

**ALLEN COUNTY
THIRTY-FIRST JUDICIAL DISTRICT
DRUG COURT**



PROGRAM HANDBOOK

THIS DRUG COURT HANDBOOK BELONGS TO: _____

SUPERVISING OFFICER NAME: _____

PHONE NUMBER: _____

DEFENSE ATTORNEY NAME: _____

PHONE NUMBER: _____

COUNSELOR NAME: _____

PHONE NUMBER: _____

COUNSELOR NAME: _____

PHONE NUMBER: _____

SPONSOR NAME: _____

PHONE NUMBER: _____

SPONSOR NAME: _____

PHONE NUMBER: _____

OTHER: _____

PHONE: _____

OTHER: _____

PHONE: _____

MY DRUG COURT JUDGE IS THE HONORABLE _____

THE DRUG COURT PROSECUTING ATTORNEY IS: _____

- 1. YOU ARE REQUIRED TO TAKE THIS HANDBOOK TO ALL PROBATION/COUNSELING APPOINTMENTS AND COURT DATES.**
- 2. DO NOT LOSE THIS HANDBOOK. IF YOU LOSE THIS HANDBOOK A REPLACEMENT HANDBOOK WILL BE PROVIDED AT A CHARGE OF \$5.00.**
- 3. WE ENCOURAGE YOU TO SHARE THIS HANDBOOK WITH FAMILY AND OTHERS OF YOUR CHOICE FOR THEIR SUPPORT AND ENCOURAGEMENT.**

GENERAL INFORMATION

DRUG COURT TIME AND LOCATION: Drug Court is held the first and third Thursday of every month beginning at 3:30 p.m. in the Allen County District Courtroom located in the Allen County Courthouse, One North Washington Avenue, Iola, KS 66749.

DRUG COURT COSTS: \$300.00.

ALLEN COUNTY COURT SERVICES/COMMUNITY CORRECTIONS OFFICE

Court Services
Allen County Courthouse
Iola, Kansas 66749
Phone: 620-365-1431

COMMUNITY CORRECTIONS CENTRAL OFFICE

Community Corrections/JJA Central Office
9 East Main
Chanute, Kansas 66720
Phone: 620-431-5725

SATELLITE OFFICES

- | | |
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| 1. Court Services
Wilson County Courthouse
Fredonia, Kansas 66736
Phone: 620-378-4435 | 2. Court Services
Woodson County Courthouse
Yates Center, Kansas 66783
Phone: 620-625-8610 |
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OFFICE HOURS: 8:00 a.m. to 5:00 p.m. Monday through Friday.

IMPORTANT: During bad weather, for example snow packed or icy roads or if it is snowing or sleeting, always call ahead for reporting instructions.

WE ARE HERE TO ASSIST YOU AND WE HOPE THAT YOUR EXPERIENCE WITH US IS PRODUCTIVE AND SUCCESSFUL.

MISSION STATEMENT

Drug Court in the Allen County/31st Judicial District will strive to reduce recidivism of drug offenders in the criminal justice system and provide community protection with a cost effective, integrated continuum of care through the development and utilization of community resources. Drug Court will hold defendants accountable and will assist them to achieve long-term recovery to become law-abiding citizens and successful family/community members.

WELCOME

Welcome to the Allen County/Thirty-First Judicial District's Felony Drug Court Program. This handbook is designed to answer questions, address concerns and provide overall information about the Adult Drug Court Program. As a participant, you will be expected to follow the instructions given to you by the Judge, Probation Officer, Drug Court Team and the Treatment Staff. There will be an approved treatment plan developed for you and you will be expected to comply with the plan. This handbook will detail what is expected of you as a Drug Court participant and review general program information. It is intended to be a standard guide to Drug Court participants. Some guidelines may vary at the discretion of the Drug Court Team.

WHAT IS DRUG COURT

Drug Courts are an innovative alternative to prison with emphasis on accountability and intensive monitoring for individuals charged with a drug related offense. In 1989, the first Drug Court was established in Dade County, Florida, when a group of concerned Miami leaders noticed that the criminal justice system was unable to adequately address drug addiction or combat the crime that this problem causes. The types of Drug Court programs vary across the country. All programs use a new type of courtroom environment where the offender undergoes treatment and counseling, submits to frequent and random drug testing, makes regular appearances before the Judge, and is monitored closely for program compliance. While Drug Courts vary widely in scope, organization, and points of intervention, all share an underlying premise that drug use is not simply a law enforcement or criminal justice problem, but a public health problem. Drug Court programs see the Court, and specifically the Judge, as filling a role that goes beyond that of adjudication.

ABOUT THE DRUG COURT PROGRAM

The Allen County/Thirty-First Judicial District Drug Court Program began as the vision of Sheriff Tom Williams, as an innovative means to combat drug and alcohol crimes in Allen County. The program became a reality through the work of law enforcement, attorneys, court services, community corrections, treatment providers, community members, and the Court. In Kansas, Senate Bill 123 established a non-prison sanction of certified drug abuse treatment programs for certain offenders sentenced on or after November 1, 2003, for convictions of felony drug possession. The law also provided for mandatory evaluations and treatment of those convicted, prior to the court sending the offender to a penal institution, unless there were specific departure criteria, or the offender had previously been unsuccessfully discharged from a SB 123 treatment program. All offenders convicted under the provisions of SB 123 and placed on Community Corrections to be supervised in Allen, Neosho, Wilson and Woodson Counties will be assigned to the Drug Court Program. Certain non-SB 123 offenders and felony probation violators will be considered for assignment to Drug Court if the sentencing Judge refers them for evaluation by the Drug Court team and the team agrees to accept the offender into the program. Diversion applicants will be considered for assignment to Drug Court upon referral by the respective County Attorney.

The Drug Court team meets the second and fourth Thursday afternoon of every month before the call of the docket for that two weeks to screen new applicants and to review each current participant's progress. Unless excused by the Judge, all participants will be required to attend and remain in the courtroom until the end of the session.

The Drug Court Program is for offenders convicted or charged with a drug related crime. After careful consideration at this time, DUI offenders are not eligible for the program.

PROGRAM GOALS AND OBJECTIVES

Program Goals:

1. Promote public safety.
2. Utilize resources to improve offender abilities to promote positive change and remain drug free.
3. Achieve and maintain a success rate of at least 75% from the previous year.

Program Objectives:

1. Prior to sentencing or placement on diversion, the Probation Officer will complete a risk/needs assessment on 100% of the offenders being considered for Drug Court. Once the offender is placed into the Drug Court Program, the Probation Officer will apply the appropriate level of supervision as indicated by the risk/needs score and/or as required in special cases by local policy. Length and duration of supervision is based on the Court order, the offender's compliance with probation/diversion conditions and the offender's successful completion of the requirements of Drug Court.
2. 100% of offenders placed into the Drug Court Program who are identified by the risk/needs assessment as needing employment/education assistance or other special needs will be referred by the Probation Officer, within 30 calendar days, to the appropriate community resources for services. Referrals will include a completed referral form placed in the offender file. Length and duration of services is based on the offender's needs, the offender's compliance with conditions of probation/diversion and the offender's successful completion of the requirements of Drug Court.
3. Prior to sentencing or placement on diversion, 100% of offenders will be referred for a drug assessment/evaluation. Once the offender is placed into the Drug Court Program, the Probation Officer will refer the offender, within 30 calendar days, to a treatment provider who utilizes cognitive behavioral interventions and evidence based practices in their services delivery.

Program Outcomes:

1. Increased offender accountability.
2. Enhanced social skills, attitudes, values, beliefs and cognitive-emotional functioning.
3. Reduced recidivism defined by revocations to prison.

DRUG COURT RULES

1. **ALWAYS TELL THE TRUTH.** Overcoming chemical dependency is not easy. This will take your best effort. Always remember that the end result is to assist you in maintaining a clean and sober life. **THEREFORE, LYING WILL NOT BE TOLERATED.**
2. **FOLLOW ALL CONDITIONS OF YOUR PROBATION.** Failure to comply will result in a sanction or dismissal from the program and a revocation of your probation.
3. **ATTEND ALL ORDERED TREATMENT SESSIONS.** This includes individual and group counseling, educational sessions and other treatment as directed. Unexcused missed treatment sessions will result in a sanction or dismissal from the program and a revocation of your probation.
4. **BE ON TIME.** If you are late for appointments or treatment, you will not be allowed to participate and will be considered non-compliant with Drug Court requirements. Contact your counselor if there is a possibility that you may be late. **NOTE:** You must have a legitimate reason for being late or missing an appointment that is approved by your counselor.
5. **BE RESPECTFUL AND COURTEOUS TO EVERYONE.** Do not use profanity or abusive language. No derogatory remarks to staff or others. Do not make threats or act in a violent manner, physically or verbally, toward anyone. Failure to comply will not be tolerated and will be reported to the Court. This behavior will result in a sanction or termination from the Drug Court Program and a revocation of your probation.
6. **ATTEND ALL SCHEDULED DRUG COURT SESSIONS AS DIRECTED.** Failure to comply will result in dismissal from the program and revocation of your probation.
7. **SUBMIT TO DRUG AND ALCOHOL TESTING AS DIRECTED.** You will be tested throughout the entire program. During the first phase, you will be tested frequently and randomly. As you progress through the program, testing will be required on a less frequent basis. Failure to provide a urine sample within one hour of the request or an adulterated urine sample, which may include diluting, tampering or falsifying the sample, will be considered as a positive test and will result in a sanction or termination from the program and a revocation of your probation. Remember, a goal of the Drug Court Program is to help you achieve total abstinence from alcohol and illicit drugs.
8. **YOU ARE PROHIBITED FROM USING OR POSSESSING ANY SURVEILLANCE EQUIPMENT OR DEVICES, INCLUDING WEB CAMERAS.**
9. **YOU WILL BE SUBJECT TO IMMEDIATE ARREST IF YOU QUIT YOUR JOB WITHOUT THE PRIOR PERMISSION OF YOUR PROBATION OFFICER OR IF YOU ARE FIRED FROM YOUR JOB.**
10. **TO ENSURE COMPLIANCE WITH THE TERMS OF YOUR PROBATION, YOU ARE REQUIRED TO CONSENT TO A SEARCH OF YOUR PERSON, EFFECTS, PROPERTY OR ANY VEHICLE OR RESIDENCE THAT YOU MAY OCCUPY BY ANY LAW ENFORCEMENT OFFICER UPON REQUEST OF YOUR PROBATION OFFICER WITH SUPERVISOR APPROVAL. ALL SEARCHES SHALL BE BASED ON REASONABLE SUSPICION OF VIOLATIONS OF YOUR CONDITIONS OF PROBATION OR INVOLVEMENT IN CRIMINAL ACTIVITY.**
11. **YOU MUST FOLLOW ALL RULES AS ESTABLISHED BY THE PHASES OF THE PROGRAM.**

DRESS CODE

The following dress code shall be followed when appearing in Court, reporting to your probation officer, attending counseling, treatment or other interventions ordered by the Court.

- Maintain good personal hygiene at all times. You are to bathe and wear clean clothes.
- No gang colors or symbols.
- No clothing that is torn or full of holes.
- No t-shirts.
- No clothing bearing drug or alcohol related themes, promoting or advertising alcohol or drug use.
- No clothing with logos (gang related, sexually explicit materials, weapons, violence, etc.)
- No clothing with offensive messages.
- No hats, sunglasses, bandanas or hoodies.
- No tank tops, halter tops, tube tops, crop tops, strapless or spaghetti-strap shirts.
- No skirts or dresses higher than mid-thigh.
- No shorts.
- No sheer or low cut clothing.
- No sagging of pants or jeans.
- No swim suits, pajamas or sleepwear.
- No facial piercings, visible tattoos or visible body jewelry.

COURTROOM RULES

1. Punctuality is a required. You shall be on time for all court appearances.
2. Do not speak when the Court is speaking.
3. You shall stand when addressing the Court or when addressed by the Court.
4. You shall not approach the bench unless permission is obtained from the Judge or if the Judge invites you to do so.
5. You shall not sit on counsel table in the courtroom.
6. You shall comply with the dress code when appearing in the courtroom as the defendant or observer.
7. All cell phones or pagers must be turned off.
8. No candy or gum chewing is allowed.
9. No beverages or eating is allowed in the courtroom.
10. All weapons are banned from the courtroom.
11. It is forbidden for anyone to appear in the courtroom when under the influence of an intoxicating beverage or other illicit drugs.
12. No tobacco products including smokeless tobacco are allowed in the courtroom. Our facilities are tobacco free.

ENTRY PROCESS

Arrest

SB 123

Probation Violation

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Drug Court Team

Legal Screening	Automatic Legal Screening	Legal Screening
30-45 days		1-2 days

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Defense Counsel

Defender Notification Information – Decision		
7-14 days		7 days

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Treatment Provider

Clinical Screening / Diagnosis		
10-14 days		10-14 days

47-73 days

18-23 days

ELIGIBILITY CRITERIA

Offender Criteria	<u>Qualifying</u>	<u>Disqualifying</u>
	Resident of Allen County / 31 st Judicial district 18 or over Drug abuser/dependent	Not a resident Minor

Offense Criteria	<u>Qualifying</u>	<u>Disqualifying</u>
	Felony possession of drugs Non-residential property crimes Intent to sell reduced to possession Recommendation by County Attorney Or Drug Court Team	Weapon use (against person) Felony DUI's Sex offenses Arson Person Crimes (robbery) Manufacturing And/Or Sale Of Drugs

PHASES

Phase I – INITIATE AND BEGIN PROBATION/TREATMENT

Minimum of 30 days.

Requirements to progress to Phase II:

1. Report to the Probation Officer as directed for program orientation and initiation of probation that includes the development of a supervision plan.
2. Report to the drug treatment provider as directed to develop a treatment plan.
3. Document drug treatment plan in your Drug Court Journal.
4. Begin and successfully participate in drug treatment as directed by the treatment provider.
5. Obtain a sponsor approved by your Probation Officer.
6. Report to all required scheduled appointments on time.
7. Submit to a minimum of two random drug tests per week as directed by the Probation Officer and your treatment provider at your own expense.
8. Attend (2) AA/NA meetings per week as ordered by the Court and provide proof of attendance to your Probation Officer and treatment provider.
9. Must comply with condition number 6 of your Conditions of Probation regarding obtaining and maintaining employment and or education/training.
10. Must be alcohol/drug free a minimum of 30 consecutive days.
11. Must be in compliance with the Drug Court rules and requirements.
12. Must follow all recommendations of the Drug Court team.
13. Must attend Drug Court on time as ordered by the Judge.
14. Must comply with all orders of the Judge.
15. Must complete Drug Court Journal assignments.
16. Must complete all sanctions.
17. Abide by a 10:00 p.m. curfew unless changed by the Probation Officer.
18. Must be in compliance with all Conditions of Probation.
19. Recommendation of Drug Court Team for movement to Phase II.

Phase II – RECOVERY/COGNITIVE/BEHAVIORAL PROGRESSION

Minimum of 5 months.

Requirements to progress to Phase III:

1. Update supervision/treatment plan as needed.
2. Attend and successfully participate in drug treatment as directed by the treatment provider. Must demonstrate satisfactory progress toward recovery approved by the Drug Court Team and Judge to be considered for advancement to Phase III.
3. Must document recovery progress in your Drug Court Journal.
4. Report to all required scheduled appointments on time.
5. Submit to random drug tests as directed by the Probation Officer and your treatment provider at your own expense.
6. Attend AA/NA meetings as ordered by the Court and provide proof of attendance to your Probation Officer and treatment provider.
7. Must maintain employment and/or be enrolled in an education/training program in compliance with condition number 6 of your Conditions of Probation.
8. Must be alcohol/drug free a minimum of 180 consecutive days.
9. Must be in compliance with the Drug Court rules and requirements.
10. Must follow all recommendations of the Drug Court team.
11. Must attend Drug Court on time as ordered by the Judge.
12. Must comply with all orders of the Judge.
13. Must complete Drug Court Journal assignments.
14. Must complete all sanctions.
15. Abide by a curfew as directed by the Probation Officer.
16. Must be in compliance with all Conditions of Probation.
17. Recommendation of Drug Court Team for movement to Phase III.

Phase III – COMPLETION OF TREATMENT, AFTERCARE PLAN AND GRADUATION

Up to 6 months.

Requirements:

1. Update supervision/treatment plan as needed.
2. Attend and successfully participate in the completion requirements of drug treatment as directed by the treatment provider. This step must include an Aftercare/Relapse Prevention Plan developed with your treatment provider which shall be submitted to the Judge and Drug Court Team for approval.
3. Document Aftercare/Relapse Prevention Plan in your Drug Court Journal.
4. Report to all required scheduled appointments on time.
5. Submit to random drug tests as directed by the Probation Officer and treatment provider at your own expense.
6. Attend AA/NA meetings as ordered by the Court and provide proof of attendance to your Probation Officer and treatment provider.
7. Maintain employment and/or be enrolled in an education/training program in compliance with condition number 6 of your Conditions of Probation.
8. Must be alcohol/drug free a minimum of 180 consecutive days.
9. Must be in compliance with the Drug Court rules and requirements.
10. Must follow all recommendations of the Drug Court Team.
11. Must attend Drug Court on time as ordered by the Judge.
12. Must comply with all orders of the Judge.
13. All Drug Court Journal assignments completed.
14. Must complete all sanctions.
15. Abide by a curfew as directed by the Probation Officer.
16. Must be in compliance with all Conditions of Probation.
17. Has paid all Court ordered financial assessments.
18. Recommendation of Drug Court Team for graduation.

GRADUATION REQUIREMENTS

When the Drug Court Team determines that all requirements of Drug Court have been successfully completed you are eligible to submit the Drug Court Graduation Application. It is your responsibility to request the application from your Probation Officer. Following approval of your Graduation Application, you must submit, at least two weeks prior to your graduation date, a neatly written or typed essay explaining what you have learned about your personal problems with alcohol/drugs and your goals for the future.

GRADUATION CEREMONY

You will be given the opportunity to speak at the graduation ceremony. If you choose to speak, you are not use any profanity or make any inappropriate comments about anyone or the Drug Court Program. Please limit your speech to 2 – 3 minutes.

NOTE: If your behavior and/or comments at graduation are considered to be inappropriate by the Judge and Drug Court Team you will be denied graduation and you will be subject to further Court action against you.

SANCTIONS

A sanction is a punishment that may be imposed by the Drug Court Judge if you violate any conditions of your probation. Sanctions may be imposed individually or in any combination. Some examples of sanctions are as follows: NOTE: These examples are not all inclusive.

1. Removal from the program.
2. Extension of supervision.
3. Jail time.
4. House arrest/electronic monitoring.
5. Increased attendance to Drug Court sessions.
6. Increased reporting to supervision officer.
7. Require mental health assessment/evaluation/counseling/treatment.
8. Increased treatment requirements.
9. Phase demotion.
10. Impose or increase community service work hours.
11. Impose or increase curfew.
12. Increase drug/alcohol screening.
13. No contact order.
14. Travel restriction.
15. Verbal warning.
16. Loss of privileges, for example, driver's license.
17. Written and/or verbal explanation to the Court and the group with a plan of action to correct the violation(s).
18. An essay writing assignment or daily itineraries.

INCENTIVES

An incentive is a response to successful compliance. Meeting the requirements of this program will be a challenge for you. When you demonstrate that you are working hard to comply with the terms of the Drug Court Program and your Conditions of Supervision, the Judge will, from time to time, at your court hearings, reward you for your efforts. Incentives may include, but are not limited to, the following:

1. Recognition by the Judge.
2. Promotion to the next phase of the program.
3. Certificates of recognition and/or completion.
4. Ceremonies and tokens of progress.
5. Decreased attendance at Drug Court sessions.
6. Reduced level of supervision as per the LSI-R.
7. First to appear in Court.
8. Decrease in drug testing.
9. Less restrictive curfew.
10. Gain or restore privileges.
11. Reduced community service work hours.
12. Modify certain conditions of probation.
13. Ceremony and membership in Alumni Group.
14. Name placed on sobriety and drug free chart.
15. Gas dollars.
16. Reduced treatment requirements.
17. Reduction in court fees.
18. Dismissal or reduction in charges.

THINGS TO KNOW

- LIFE IS DIFFICULT AND NOT ALWAYS FAIR. THIS IS ONE OF THE GREATEST TRUTHS. WHAT MAKES LIFE DIFFICULT IS THAT THE PROCESS OF SOLVING PROBLEMS IS PAINFUL. IF WE LEARN TO SOLVE OUR PROBLEMS INSTEAD OF AVOIDING THEM THEN THEY ARE NO LONGER PROBLEMS. THIS IS HOW WE GROW MENTALLY AND EMOTIONALLY.
- WE MUST ACCEPT RESPONSIBILITY FOR A PROBLEM BEFORE WE CAN SOLVE IT. JUST THE SAME, WE MUST ACCEPT RESPONSIBILITY FOR OUR ACTIONS BEFORE WE CAN MAKE POSITIVE CHANGE IN OUR LIFE. WE CANNOT CHANGE IF WE SAY, “IT’S NOT MY FAULT” OR “IT’S NOT MY PROBLEM” OR “SOMEONE ELSE WILL DO IT FOR ME.”
- YOUR BIGGEST CHALLENGE WILL BE TO ESTABLISH DISCIPLINE AND POSITIVE CHANGE IN YOUR LIFE. DISCIPLINE IS THE BASIC TOOL WE ALL REQUIRE TO SOLVE LIFE’S PROBLEMS. WITHOUT DISCIPLINE WE CAN SOLVE NOTHING.
- SELF-DISCIPLINE IS SELF-CARING.

REALITY

WE ARE MORE POWERFUL THAN THE COMBINED ARMIES OF THE WORLD;

WE HAVE DESTROYED MORE PEOPLE THAN ALL THE WARS OF THE NATION;

WE HAVE CAUSED MILLIONS OF ACCIDENTS AND WRECKED MORE HOMES THAN ALL THE FLOODS, TORNADOES, AND HURRICANES PUT TOGETHER;

WE ARE THE WORLD'S SLICKEST THIEVES. WE STEAL BILLIONS OF DOLLARS EACH YEAR;

WE FIND OUR VICTIMS AMONG THE RICH AND POOR ALIKE, THE YOUNG AND THE OLD, THE STRONG AND THE WEAK;

WE LOOM TO SUCH PROPORTIONS THAT WE CAST A SHADOW OVER EVERY FIELD OF LABOR;

WE ARE RELENTLESS, INSIDIOUS AND UNPREDICTABLE;

WE ARE EVERYWHERE – IN THE HOME, ON THE STREET, IN THE FACTORY, IN THE OFFICE, ON THE SEA AND IN THE AIR;

WE BRING SICKNESS, POVERTY AND DEATH;

WE GIVE NOTHING AND TAKE ALL;

WE ARE YOUR WORST ENEMIES;

WE ARE ALCOHOL AND DRUGS.

ALLEN COUNTY
THIRTY-FIRST JUDICIAL DISTRICT
DRUG COURT PROGRAM
ACKNOWLEDGEMENT

By my signature I acknowledge that I have had explained to me and I have read or have had read to me the Allen County-Thirty-First Judicial District Drug Court Program Handbook. I further acknowledge that I have been provided a copy of the Drug Court Program Handbook.

DEFENDANT

DATE

PROBATION OFFICER

DATE