



# 12<sup>th</sup> Judicial Circuit Adult Drug Court

Warren County

## Policies and Procedures Manual

REVISED: JULY, 2008

## **INTRODUCTION**

A Drug Court is a court that has been specifically created for the purpose of offering treatment-based alternatives instead of jail, prison, or standard probation. A Drug Court provides a non-traditional approach to criminal offenders who are addicted to drugs and/or alcohol. Drug Court addresses the underlying addictions of the offenders instead of focusing on their crimes and punishment.

Drug Courts offer a unique partnership between the criminal justice system and the drug treatment provider. They also create a non-adversarial environment between the various agencies involved in the criminal justice system. The entire focus of the Drug Court Team, once the participant is accepted into the Drug Court program, is on the participant's recovery and law-abiding behavior.

The 12<sup>th</sup> Judicial Circuit Adult Drug Court's (ADC) focus is to provide eligible defendants the opportunity to voluntarily participate in a drug treatment program instead of incarceration. If the eligible defendants elect to participate in the Drug Court program, they then come directly under Drug Court supervision and are required to participate fully in all program requirements or face termination from the program.

If the participating defendants meet the program requirements they graduate and receive a favorable outcome on their underlying criminal charge. If the participants fail to complete the program or do not make steady progress they are terminated from the program and their case is returned to the regular criminal docket so that the defendant can be sentenced.

## **MISSION STATEMENT**

The 12<sup>th</sup> Judicial Circuit Drug Court, with wisdom and integrity, shall reduce crime and its impact upon our community by facilitating the behavioral change from criminal defendant to productive, responsible and pro-social citizen, utilizing a proven system and method of substance abuse treatment.

## **GOALS AND OBJECTIVES**

12<sup>TH</sup> Judicial Circuit Adult Drug Court's primary goals and objectives are:

**Goal I**—Promote long term recovery of participants

**Objective**—Provide community based education, therapeutic intervention and other supportive services by utilizing cognitive and evidence based treatment practices and encourage ongoing participation and relationships with recovering community members, i.e. drug court alumni, support groups, NA, AA, etc.

**Goal II**—Facilitate development of responsible, accountable, productive citizens

**Objective**—Provide a system of care network including criminal justice professionals, treatment providers, and community resources

**Goal III**—Reduce recidivism and promote public safety

**Objective**—Provide a treatment based alternative to the traditional judicial system within the community

## **ROLES AND RESPONSIBILITIES OF ADC TEAM MEMBERS**

### **JUDGE/COMMISSIONER**

- Preside over Drug Court, reinforce positive behaviors, identify areas that need continued improvement, and impose sanctions/incentives
- Make written entries into each participant's file regarding action taken at court hearings
- Member of ADC Team
- Attend all ADC hearings and staffing
- Assist in developing collateral services
- Assist in media and public outreach
- Retains the power to make the final determination on any matter facing the participants
- First court appearance—explains to Participant the program requirements and his or her options

### **PROSECUTOR**

- Determines if offender meets eligibility criteria and makes initial referral
- Member of ADC Team
- Attend all ADC hearings and staffing
- Assist in media and public outreach

### **DEFENSE ATTORNEY**

- Member of ADC Team
- Attend all ADC hearings and staffing
- See that ADC related rights of participants are protected and that appropriate alternatives are considered

### **TREATMENT PROVIDERS**

**(Mental health, substance abuse and/ or co-occurring disorders)**

- Conduct initial assessments
- Attend all ADC staffing
- Member of ADC Team
- Develop case plans
- Provide participants with relevant educational information
- Provide treatment, referral and aftercare services
- Report participant progress to the Team on a weekly basis or more frequently if significant events occur mid-week

- Make appropriate referrals for additional services and act as liaison between this/these service providers and the ADC Team
- Administer random drug and alcohol testing to participants
- Verify self-help group attendance and encourage participants to obtain a sponsor
- Advise ADC Team if a significant event occurs between court appearances.

## **RESEARCH/EVALUATOR/MANAGEMENT INFORMATION**

- Collect and evaluate data to assist the Team in monitoring the progress of the participants and the Program
- Conduct and process outcome and evaluations
- Member of ADC Team

## **LAW ENFORCEMENT DESIGNEE**

- Provide court security, where applicable
- Member of the ADC Team
- Attend all ADC staffing
- Provide information to the Team about potential participants to assist in determining eligibility for the program
- Provide information about participants and their associates
- Provide local and municipal criminal history information
- Law enforcement liaison
- Assist in early identification of possible participants and refer those prospective candidates to the Prosecuting Attorney for consideration

## **PROBATION OFFICER**

- Conduct initial assessment to determine eligibility
- Case manager for participants
- Attend all ADC hearings
- Member of ADC Team
- Provide intensive supervision for participants
- Report progress of each participant to the Team on weekly basis and more frequently if significant events occur mid-week; maintain an open line of communication with all Team members
- Monitor and/or verify community service and monitor travel
- Monitor residency and only approve a change of address after conferring with the ADC Team

- Make periodic home visits with each participant
- Administer random drug and alcohol tests to participants
- Monitor all medications in collaboration with the treatment provider

### **DRUG COURT ADMINISTRATOR**

- Liaison between Team members
- Receive and coordinate initial referrals
- Education and training of Team members
- Responsible for obtaining and contracting vendors/services
- Maintain and monitor budgets
- Seek additional funding sources
- Supervise in collection, organization, and reporting of evaluation data
- Member of the ADC Team
- Assist in media and public outreach

### **TRACKER**

- Monitor participants' curfew compliance
- Conduct home/employment visits with participants for indications of drug and/or alcohol use
- Conduct onsite drug and alcohol tests
- Provide input prior to or during the weekly staffing regarding participants' activities
- Conduct random home and vehicle searches
- Member of the ADC Team
- Attend ADC staffing as necessary

The above positions are not mandatory except as required by State and/or Federal guidelines. Additional Team members may be added if the addition would allow more services to be provided to the participants.

## **ELIGIBILITY CRITERIA**

The Prosecuting Attorney will make the initial referral for all prospective participants for assessment by the Probation Officer and by the Treatment Provider. The assessment information will be provided to the ADC Team for eligibility review. The basic eligibility standards are as follows:

- 17 years old or older and a resident of the 12<sup>th</sup> Judicial Circuit
- No history of violence, sex offenses or gang affiliation
- Charged with a non-violent drug related felony crime
- Criminal history may include crimes other than drug charges
- A weapon or violence cannot have been used in commission of the crime
- Current charges not based on significant sales or significant manufacturing of controlled substances
- Capable of making regular appearances in court and for program activities

## **CONFIDENTIALITY**

When a participant is accepted for admission to the 12<sup>th</sup> Judicial Circuit Adult Drug Court, a file, separate from the criminal case file, will be created and maintained as a confidential and closed file, not accessible to the public or to any person not a part of the ADC Team. The file will contain a docket entry relative to each ADC appearance as well as progress notes and sanctions imposed and incentives awarded. The information contained in the file will not, under any circumstances, be used against the participant in any other court case.

Members of the ADC Team agree not to discuss the information obtained in ADC in any other forum without the express written consent of the participant. A participant's participation and progression in the ADC program will not be revealed to any person who is not a part of the ADC Team without the written authorization of the participant.

While ADC proceedings may occasionally be observed by Teams from other courts, those persons will be bound by the same rules of confidentiality that apply to the members of the 12<sup>th</sup> Judicial Circuit Adult Drug Court Team.

***I have read and understood the aforementioned policy/procedures mentioned in this handbook and hereby voluntarily accept the information as it has been presented to me on this date.***

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Date

Adopted effective July 1, 2008