent felony offense and having difficulty staying substance free. Drug Court is a multi-agency team effort including the following: Douglas County District Court Judge, Douglas County District Attorney, Defense Counsel, Criminal Justice Services Adult Services Officer, Treatment Provider, Douglas County Sheriff Department, Lawrence Police Department and community partners. By working together, the goal is to provide the participant with consistent supportive supervision and a variety of programs to help maintain a substance-free lifestyle. Drug Court requires regular and frequent court appearances, meetings with the Adult Services Officer, random drug and alcohol testing as well as group and individual treatment counseling. Participants are awarded incentives for compliant behavior and sanctions are imposed for violations of program rules.

Mission

The Douglas County Drug Court Program seeks to reduce recidivism of those individuals with substance use disorder who are involved in the criminal justice system by offering community treatment services with a therapeutic court setting which provides the opportunity to develop a structured, law abiding and substance free lifestyle while enhancing public safety.

Goals/Objectives

- To reduce recidivism among Drug Court Participants
 - Admit 15 participants into the Drug Court Pilot Program
 - 65% will complete the Douglas County Drug Court Program
 - To eliminate new arrests for substance abuse related offenses by 80% after the completion of Phase II-in program
 - Assess re-arrest rates for 100% of program graduates. Follow up/Run Records at: 3, 6, 12 and 24 months.

- To promote and enhance public safety
 - Provide Risk Assessment/Substance Abuse Screening within 10 days of DA approved referrals
 - Provide intensive supervision to program participants, including weekly contact with program staff, home visits, random color code drug testing and mandatory phase court appearances
 - When lack of compliance has occurred the Drug Court Team determines whether to impose a sanction. If imposed, the sanction will occur immediately (same day)
- To hold those with substance use disorder accountable and provide alternatives to incarceration for addicted offenders
 - Provide participants with substance abuse treatment within 48-72 hrs of entry into the program
 - Participants will demonstrate attendance compliance with groups/individual sessions. Phase I=80%, Phase II=85%, Phase III=90% and Phase IV=100%
 - Drug and Alcohol usage will decrease with each phase in program. Each phase in program requires mandatory clean time in order to progress/graduate
- Engage the community in the Recovery Process through Education and awareness of the addiction cycle
 - Solicit locations for the placement of program participants in meaningful community service
 - Solicit local businesses to support participants towards recovery through private partnerships that donate tangible rewards for success
 - Solicit public speaking engagements by Drug Court Team Members and Graduates, to improve awareness of cycle of addiction and role of Drug Court in helping participants to break the cycle (3-4) per year

Type of Program Offered

Post-Plea, Pre-Sentence Program

The participant must enter a plea of guilty to the charge(s) and is subsequently convicted. Sentencing is withheld pending successful completion of the program, at which point the plea is withdrawn and the case dismissed. If at any time during the program the participant is terminated unsuccessful, sentencing proceeds with terms as outlined in the plea.

Eligibility Criteria

- Douglas County, Kansas, resident
- Admission to substance use disorder and agreement to cessation of use and participation
- Approval of the Douglas County Drug Court Team
- 18 years of age or older
- Must have felony charges pending
- Must resolve all out of county or state charges
- Must have no serious or persistent mental illnesses which prohibit participation in substance abuse treatment
- If charged with possession with intent to deliver, the amount must be determined to be minor and be for the purpose of supporting the defendant's addiction

Exclusion Criteria

- Denial of substance use disorder
- Previous completion of the program or discharge from the program will be handled on a case by case basis
- Current charge involves violent person felony
- Current charge involves firearms
- Prior criminal history of violence - Prior conviction(s) of violence within the past 10 years will be considered case by case, as determined by DA's office.

Determination of Potential Eligibility

Applications for the Douglas County Drug Court may be obtained through the Douglas County District Attorney's Office. Referrals may come from a number of different sources, including but not limited to: judge, district attorney, defense attorney, probation officer, law enforcement, or treatment provider. The Douglas County District Attorney's Office will determine potential eligibility for Drug Court. All Drug Court applicants are screened for suitability by the treatment provider and then by the Drug Court Team. As part of the screening process each applicant will be administered a risk and needs assessment. All results are used to determine the level of supervision and type of treatment that may be offered to allow for the greatest likelihood of success if admitted to the program. Final determination for admission will be made by the Drug Court Judge based on the recommendations from the Drug Court team.

Admissibility of Statements during Assessment

No statement made by the defendant (or any information derived from said statement to any Drug Court Team Member during the assessment process to determine his/her eligibility for the Drug Court Program), and prior to presentation of the findings of such assessment to the Court, may be used to impeach the defendant in the pending case from which he/she makes application to be admitted into Drug Court.

Waiver of Rights

In order to participate in Drug Court, a defendant must:

- Waive the right to a preliminary hearing, enter guilty plea and sentencing withheld
- Waive the right to a fast and speedy trial
- Sign and enter into a Drug Court contract
- Agree to an order of supervision that will include searches without a warrant and random drug and alcohol testing
- Sign a waiver of confidentiality

The Drug Court Team

The Drug Court Judge will make all the final decisions concerning the imposition of incentives or sanctions, as well as graduation or termination from the program. The Drug Court team will provide participation information to the Drug Court Judge, who will take the information into account when making decisions. The Drug Court team consist of:

- Douglas County District Attorney
- Adult Services Officer
- Treatment Provider
- Law Enforcement
- Representative from Local Defense Bar

Prior to each court hearing, the Drug Court Team will meet and discuss participant progress. The Judge will then discuss the progress with the participant at the hearing. The pre-court staffing and hearings are closed to the public.

DRUG COURT PROGRAM RULES

All participants in Drug Court will be required to abide by the rules outlined in the participant contract, including but not limited to the following:

1. Tell the truth;
2. Do not use, possess, distribute or sell any drugs or alcohol;
3. Do not associate with any person selling, manufacturing, possessing or using controlled substances;
4. Report to your Adult Services Officer as directed and follow all directives given;
5. Attend and participate in all ordered treatment sessions;
6. Be on time for Court, all treatment and any other required meetings or appointments;
7. Dress appropriately for Court and treatment sessions;
8. Do not make threats towards other participants or staff, or behave in a violent manner;

9. Do not associate with a known felon with the exception of Drug Court or treatment programs;
10. Do not bring any drugs, alcohol or weapons to treatment sessions or into Court;
11. Work to Complete high school diploma or GED;
12. Obtain and maintain employment;
13. If you come into contact with law enforcement, you must notify them that you are a Drug Court participant and notify your Adult Services Officer of the LEO contact;
14. Do not possess, own or use a firearm and/or ammunition;
15. No sexual contact, dating or intimate relationship with any current Drug Court participant, or other member of your treatment program;
16. Do not move or change residence or living environment without the prior approval of the Drug Court Team.

DRUG AND/OR ALCOHOL TEST PROCEDURE

The Drug Court program requires random drug and alcohol testing in addition to testing as requested by any representative of the Drug Court Team or treatment provider. All participants are assigned a pin number and enrolled in the random drug testing system. The participant is expected to call daily and report for testing as outlined in the Consent for Random Urine Screens.

Sobriety is important to success in the Drug Court program and drug and/or alcohol usage while in the program is taken seriously. Upon testing, if a positive drug or alcohol test is submitted, a sanctions will be imposed. Sanctions increase in intensity, and may take into account a participants current Phase in the program. See the Intervention and Sanctions Continuum for possible outcomes.

Medication Assisted Treatment (MAT)

During involvement in the Drug Court program, a participant may request or be considered for medication assisted treatment. The approved medications are prescribed to reduce cravings and urges to use alcohol and/or opiates, especially for those clients who have a history of relapse, or report cravings as an issue in staying sober. If a participant begins receiving MAT, the participant is expected to remain active in the Drug Court program and continue to follow treatment guidelines and protocol. Additionally, the participant must meet with a nurse and/or doctor on a monthly basis to discuss the prescribed medication and to report immediately any concerns or complications. A participant who is actively receiving MAT services, must authorize communication between the Drug Court team and all medical professionals involved in the MAT treatment plan and writing prescriptions.

Drug Court Phases

Drug Court Phases consist of four separate phases that will require the participant to obtain various levels of success towards accomplishing goals and meeting basic requirements in each phase. Advancement from one phase to the next will be determined by the Drug Court Team, as they staff each participant and review case determine eligibility for advancement.

Phase I Stabilization: minimum of 10 weeks. A personalized treatment plan, including group and individual therapy, is developed. Weekly drug court appearance, reporting as directed by Adult Service Officer, and calling daily color code line for drug screens are all requirements. To advance, a participant must have 30 consecutive days of clean UA's, no level III sanctions in last 15 days, submit a Phase up Request Form and meet the above noted criteria.

Phase II Acceptance: minimum of 12 weeks. Participants will continue treatment as directed by the Treatment Provider and obtain a sponsor. Bi-weekly drug court appearances, reporting as directed, calling daily color code line for drug screens, securing employment or enrolling in an education program, and joining a cognitive based program are all requirements. To advance, a participant must have 60 consecutive days of clean UA's, no level III sanctions in last 30 days, submit a Phase up Request Form and meet the above noted criteria.

Phase III Change: minimum of 20 weeks. Successful completion of outpatient treatment, aftercare plan and treatment, and continued individual therapy. Monthly drug court appearance (minimum), reporting as directed, calling daily color code line for drug screens, 12 step work with sponsor with support meetings, employment or schooling maintained, regular attendance or completion of a cognitive based program are all requirements. To advance, a participant must have 90 consecutive days of clean UA's, no level III sanctions in last 45 days, submit a Phase up Request Form and meet the above noted criteria.

Phase IV Maintenance: minimum of 20 weeks. Continue with aftercare plan and individual therapy. Drug court appearance as determined by court, reporting as directed, calling daily color code as Phase IV-for drug screens, employment maintained, continued step work with sponsor, completion of cognitive based program are all requirements. To graduate, participants must have 120 days of consecutive clean UA's, no level III sanctions in last 60 days, meet all requirements listed above and complete a letter to the Court reflecting on time participating in the Drug Court Program with request to graduate.

Graduation: Eligibility for Graduation will be based upon successful completion of the Treatment Program and satisfaction of all court requirements. Graduation from the Drug Court Program is recognized as an important event. Your loved ones will be invited to join you at a Special Ceremony as the entire Drug Court Team will congratulate you for your successful completion of the program and all the hard work you put into achieving a Life Changing Gift- Recovery! The Goal of Douglas County Drug Court is to help you achieve a life free from dependence of mind-altering substances. The entire team will help guide, assist, and support and hold you accountable. To succeed, you must be motivated to continue your commitment and live a drug free life.