

Strafford County
Drug Treatment Court

Participant Handbook

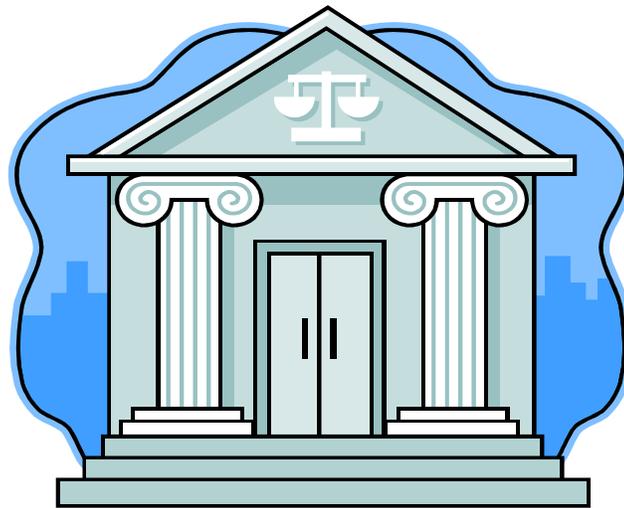


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Welcome

Welcome to the Strafford County Adult Drug Treatment Court Program.

This Handbook is designed to answer your questions and provide overall information about the Drug Court Program. It will detail what is expected of you as a Drug Treatment Court participant and review general program information.

If you are reading this handbook, it means that the Drug Treatment Court Team has reviewed your history of drug/alcohol use and other encounters with law enforcement, and feel that you are a good candidate for the Drug Court Program.

As a participant, you will be expected to follow the instructions given in Drug Court by the Judges and comply with the treatment plan developed for you by the treatment team and case manager. The Drug Court Team is confident that this program can help you learn how to make successful choices free of the influence of drugs and alcohol.



Overview

Drug Treatment Court is a 4-phase intervention program designed for adults who have pled guilty to drug (or property-related drug) offenses and who are having difficulty staying sober.

Multiple community agencies work together collaboratively to provide substance abuse treatment, psycho-educational programs and consistent supervision geared toward supporting and helping you maintain a drug-free life style.

Drug Court involves frequent court appearances, random drug testing, group and individual counseling and may include a Women's Group/ Men's Group. There is also a fee schedule that you will need to sign off on and comply with during your program. This fee schedule rewards negative drug tests and imposes an increase in fees for positive drug tests.

The Drug Court awards incentives for healthy, appropriate behavior and imposes sanctions for negative behavior. Participants who do not comply with the rules may be subjected to sanctions (some of which are outlined on Page 9 of this Handbook), up to and including, termination from Drug Court.

All members of the Drug Treatment Court Team will assist you to be sure you understand what is expected of you.

ELIGIBILITY CRITERIA

Offender Characteristics:

Qualifiers

- Strafford County Resident
- Substance Dependent (high need)
- Manageable medical issues
- Cognitive/physical ability to participate
- Dual diagnosis, with stabilization
- Pending criminal charge (misdemeanor or felony)
- **Parolee** (with unanimous consent of Drug Court Team, excluding any pending DOC investigations and with an approved parole plan)

Disqualifiers

- Non Strafford County Resident
- Substance Abuser (low need)
- Serious medical issues outside of the resources of the Drug Court Team
- Dual diagnosis without stabilization
- Narcotic maintenance
- Disqualified by the Strafford County Attorney's Office
- Drug Profiteers
- **Parolees** who have not met the minimum requirements per sentencing order, non-compliance with DOC rules and regulations or those who have pending DOC investigations

The Drug Court Team

The Drug Court Judge will make all decisions regarding your participation in the Drug Court Program, with input from the Drug Court Team. In addition to the Judges, the team includes the following members:

- Public Defender
- County Attorney
- Probation/Parole Officer
- Law Enforcement Liaison
- Drug Court Coordinator
- Treatment Providers
- Case Managers
- Transitional Housing
- Representatives from the medical community
- Court Information Specialist



Prior to the Drug Court session, the Drug Court Team members meet to familiarize themselves with your progress and/or any stumbling blocks, so that they may discuss these issues with you during the Drug Court session.

Progress Reports

Before your Drug Court session, the Judges are given a progress report with information provided by the case managers, treatment provider and probation/parole officer. The progress report will discuss your drug test results, fee schedule compliance, attendance, participation, and cooperation in the treatment program. The report will also review employment and other requirements that may have been imposed in previous sessions. If your progress reports indicate that you are doing well, you may be rewarded with reduced program requirements or other incentives. If your progress reports indicate that you are not doing well, the Judges will discuss it with you and determine future action, which could include a sanction in order to help you remember your goals in the program. Sanctions range from increased program requirements to program termination.

Drug Court Hearings

As a Drug Court participant you will be required to appear in Drug Court on a regular basis. The number of times you must appear depends upon the phase of Drug Court you are currently in. You will appear weekly in Phase I. Failure to appear can result in a warrant being issued 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 the case managers for reminders. The Phases of Drug Court are listed on the next page.



Background Checks

As a drug court participant your criminal background can and will be run on a regular basis to ensure there are no pending warrants in our system. If the Team finds a warrant you may be subject to arrest. The drug court will not supply a record check upon your request but can review it with your case manager. The drug court may run your record after completion or failure for statistical purposes.

Confidentiality

State licensing requires that your identity and privacy be protected. In response to these regulations, The Drug Court staff, its case managers and treatment providers have developed policies and procedures that guard your privacy. In accordance with the HIPAA Laws, you will be asked to sign two Consents for Disclosure of Confidential Substance Abuse Information, one for the treatment provider and one for the case managers. This disclosure of information is for the sole purpose of hearings and reports concerning your specific drug court case and is a mandatory requirement of Drug Court. Anonymous information regarding your case will also be given to Evaluators to aid in Program Evaluation.

Phases of Drug Treatment Court

Drug Court is a 24-month intervention program divided into 4 phases and two components.

******After successful completion of the Intensive Outpatient Program component (approximately 12 months) a participant transitions through a Rite of Passage ceremony into the second year called the Continuing Care Phase. A participant must successfully complete each phase before transitioning to the next phase. Each phase has a key concept or focus. **Misdemeanor Drug Court program length and phases are condensed in accordance with sentencing terms.*

Phase I

Key Concept: *Recovery and Self Assessment*

Length of Phase: *Approximately 45-60 days*

Requirements: Weekly Drug Court sessions; call in nightly for random drug tests and report into the office accordingly; attend the Intensive Outpatient Substance Abuse Treatment Program (IOP) through SENHS and maintain up-to-date payments on your fee schedule. The participant must also adhere to their curfew.

Phase II

Key Concept: *Practice recovery related skills, develop plan for recovery*

Length of Phase: *Approximately 90 days*

Requirements: Drug Court sessions every other week, call in nightly for random drug tests and report into the office accordingly; attend the IOP Substance Abuse Treatment Program; seek employment or enroll in educational training program. (The Drug Court Team may waive employment/education requirement if they feel participant is otherwise responsibly engaged.) The participant will also be required to make arrangements to meet any court-ordered financial obligations, such as restitution, and/or attorney's fees, and maintain up-to-date payments on their fee schedule.

Phase III

Key Concept: *Reinforce a Clean, Sober and Legal Lifestyle*

Length of Phase: *Approximately 90 days*

Requirements: Drug Court sessions once per month; call in nightly for random drug tests and report into the office accordingly; continued attendance at substance abuse treatment as outlined by treatment provider; and maintain employment or participation in educational training program. The participant will also be required to fulfill any court-ordered financial obligations, such as restitution, treatment and/or drug court fees.

Phase IV

Key Concept: Engage in recovery. Begin/maintain long term goals.

Length of Phase: Approximately 120 days

Requirements: Drug Court sessions every four weeks.; call in nightly for random drug tests; report for random drug and alcohol tests and/or requested by a staff member; attend group and individual counseling through SENHS; maintain employment or schooling and continue progress on long term goals; engage in recovery supports to include family, friends and peer support. Participants are expected to be paying financial obligations consistently during this Phase.

Continuing Care

Key Concept: Maintain a sober and legal lifestyle

Length of time: Approximately 12 months

Requirements: All participants will fulfill a continuing-care phase for a period of one year to ensure maintenance of a clean, sober and legal lifestyle. Participants will continued to engage in treatment as directed, submit to drug testing, maintain employment, and comply with financial commitments. Participants are encouraged to engage in community activities that promote the message of hope in Recovery.

Drug Court Program Rules

As a participant you will be required to abide by the following rules, including, but not limited to:

1. Totally abstain from the use of illegal drugs, alcohol, mind altering substances, supplements or synthetic drugs (e.g.: K2, bath salts, molly, inhalants, workout supplements). You are prohibited from selling, possessing, distributing, transporting or being in the presence of any controlled drugs, including synthetic substances.
2. Verbally inform your treating physicians and other community support persons (i.e. counselors, ER staff, nurses, and other medical professionals) that you are a recovering addict and may not take narcotic addictive medications or drugs. **BEFORE** taking **ANY** medications that are prescribed or over the counter you must confirm with your case manager that you are allowed to do so. You must bring in any and all documentation (including any medications administered at the time of treatment) from doctors visits to your Case Manager.
3. Attend drug court sessions and treatment sessions as scheduled, submit to random alcohol and drug testing, remain sober and law abiding.
4. If you are going to be late for treatment, you must contact your counselor and case manager. If you need to reschedule an individual treatment session a twenty-four (24) hour advanced notice is required. Failure to provide 24 hour notice (except in case of emergency) may be considered a missed treatment appointment and could result in a sanction and fee. **In the event of a missed IOP session, including in the event of an emergency, you are required to report to case management the next business day at by 8:30am.**
5. Develop a plan with your Probation and Parole Officer (PPO) and Case Manager to pay restitution, fees, and fines ordered by the Court and comply with payments.
6. Establish and maintain appropriate medical insurance (Medicaid or Private). Participants are responsible for any and all upkeep (recertification, required paperwork, payment of premiums, etc.) to ensure medical coverage for the duration of the Drug Court program. If medical coverage is not possible, the participant accepts all financial costs associated with treatment and agrees to pay out of pocket for all expenses. Failure to do so may result in termination from treatment and jeopardize participation in the Drug Court program.
7. Do not travel outside of New Hampshire without prior authorization from your PPO and Case Manager.
8. Do not associate with people who use or possess drugs. Do not associate with people who are on probation/parole, unless authorized by the Drug Court Team.
9. Do not possess any weapons while in the Drug Court program.
10. Keep the Drug Court Team, case managers, treatment provider, and PPO informed of your current address and phone number at all times. You must also obtain permission from your Probation officer and Case Manager to change addresses/residences.

11. As a condition of your participation in the Drug Court program, your person, property, place of residence, vehicle or personal effects (including but not limited to: cellphone, bag, backpack, purse, etc.) may be searched at any time with or without a warrant, with or without probable cause, when required by a Probation and Parole Officer.
12. If you have any police contact of any kind you are report the contact immediately by phone to your case manager and PPO.
13. Dress appropriately for court and treatment sessions. See Drug Court packet for further information.
14. Abide by all other rules and regulations imposed by the Drug Court Team.

Fraternization

1. You are prohibited from fraternizing (associating with or developing close or intimate relationships) with other Drug Court participants outside of drug court events (i.e. court or group) unless you have obtained prior permission from the team.
2. Participants are not allowed to live at the same residence or allow participants to stay at their residence. Participants temporarily residing in emergency shelters and sober living facilities are the only exception, when prior authorization has been given by the team.
3. Participants who are related or have a history together should inform the team.
4. Participants may not rely on other group members for transportation without permission. You are expected to develop a transportation plan with your case manager. At the discretion of the assigned PPO and case manager, participants may be able to ride together to program requirements including court, probation/parole, treatment, self-help meetings, or work.

Overnight/Furlough and Out of State Travel

1. You are not permitted to stay outside of your residence unless you have obtained prior authorization from your PPO and Case Manager . You will be required to submit name, address, and contact information for the person you will be staying with.
2. You are not permitted to travel outside of New Hampshire without permission from your PPO and Case Manager who will bring the request to the team for approval. Make sure you give enough notice for all team members to weigh in on the decision.

Restitution/Fines/Fees

1. Participants are required to work on financial responsibility while in the Drug Court program to include all court related obligations such as restitution, fines, and fees.

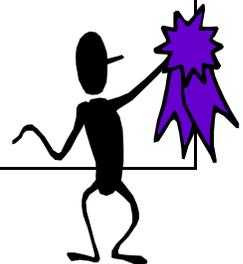
2. Participants will meet with your assigned PPO to develop a plan for payment of restitution and court fines. Participants are encouraged to develop a realistic plan based on current financial circumstances and ability to pay. Modifications may be allowed due to emergent circumstances but it is the participants responsibility to discuss and gain approval from PPO.
3. Participants will develop and comply with a payment plan for Drug Court fees and be required to begin weekly payments in Phase 2. Participants will sign an acknowledgment form for program fees.
4. Participants are required to remain in good standing financially with the IOP program and other treatment providers. Failure to do so may result in missed treatment obligations and may result in sanctions from the Drug Court program.
5. If you have other financial obligations or barriers including Office of Cost Containment, bank accounts, child support, or other institutions your case manager can help you develop a financial plan.
6. If at any time your employment status changes and you are unable to meet your financial obligations you are required to update your payment plans so there is no lapse in payment.
7. Failure to comply with restitution, fines, fees, or treatment payment plans may result in sanctions in court.

SANCTIONS AND INCENTIVES

Incentives

Upon the recommendation of the Drug Court Team, participants may be given rewards or incentives for healthy and appropriate behavior. Common behaviors and incentives are as follows:

| Behaviors | Incentives |
|---|---|
| <ul style="list-style-type: none"> *Honesty *Starting employment/schooling *Participating positively in IOP *Getting a recovery coach or sponsor *Effective communication with the team *Paying fines/restitution *Stable housing *Etc. | <ul style="list-style-type: none"> *Judicial praise/congratulations *Reduction of court appearances *Early advancement between phases *Called at the beginning of the docket *Selection from the "fishbowl" *Bus passes *Curfew extension *Reduction of fees *Etc. |



Sanctions

Sanctions will be imposed by the Drug Treatment Court Judges, upon the recommendation of the Drug Treatment Court Team, when a participant violates any of the Drug Treatment Court rules. Sanctions are imposed as immediately as possible, are sufficiently intensive to disrupt the negative behavior and are individualized to the participant and the behavior. Imposition of sanctions can also result in other "natural" consequences such as extended time to complete a Phase or the total program; loss of wages due to loss of work; and/or other family, job, or financial hardships.

The response to the participant's non-compliant behavior may include any of the following sanctions by the Drug Treatment Court. Please note that all sanctions can fall within a range of responses and may not be the same for each participant or for each behavior.

| Behaviors | Sanctions |
|---|---|
| <ul style="list-style-type: none"> *Positive drug/alcohol test/tampering with urine sample *IOP/court/drug testing no shows or tardiness (unexcused) *Disruptive behavior in group/lack of participation *Failure to comply with curfew/maintain appropriate residence *Failure to comply with (if applicable) restitution/fines or fees *Re-arrest *Failure to make court appearances/disruptive behavior in court *Etc. | <ul style="list-style-type: none"> *Increased court appearances *Anger management *Imposition of the County Work Program *Apology letter *Increased self-help meeting requirements *Extension/reduction of phase *Imposition of electronic monitoring equipment *Unemployment classes *Employment search forms *Incarceration at the House of Corrections *Arrive early to IOP and or drug testing *Jail/Prison tour *Etc, |

***Other negative behavior may be sanctioned at the discretion of the Drug Treatment Court Judges, and/or upon the recommendation of the Drug Court Treatment Program.**

***In addition to any court-ordered sanctions, the treatment team will develop a treatment response to the participant's non-compliant behavior.**

***If you miss IOP or are asked for any reason to leave the group you are to report in the following day at 8:30am to your Case Manager.**



TERMINATION FROM DRUG COURT

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

- Drug Treatment Court participants can be subject to termination from Drug Treatment Court if they refuse substance abuse treatment or fail to give consent to release of information. Part of the treatment plan may require inpatient treatment. Failure to comply with the requirements of the recommended level of treatment may result in termination.
- Non compliance with one's individualized treatment plan may be grounds for termination.
- Lying or dishonesty can be grounds for termination.
- Failure to comply with the drug testing policy, housing policy, court order can be grounds for termination.
- Failure to remain arrest free.
- Drug Treatment Court participants can be subject to termination if they commit a new criminal or violation-level offense or engage in illegal activity for which you have not been arrested for.
- Sexual harassment including but not limited to sexual advances, language, conduct, or other inappropriate behaviors towards staff or participants can be grounds for termination. Any misconduct that jeopardizes the safety of staff or participants can be grounds for termination.
- Drug Treatment Court participants can be subject to termination if they use violence or threats of violence directed at anyone.



The final decision to terminate a Drug Treatment Court participant from Drug Treatment Court will be at the discretion of a Judge after an evidentiary hearing on whether you should be terminated. You have the right to representation at this hearing.

Termination Procedure

You will be informed by the judge during a court session that the you have been recommended for termination. A hearing will be scheduled and your counsel will be re-appointed.

At the time of the recommendation the state will ask for your release or incarceration pending a bail hearing and or the termination hearing

You will receive a written notice of the conduct triggering the recommendation for termination.

The hearing should be held within 30 days whereby you and your lawyer will have the opportunity to be present, heard, and given the opportunity to cross examine witnesses.

The written notice will include the following information:

1. What Drug Court rule has been violated:

- ⇒ Failure to Comply with Treatment and or Treatment plan
- ⇒ Failure to Comply with the Drug Testing Policy
- ⇒ Failure to Comply with Housing Policy
- ⇒ Failure to Comply with Court Order
- ⇒ Failure to Comply with the Drug Court Rules
- ⇒ Failure to remain arrest free
- ⇒ Failure to refrain from criminal activity
- ⇒ Failure to appear
- ⇒ Failure to be Honest

2. A Summary of the violation:

- ⇒ An explanation of each of the violations
- ⇒ The date of the violation
- ⇒ The facts supporting the filing of the violation and the court's response to the violation

3. Recommendation:

- ⇒ Typically a recommendation will be provided to the court at the time of the hearing

SEARCH AND ARREST REQUIREMENTS

As a participant in Drug Court, you are on probation and required to submit your person, vehicle, place of residence, personal effects (including but not limited to: cellphone, bag, backpack, purse, etc.) and 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 probation officer or community corrections officer at the request of PPO. ****Any Probation/Parole Officer who observes a current participant of Drug Court in any of the following circumstances is authorized to immediately arrest that individual:**

- In violation of any criminal law
- Ingesting/under the influence of a controlled substance or alcohol
- Being in the presence of drug paraphernalia
- Being in the presence of a person in possession of a controlled substance or alcohol
- If a reasonable person in a like position, would conclude that drugs are present.



*****Participants detained in jail after arrest will be brought before the Drug Court Judges for a hearing at the next Drug Court session.***

CHEMICAL TESTING

You will be drug tested randomly throughout your entire Drug Court program by case management, PPO, counselors, and other staff. This will be done randomly and consistently throughout the program.

- ◆ You will be observed to ensure freedom from errors
- ◆ If you miss a test, it will count as a positive test.
- ◆ Diluted urines count as a positive test.
- ◆ Do not consume products that contain poppy seeds.
- ◆ Refusal to report for a urine test or inability to produce a sample in the allotted time will result in a positive test.
- ◆ Your Fee Schedule is based upon your drug testing results (refer to fee schedule page).



HONESTY

The most important part of your recovery is to be honest with yourself and the team. In the event of a relapse, we have a tiered system of responses that depend on your accumulated time in the program but most importantly YOUR level of honesty.

1. **Honesty** - Admission within 24 hours to any Drug Court team member or next time you encounter staff within that 24 hours
2. **Dishonesty**- Admission before urine sample is given but after 24 hours
3. **Dishonesty** – Admitting only after confronted
4. **Dishonesty and lying** – Denial

The level of response also depends on your time in the program, as you demonstrate honesty and sobriety the level of response could change equally; especially if there is any level of dishonesty.

STRAFFORD COUNTY DRUG COURT RITE OF PASSAGE



Upon your successful completion of a treatment program and satisfaction of all other Drug Court requirements, including continued sobriety, you will transition from the Intensive Outpatient Program component of Drug Court and transition to the *Continuing Care Phase* of Drug court. Transitioning from the Intensive Outpatient component of Drug Court is recognized as a very important event. Your loved ones, recovery supports, other drug court participants, and the local media will be invited to join you at a special ceremony as the Drug Court Team congratulates you for successfully completing this component and transitioning to the Continuing Care Phase of Drug Court.

In order to provide you with a continuing support system and to ensure that you can maintain your valuable sobriety, you will be required to continue probation and participate in 12 months of sobriety monitoring administered through the Department of Corrections, Division of Probation/Parole. Please take advantage of this opportunity to prove to the Drug Court Team and to our community that you are ready to start your new life as a productive, law-abiding member of society. Upon successfully completing 12 months of continuing care, the Court may vacate your conviction.

CONCLUSION

The goal of the Strafford County Adult Drug Treatment Court is to help you achieve a life free from dependence on mind-altering substances. The Judges, and the Drug Court Treatment Team are here to guide and assist you, but the final responsibility is yours. To succeed, you must be motivated to make a commitment to a drug free life style.



Best Wishes,

The Drug Court Treatment Team

By signing this I acknowledge and agree to follow everything in the Drug Court Handbook.
If I have any questions I will contact my case manager.

Signature

Date

Case Manager/Drug Court Staff

Date

(Copy)

By signing this I acknowledge and agree to follow everything in the Drug Court Handbook.
If I have any questions I will contact my case manager

Signature

Date

Case Manager/ Drug Court Staff

Date