

ADA COUNTY DRUG COURT

PARTICIPANT HANDBOOK

FOURTH JUDICIAL DISTRICT COURT

Ada County Courthouse
200 W. Front Street, No. 220 A
Boise, ID 83702-7300

AUGUST 1, 2016 EDITION

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Welcome to the Ada County Drug Court Program. This handbook is designed to answer questions, address concerns, and provide overall information about the Drug Court Program. As a participant, you will be expected to follow the instructions given in Drug Court by the Judge and comply with the treatment plan developed for you by your counselor. This handbook will detail what is expected of you as a Drug Court participant and review general program information. All participants are encouraged to share this handbook with family and friends.

PROGRAM DESCRIPTION

The Ada County Drug Court Program is a court-supervised, comprehensive outpatient treatment program for some chemically dependent defendants. Entry into Drug Court is voluntary. Drug Court includes regular court appearances before a Judge and regular home visits by Probation and Parole officers. Treatment includes drug testing, individual counseling and group counseling. The Drug Court treatment is provided by **Ada County Treatment Services**. Counselors may also assist with obtaining education and skills assessments and will provide referrals for vocational training, education and/or job placement services. The program length, determined by each participant's progress, will not be less than 14 months.

Following arrest, if you are eligible, you may be offered a choice between the Drug Court Program or traditional criminal prosecution. A Deputy Public Defender or other attorney will advise you and discuss the Drug Court Program with you. If you choose to participate in the Drug Court Program, you will be released from jail, subject to conditions that relate to your Drug Court participation.

You will be required to waive your preliminary hearing and to appear in the Drug Court. Prior to the appearance in Drug Court, you will have to complete an intake and screening process with the treatment provider and fulfill any other conditions of release. If you are accepted into the program, you will be required to plead guilty and your Public Defender or private attorney will continue to represent you throughout your participation in Drug Court. Your release will continue subject to conditions that relate to your Drug Court participation. Successful completion and graduation from the program will result in having your guilty plea set aside and the charges dismissed, unless otherwise

specified at the time of your guilty plea or entry into the Drug Court program.

Failure or dismissal from the program will result in your case proceeding to sentencing on the basis of your guilty plea.

Prior to entering your plea, your attorney will be provided with the police reports and a copy of the lab results. You can decide against entering the program at any time until you plead guilty. If you decide not to enter the program, the Court will revoke your ROR release and set bond on your case, and remand the case back for a preliminary hearing in Magistrate Court.

A Fourth Judicial District Court Judge serves as the Drug Court Judge. The Judge will oversee your progress and have full jurisdiction over the entire process. Final determination of entry into Drug Court will be made only by the Judge, with input from the appropriate parties and agencies.

ELIGIBILITY CRITERIA

As a general rule, Drug Court has been developed as an option for felony possession offenses and substance abuse related crimes. Drug Court is not available to individuals with a felony criminal record for violence, non-Ada County residents, any defendant who has a significant prior or current criminal record, or any defendant who previously has been convicted of a serious drug offense. First priority will be given to offenders without prior felony convictions.

DRUG COURT SUPERVISION

As a Drug Court participant, you will be required to appear in Drug Court on a regular basis. The Judge will be given a progress report prepared by your treatment counselor and the Drug Court Coordinator regarding your drug test results, attendance, and your participation in treatment. The Judge may ask you questions about your progress and discuss any specific problems you have been experiencing.

If you are doing well, you will be rewarded and encouraged to continue with the program and work with your counselor towards success. If you are not doing well, the Judge will discuss this with you and determine further action. The goal of Drug Court is to help you achieve total abstinence from illicit, illegal, or addictive drugs and alcohol; however, a positive or "dirty" drug test will not necessarily disqualify you. If you are having problems, the Judge may order a variety of sanctions such as additional testing,

written assignments, more frequent court appearances, community service, jail, or additional groups or classes.

If you do not appear in Court on the date and time scheduled, you will be arrested. If you cannot appear as scheduled, you must notify the Court as soon as possible to explain why you cannot appear. If you have any questions regarding your court appearances, you may contact the Drug Court Coordinator at (208) 287-7670.

PROGRAM RULES

As a Drug Court participant, you will be required to abide by the following rules:

1. Attend all ordered treatment sessions.

This includes individual and group counseling, educational sessions, and other sessions as directed. If you are unable to attend scheduled sessions you must contact either your counselor at (208) 287-7660 or the Drug Court Coordinator at (208) 287-7670.

2. Be on time.

If you are late for treatment, you may not be allowed to participate and will be considered non-compliant. Contact the Drug Court Coordinator or your counselor if there is a possibility you may be late.

3. Do not make threats towards other participants or staff or behave in a violent manner.

Violent or inappropriate behavior will not be tolerated and will be reported to the Court. This may result in arrest and/or termination from the Drug Court Program.

4. Attend all scheduled Drug Court sessions.

You must attend all court sessions as scheduled by the Drug Court Coordinator or as ordered by the Court. As a participant, you will be expected to dress appropriately for court and all Drug Court activities. Clothing bearing drug or alcohol related themes, or promoting or advertising alcohol or drug use is considered inappropriate. Sunglasses or hats are not to be worn in Court. *See Dress Code, page 11 of this handbook.*

5. Abstain from use of alcohol and illicit drugs, do not have alcohol and illicit drugs in your possession and do not enter into a space where anyone else has alcohol and illicit drugs in their possession or where alcohol and illicit drugs are being stored. This condition is fundamental to successful completion of the program.

6. Maintain confidentiality of other drug court participants.

Treatment cannot succeed unless all participants maintain the confidentiality of other participants and of information disclosed in treatment.

7. Focus on treatment program.

Drug Court participants are not allowed to live together, work for each other, or become involved on a romantic or sexual basis with each other. These activities distract from the focus of treatment for both the participants involved and other participants in treatment.

8. Obey court orders, and Drug Court Staff and counselor orders.

9. Report any and all law enforcement contact.

10. No contact with convicted felon(s) or anyone on probation or parole for any crime.

11. No weapons, alcohol or other drug-related items in the home

These items include, but are not limited to, alcohol signs or logos, shot glasses and pictures containing images of alcohol, drugs, paraphernalia or gang affiliation.

12. No energy drinks.

This includes, but is not limited to, Red Bull, Monster and Wired.

13. Submit appropriate documentation for all prescribed medication.

If you are prescribed any medications from a doctor, you need to obtain a note from that doctor stating that you informed the doctor that you are in Drug Court AND that you are an addict. Take this signed note from the doctor and turn it in to the secretary at the Treatment Center.

DRUG COURT FEES

As a Drug Court participant, you are required to pay to the clerk of court, or his/her designee in the Problem Solving Court office, the Drug Court fee as required by Idaho Code § 19-5608 of \$65 per month. The clerk of court will deposit these fees into the Ada County Drug Court fund as required by Idaho Code § 31-3201E. You must also pay treatment fees, including book fee of \$50, alcohol and drug testing fees, assessment fees and/or any other evaluation fees. Certain participants are required to pay the entirety of their treatment costs. Drug Court and treatment fees will be paid separately. Payments shall be in the form of a money order or cashier's check made payable to **Ada County Treasurer**. Fee payments cannot be mailed, slipped under the door, or given to staff at

the Treatment Center. Payment records will be reported to the Judge as part of your regular progress report. Inability/failure to pay may result in termination or suspension from the Program. All fees must be paid prior to final disposition of your case.

TREATMENT PROCEDURES

Ada County has established a Drug Court Treatment Center at 400 N. Benjamin Lane, Suite 200, Boise, Idaho 83704. Within twenty-four hours of your acceptance into the Drug Court Program, you will be instructed to contact Drug Court. A multi-component, outpatient program will be developed which includes:

1. Treatment Planning

An initial treatment plan will be developed by you and your counselor following an overall assessment of your problems and needs. The plan will act as a guide for your first phases of treatment. This plan will help you set goals, select methods for accomplishing those goals, and develop target dates for achieving those goals. The plan will be kept in your treatment file for regular review and necessary updates as you progress through the Program. Any revisions to the plan will be made and signed by you and your counselor.

2. Drug and Alcohol Testing

You will be tested throughout the entire treatment process. If you are taking any prescription medication(s), you need to bring them to EVERY UA. During the first few weeks, you will be tested frequently and randomly. As you progress through the Program, testing will be required on a less frequent basis. The Drug Court Judge will have access to all drug test results, including any failures to test, and may order a drug test at any time. Attempts to dilute, adulterate, or tamper with drug or alcohol testing may lead to discharge from Drug Court. The goal of Drug Court is to help you achieve total abstinence from illicit or illegal drugs and alcohol; however, a positive or "dirty" test will not necessarily disqualify you. The Judge will be reviewing your overall performance in the Program. No new criminal charges will be filed as the result of any "dirty" test.

3. Counseling

Substance abuse counseling is comprised of three separate formats: Individual, group, and education. As part of your treatment plan, you will be required to participate in all three types of counseling. Together, they are designed to help you

develop self-awareness, help you realize self-worth, and teach you to practice self-discipline. The individual and group counseling sessions will include problem identification and alternative solutions. You may also be required to address other life areas such as education, employment, housing, health issues, or family counseling. The educational sessions will include videos, lectures, guest speakers, and questions/answer sessions. Your attendance at counseling sessions will be reported to the Judge as part of your progress report. You must contact the Drug Court Coordinator or your counselor if you are unable to attend or will be late to a scheduled session for permission to be excused.

TREATMENT PHASES

The Drug Court Treatment Program is a four-phase, highly structured, outpatient treatment program lasting a minimum of 14 months, which may be extended depending upon your individual progress. Each phase consists of specified treatment objectives, therapeutic and rehabilitative activities, and specific requirements for “promotion” into the next phase. The components and requirements for advancement to each phase are generally described below and are specifically identified in each phase contract signed with the Court.

PHASE I (minimum of four months in length)

You will attend a minimum of three groups per week. You will also attend individual sessions based upon the described needs of your treatment plan. Drug and alcohol testing will be at a minimum of two times per week administered randomly. Phase I treatment may require ten hours or more per week. You will maintain a daily 9:30 pm curfew.

The primary focus of Phase I is on the education of the participant to assist in breaking denial, raising awareness, and instilling a commitment to the program.

PHASE II (minimum of three months in length)

You will attend a minimum of two group sessions per week and individual sessions based upon the described needs in the treatment plan. Drug and alcohol testing will be at a minimum of once per week administered randomly. Individualized treatment

planning will be re-evaluated to ensure any additional problems which arose in the screening or during the course of Phase I are addressed.

Phase II of the program becomes the working phase of the program. This focus is mainly on completion of the Cognitive and Substance Abuse Relapse Prevention packets.

PHASE III (minimum of three months in length)

You will attend one to two group sessions per week based upon previous progress, and individual sessions based upon the described needs in the treatment plan.

Drug and alcohol testing will be at a minimum of one time per week administered randomly. Individualized treatment planning will still be used to ensure addressing all problems which arose in the screening or during the course of Phase II.

Phase III of the program focuses on living in recovery. The goal of Substance Abuse Relapse is to build skills for continued sobriety through life skills and self-discovery.

PHASE IV (Minimum of four months in length)

You will attend one to two group sessions per week for a minimum of two months to complete the treatment plan. You will attend individual sessions based upon the described needs in your treatment plan. Drug and alcohol testing will be at the treatment team discretion with a minimum number of one per week. Individualized treatment planning will be used to develop an aftercare plan and address any problems arising in Phase III of the program.

Phase IV focus is considered “aftercare” and the focus is to use all program tools to establish and create a life-long recovery plan.

TERMINATION FROM PROGRAM

This is a voluntary program. You can terminate at any time; however, this termination may lead to jail or prison time up to and including your originally suspended sentence or sentencing up to the maximum for the offense bringing you into Drug Court if you have not previously been sentenced. You can also be involuntarily terminated by the Court for non-compliance, new criminal charges, bench warrants, or drug and alcohol testing problems. All termination decisions will be made by the Drug Court Judge. If you are

terminated, you will either be sentenced on the original charge if you have previously entered a guilty plea but have not been sentenced or your previously suspended sentence may be imposed giving credit for time already served. Short of program termination, you will be subject to a wide variety of possible sanctions for non-compliance or problems. Sanctions will be imposed by the Drug Court Judge, such as jail, Sheriff Labor Detail, work release, community service, additional testing, writing assignments, additional treatment, demotion in the program, and additional court attendance.

GRADUATION

Once you have successfully completed the criteria for each phase you will advance to the next level and eventually “graduate” from Drug Court. Promotion to each phase and graduation from the Program shall be determined by the Drug Court Team, with final approval determined by the Drug Court Judge. Prior to graduation, clients must complete their treatment plan, fulfill their financial obligations to the Court including restitution, complete an individual pre-graduation conference, be steadily employed or in school full time, and have been clean for a minimum of six months. Persons who complete all but the financial conditions will be allowed to graduate, but all legal benefits remain on hold until these obligations are satisfied. Your family and friends will be invited to your graduation as the Judge congratulates you on successfully completing Drug Court and achieving your goal to establish a drug-free life.

CONCLUSION

Drug Court has been developed to help you achieve total abstinence from illicit and illegal drugs and alcohol. The Program is designed to promote self-sufficiency and to return you to the community as a productive and responsible member. The Program is voluntary and is your personal choice. The Judge, the court staff, and your treatment counselor are 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 and alcohol-free life.

We hope this Handbook has been helpful to you and answers most of your questions. If you have any additional questions or concerns about Drug Court, please feel free to contact your treatment counselor, the Drug Court Coordinator, your Public Defender, or private attorney. Important Drug Court telephone numbers have been listed on page 13 of this Handbook for easy access.

GOOD LUCK TO YOU!

**Ada County Problem Solving Courts cell phone or other electronic
device policy**

Cell phone use is not allowed inside the treatment center or the court rooms. Cell phones that are brought to the treatment center, problem solving courts office or the courtroom must be turned completely off while inside any of these locations. Other devices capable of recording, photographing or broadcasting are not allowed at the treatment center or in the courtroom. Recording or taking images of other participants or their names or signatures is a violation of their privacy and is prohibited. In addition, making recordings or taking pictures in any courtroom without permission from the judge is prohibited and may result in sanctions for contempt of court.

I understand that violation of this cell phone / electronic device policy will result in sanctions from the court.

Participant signature

Date

Printed Name

DRESS CODE FOR ALL ADA COUNTY DRUG COURT PARTICIPANTS WHILE AT THE ADA COUNTY TREATMENT SERVICES CENTER, PARTICIPATING IN DRUG COURT ACTIVITIES OUTSIDE OF THE TREATMENT CENTER, AT THE COURTHOUSE WHEN MEETING WITH THE COORDINATOR, OR AT COURT APPEARANCES IN FRONT OF THE DRUG COURT JUDGE:

- **Absolutely no article of clothing will be allowed bearing any alcohol or drug advertisement or message.**
- **No sexually explicit clothing is allowed (for example, big Johnson t-shirts).**
- **Shirts and shoes must be worn at all times.**
- **No do rags, bandana, hats, hoods, or sunglasses may be worn at any time.**
- **No sleeveless shirts/ tank tops or backless shirts will be allowed.**
- **Shorts and skirts must be the length that they would reach the tips of your fingers while your hands are straight down at your side.**
- **Pants must fit properly.**
- **Swimsuits are not allowed unless they are fully covered and worn under appropriate clothing.**
- **Tops of pants must meet bottoms of shirts (no bare skin).**
- **If any Drug Court personnel informs you that you are dressed inappropriately you will be asked to leave immediately and may not receive credit for attending.**

APPROPRIATE COURT CLOTHING

When you appear at court, you should be dressed in respectable attire. If you are coming to court directly from work and you are wearing old or battered clothing, you should bring a change of clothes with you and change in the court bathroom. Jeans that have holes in them, cut off jeans, short shorts, or tank tops will not be allowed in court. Hats or sunglasses are not appropriate in court and will not be allowed.

If you are dressed inappropriately, you may be asked to leave and your absence will be counted as unexcused.

Fourth District Court Adult Treatment Service Rules

The following rules will be strictly enforced:

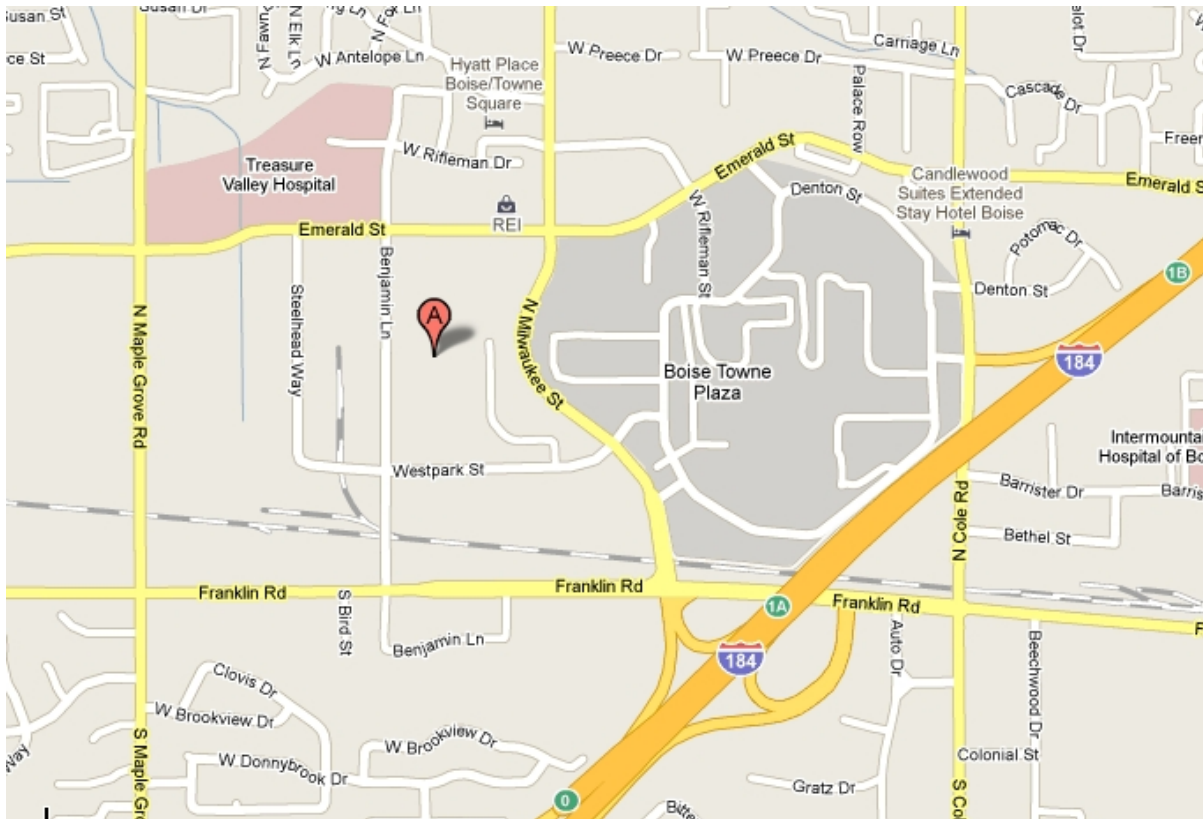
1. Park only in designated, marked stalls.
2. Drivers shall not sit in their cars revving their engines or playing loud music.
3. Drivers shall not “peel out” from the parking lot.
4. All participants and drivers giving rides to participants must park in the treatment center parking lot. No drivers may park in any of the surrounding parking lots.
5. There will be absolutely no speeding, racing, or reckless driving in the parking lot or through the surrounding neighborhoods.
6. Smoking and vaping will be done in the **designated areas only**. The designated areas are well marked and there will be NO smoking or vaping within 25 feet of any building entrances. Cigarettes will be put out in ashtrays or receptacles provided for this purpose. Cigarettes will NOT BE DISCARDED on the ground, in the parking lot, or on the sidewalk.
7. Absolutely no smoking or vaping inside the Treatment Services office.
8. There will be no “inappropriate” behavior in or around the Treatment Services building. This includes swearing or anything of a sexual and/or offensive nature.
9. Clients will refrain from obstructing the patrons of and maintain a high level of respect for the surrounding businesses, and all other occupants of the building.
10. Children visiting will be well-mannered and will sit quietly if waiting for a Drug Court participant. They will not be left unattended at any time. If children are disruptive, you will be asked to remove them immediately and may not be allowed to bring them to the Treatment Center again.
11. Participants will take special care not to damage any property including walls, chairs, doors, and carpentry inside the Treatment Services offices.
12. Comments, flyers, or announcements will not be posted or written on bulletin boards, without prior permission.
13. Respect of Ada County Treatment Services employees, their belongings, and work areas will be shown at all times.
14. **There will be absolutely no food, including gum and candy, or beverages allowed in the building. The only exception will be water contained in a bottle with a screw top lid. THERE WILL BE NO FLAVORED WATER ALLOWED.**

All rules include non-Drug Court people who may be accompanying or providing rides for a Drug Court participant.

ANY INFRACTION OF THESE RULES MAY RESULT IN REMOVAL FROM THE PROPERTY AND POSSIBLE COURT ORDERED SANCTIONS. WE APPRECIATE YOUR COOPERATION AND HELP IN KEEPING OUR FACILITY CLEAN AND IN GOOD REPAIR.

Ada County Treatment Center
400 N. Benjamin Lane, Suite 200
Boise, ID 83704

(208) 287-7660



DRUG COURT
ADDRESSES AND PHONE NUMBERS

ADA COUNTY TREATMENT SERVICES (ACTS) (208) 287-7660
400 N. Benjamin Lane, Suite 200 (map attached)
Boise, Idaho 83704

ADA COUNTY PUBLIC DEFENDER'S OFFICE (208) 287-7400
Courthouse, First Floor
200 West Front Street
Boise, Idaho 83702

DRUG COURT COORDINATOR (208) 287-7670
Courthouse, Second Floor
200 West Front Street, No. 220 A
Boise, Idaho 83702

UA LINE EVERY DAY (6 – 9 A.M.) (208) 287-7668

YOU MUST CONTACT
ADA COUNTY TREATMENT SERVICES
WITHIN
TWENTY FOUR (24) HOURS OF YOUR RELEASE
TO SCHEDULE AN INTAKE APPOINTMENT

NOTES

