

**BLACK HAWK COUNTY  
ADULT DRUG COURT**



**PARTICIPANT HANDBOOK**

Your Name \_\_\_\_\_

V-2010



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## WELCOME

Welcome to the Black Hawk County Adult Drug Court. This *Handbook* is designed to answer your questions 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 corrections professional and treatment team.

This *Handbook* will detail what is expected of you as a Drug Court participant. It will review general program information. If you are reading this *Handbook* it means that you have been accepted into Drug Court based on a look at your history of drug/alcohol use and other encounters with law enforcement and it also means that we are confident that Drug Court will help you to learn how to make successful choices free of the influence of drugs or alcohol.

## OVERVIEW

Drug Court contains three phases and an aftercare program for adults who have pled guilty to one or more non-violent drug-related offenses and who are having difficulty staying clean and sober. It is a collaborative effort between the District Court, County Attorney's Office, defense counsel, Department of Correctional Services, police agencies and treatment programs. By working together, they seek to provide a variety of programs and consistent supervision geared toward supporting and helping you maintain a drug-free life. Drug Court involves frequent court appearances, random drug testing as well as group and individual counseling. The Court awards incentives for compliant behavior and imposes sanctions for negative behavior. Participants who do not comply with the rules may be placed in short-term custody, moved back to the previous phase of Drug Court or a variety of other sanctions. They may also be terminated from Drug Court. All of the staff working with Drug Court will assist you to be sure you understand what is expected of you.

### THE DRUG COURT TEAM

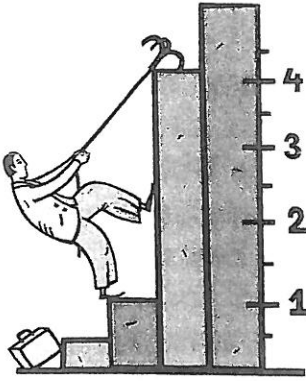


The Drug Court Judge will make all decisions regarding your participation in the Drug Court Program with input from the Drug Court Team. In addition to the Judge, the Drug Court Team consists of the following members:

- Defense counsel
- County Attorney
- Corrections Professional
- Treatment Provider
- Police Officer Liaison

Prior to the Drug Court session, the Drug Court Team members familiarize themselves with your progress so that they may discuss that progress with you during the Drug Court session.

## PROGRESS REPORTS



4 Before your Drug Court hearing, the judge will be given a progress report presented by your Corrections Professional or Treatment Provider. The progress report will discuss your drug testing results, attendance, participation and cooperation in the treatment program, employment or other requirements that may have been imposed. The judge may ask questions about your progress and discuss any problems you may be having. If you are doing well you may be rewarded with reduced program requirements or, at times, other incentives like movie tickets. If your progress reports show that you are not doing well, the judge will discuss this with you and determine future action, which could include a sanction in order to help you remember your goals in the program. Sanctions can be anything from increased program requirements to a jail sentence.

## 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. Failure to appear will 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 your Corrections Professional, Treatment Provider or your attorney. The phases of Drug Court are listed on the next page.

## PHASES OF DRUG COURT

Drug court is a 12-18 month minimum program divided into three phases, including an after care phase. A participant must successfully complete each phase before transitioning to the next phase. Each phase has several key components:

### PHASE ONE

The participants, in order to advance from phase one to phase two, must:

1. Attend drug court as scheduled
2. Submit to and pass random drug testing
3. Attend a minimum of 3 self help meetings per week
4. Establish a treatment program with the help of the staff
5. Meet with substance abuse counselor as directed
6. Complete all homework assignments
7. Meet with a job counselor as directed
8. Meet with corrections professional as scheduled
9. Advise family members of involvement in the drug court program
10. Meet with educational advisor as directed
11. Identify non substance abuse activities to attend
12. Comply with all curfews
13. Maintain a minimum of 90 consecutive days of sobriety
14. Obey all laws and terms of probation
15. Provide Drug Court Team with names of all associates and terminate relationships with using associates

### PHASE TWO

The participant, in order to advance from phase two to phase three, must:

1. Attend drug court as scheduled
2. Submit to and pass random drug testing
3. Attend a minimum of 3 self help meetings per week
4. Find an approved mentor or sponsor
5. Develop an employment/ education strategy
6. Complete all homework assignments
7. Begin to develop an aftercare plan
8. Identify relationships in need of repair
9. Continue to meet with substance abuse counselor
10. Meet with corrections professional as scheduled
11. Secure sober, clean and approved living arrangements
12. Comply with all curfews
13. Obey all laws and terms of probation

### PHASE THREE

The participant, in order to advance from phase three to aftercare, must:

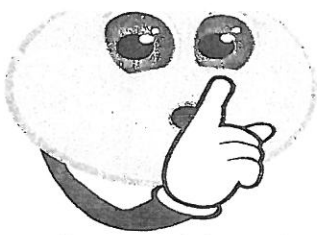
1. Attend drug court as scheduled
2. Submit to and pass random drug testing
3. Attend a minimum of 3 self help meetings per week
4. Be regularly employed or in school
5. Maintain regular contact with his/her approved sponsor/mentor
6. Complete all homework assignments
7. Further develop an aftercare program
8. Meet with corrections professional as directed
9. Maintain a secure, sober lifestyle and residence
10. Develop a plan as a graduate to give back to the drug court program
11. Write and present a reflection paper to the drug team about your growth in the Program
12. Complete all community service
13. Obey all laws and terms of probation
14. Have supervision fee paid in full

### AFTERCARE

The participant, in order to successfully complete the Drug Court Program, must:

1. Maintain six months of continuous sobriety
2. Attend drug court as directed
3. Attend the first Wednesday drug court of each month
4. Submit to and pass random drug testing
5. Be regularly employed or in school
6. Maintain regular contact with his/her approved sponsor/mentor
7. Meet with corrections professional as directed
8. Attend "growth group" (presently the first & third Monday of each month)
9. Attend self-help meetings as directed
10. Follow through with the aftercare program
11. Maintain an appropriate sober and stable residence
12. Continue to pay court-ordered and/or treatment obligations
13. Maintain contact with treatment provider as directed
14. Obey all laws and terms of probation





## CONFIDENTIALITY

As a participant in the Drug Court Program your identity and privacy will be protected. In response to these regulations, Drug Court and its corrections professionals and treatment providers have developed policies and procedures that guard your privacy. You will be asked to sign a Consent for Disclosure of Confidential Substance Abuse Information. This disclosure of information is for the sole purpose of hearings and reports concerning your specific Drug Court case.



## DRUG COURT PROGRAM RULES

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

1. Totally abstain from the use of illegal drugs and alcohol.
2. Inform your treating physicians that you are a recovering addict and may not take narcotic or addictive medications or drugs.
3. Attend court sessions and treatment sessions as scheduled, submit to random alcohol and drug testing, remain clean and sober and law abiding.
4. Do not associate with people who possess drugs.
5. Do not possess any weapons while in the Drug Court program.
6. Keep the Drug Court team, corrections professional, treatment provider and police officer liaison informed of your current address and phone number at all times.
7. As a condition of participation in the Drug Court program, your person, property, place of residence, vehicle or personal effects may be searched at any time with or without a warrant, and with or without reasonable cause, when required by a corrections professional or other law enforcement officer.
8. Dress appropriately for court and treatment sessions.
9. Abide by all other rules and regulations imposed by the Drug Court Team.
10. Do not enter any casino or gambling establishment.
11. Do not enter any bar.

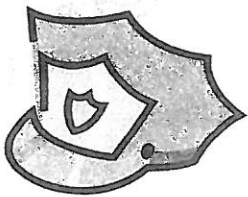


## TERMINATION FROM DRUG COURT

A participant may be terminated from the Drug Court Program for willful failure to comply with the terms and conditions of probation, including any treatment plan imposed by the Court through the Drug Court treatment team. In determining a participant's termination from the Drug Court program, the Court will consider factors such as, but not limited to, the nature and frequency of the violation(s), the duration that the participant has been in the program, the participant's criminal history, the participant's desire to achieve sobriety and whether the violation would have prevented the participant from being accepted into the program.

In spite of the above, the following offenses will be grounds for automatic termination from the Drug Court program:

1. Any felony offense except an enhanced drug possession charge.
2. Possession of a firearm.
3. Any felony drug offense involving the sale, manufacture or possession with intent to deliver drugs.
4. The use of drugs to purchase sex or weapons or the sale of sex or weapons to purchase drugs.
5. Violence or threat of violence directed at the Drug Court team or service providers.
6. Revoking your release of information or prohibiting the Drug Court from accessing any information from providers.



## SEARCH AND ARREST REQUIREMENTS

As a participant in Drug Court, you are required to submit your person, vehicle, place of residence or 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 peace officer or corrections professional. Any law enforcement officer who observes a current participant of Drug Court in any of the following circumstances is authorized to arrest that individual:

- In violation of any criminal law;
- Ingesting a controlled substance, marijuana or alcohol;
- Being under the influence of a controlled substance, marijuana or alcohol;
- Possessing a controlled substance, marijuana or alcohol or drug paraphernalia;
- Being in the presence of a person in possession of a controlled substance(s) and a reasonable person in a like position, would conclude that drugs are present.

Participants detained in jail after arrest will be brought before a Drug Court judge for hearing.

## CHEMICAL TESTING

You will be drug tested randomly throughout your entire Drug Court Program.

- You will be observed to ensure freedom from errors.
- If you miss a test, or fail to submit a test, it will count as a positive (dirty) test.
- You will not possess or take any substance to falsify, mask, alter or effect your drug or alcohol test.
- If you have a positive test in any drug court phase, the judge, based on recommendations from the corrections professional or treatment staff, will apply immediate sanctions including time in jail to help you stop your drug using behavior.
- Your presence in a bar will be treated as a positive test for alcohol.





## GRADUATION

Upon your successful completion of phase 3 and satisfaction of all other court requirements including continued sobriety, you will graduate to the Aftercare component of the Drug Court Program.

Graduation from the phases of the program are recognized as a very important event. Your loved ones will be invited to join you at a special ceremony as the Drug Court Team congratulates you for successfully completing Phases I – III of the Drug Court Program and achieving your goal to establish a drug-free life.

## AFTERCARE

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 participate in a six-month continuing care phase prior to discharging from supervision. Please take advantage of this opportunity to prove to the Drug Court team that you are ready to start your new life as a productive, law-abiding member of society.

## CONCLUSION

The goal of the Black Hawk County Adult Drug Court Program is to help you achieve a life free of dependence on mind-altering substances. The Judge, court staff and the Drug Court Team are here to guide and assist you, but the final responsibility is yours. To succeed, you must be motivated to make this commitment to a drug-free life.

## SUMMARY OF DRUG COURT PARTICIPANT RULES

1. You will totally abstain from the use of illegal drugs and alcohol.
2. You will inform all treating physicians that you are a recovering addict and may not take narcotic or addictive medications or drugs, you will advise the Drug Court Team of any medication prescribed for you by a physician or psychiatrist..
3. You will attend court sessions and treatment sessions as scheduled, submit to random alcohol and drug testing, remain clean and sober and law abiding.
4. You will not associate with people who use or possess drugs, nor will you be present while drugs or alcohol are being used by others.
5. You will not possess any weapons while in the Drug Court program and will disclose the presence of any weapons possessed by anyone else in your household.
6. You will keep the Drug Court team, corrections professional, treatment provider and police officer liaison informed of your current address and phone number at all times.
7. As a condition of participation in the Drug Court program, your person, property, place of residence, vehicle or personal effects may be searched at any time with or without a warrant, and with or without reasonable cause, when required by a corrections professional or other law enforcement officer.
8. You will dress appropriately for court and treatment sessions. You are expected to wear a shirt or blouse, pants, dress or skirt of reasonable length. Shoes must be worn at all times. Clothing bearing violent, racist, sexist, drug or alcohol-related themes or promoting or advertising alcohol or drug use is considered inappropriate. Hats may not be worn. Gang attire is also inappropriate.
9. You will abide by all other rules and regulations imposed by the Drug Court Team.
10. You will abide by all rules and regulations of your probation contract.
11. You will not have contact with any jail or prison inmate, unless permission is given by the Drug Court Team.
12. You will advise the Drug Court Team of any changes in your employment. You will provide the team and your employer with two weeks notice.

One day at a time...

**DRUG COURT AGREEMENT**

Date \_\_\_\_\_

I, \_\_\_\_\_, have read or have had read to me the Drug Court Handbook. I understand all of the rules and conditions of the Drug Court and agree to follow all rules and conditions. My failure to do so may result in my termination from the program.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

-----  
On the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_,

\_\_\_\_\_  
(name of participant) signed the Drug Court

Agreement in my presence.

\_\_\_\_\_  
Signed