



**ELLIS COUNTY DRUG COURT
PARTICIPANT HANDBOOK**

Updated May 19, 2021

MISSION STATEMENT

Ellis County Drug Court will strive to reduce recidivism of alcohol and 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.

Ellis County Drug Court uses evidence-based practices in delivering services and works in collaboration with other providers in the community for substance abuse/dependency treatment, mental health treatment and other additional services. By providing these interventions along with judicial oversight the likelihood of recidivism decreases.

WELCOME

Welcome to the Ellis County 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, Intensive Supervision Officer/Case Manager and the Treatment Staff. There will be an approved treatment plan developed specifically for you, and you will be expected to comply with that 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 within the 23rd Judicial District. Some guidelines may vary at the discretion of the Drug Court team. All participants are encouraged to share this handbook with family and friends. Your supportive family and friends are always encouraged and welcome to attend Drug Court sessions with you.

ABOUT 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 with roots deep in society. 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 Ellis County Drug Court Program began as a collaborative effort by the Court, Ellis County Attorney's Office, Northwest Kansas Community Corrections, Court Services Office, Ellis County Sheriff's Department, Hays Police Department, treatment providers, and other concerned community members to address the problem of drug and alcohol dependency. In Kansas, Senate Bill 123 is a law which established a non-prison sanction of certified drug abuse treatment programs for certain offenders sentenced for convictions of felony drug possession. The law also provided for mandatory evaluations and treatment of those so 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 SB123 treatment program. All offenders convicted under the provisions of SB123 and placed on Community Corrections to be supervised by the 23rd Judicial District will be assigned to the Drug Court Program. Non-SB123 offenders may be considered for assignment to Drug Court if the sentencing judge

referred them for evaluation by the Drug Court team and the team agreed to accept the offender into the program.

The Drug Court Team has completed training on their roles within the team. The Ellis County Drug Court follows the Ten Key Components of Drug Courts as outlined by the National Drug Court Association.

The Drug Court team meets for the call of the docket for that week. Unless excused by the Judge, all participants will be required to attend and remain in the courtroom until the end of the session. Prior to the docket call, the treatment team will have met and reviewed each participant's progress.

ROLES OF KEY TEAM MEMBERS

Judge: Oversees participant's progress through regular judicial court hearings, team input and participant behavior. Leads the drug court team in decision-making; holds the participant accountable for his/her progress by use of incentives and sanctions.

Coordinator: Responsible for the daily operation of the drug court program activities. Facilitates case flow, monitors the meeting of goals, objectives, and timelines; provides monitoring and contractual service quality assurance; documents all team meeting information and record keeping.

Prosecutor: Refers and assists in the screening of potential participants to the program. Attends all team staffing and judicial hearings, represents the ongoing public safety perspective in the team in the decision-making process and assures confidentiality requirements are met.

Defense Counsel: Advocates for participant's access to and continued participation in the drug court program; assists in screening of potential participants; assures confidentiality requirements are met; attends all team staffing and judicial hearings.

Intensive Supervision Officer: Provides individual, intensive supervision and a broad range of rehabilitative and case management services. Attends all team staffing and judicial hearings; provides written summaries on participants at staffing; provides the team with updates on any issues that may affect the participants' progress in drug court. Conducts drug testing of participants.

Treatment Provider: Attends all team staffing and provides input on various and appropriate modalities of treatment; provides treatment compliance of participants; prepares individual treatment plans and treatment invoices; and provides weekly group and individual therapy sessions for participants.

Law Enforcement: Attends all team staffing, recommending offenders to drug court when appropriate. Makes recommendations and helps identify supervision and ancillary services needed. Facilitate the swift delivery of bench warrants for participants who have absconded from the program. Acts as a liaison to police agencies, providing education, information and training on the importance of the drug court to community safety.

Case Manager: Attend all team staffing. Assisting participants with tasks such as housing and employment, resume writing, and assistance as needed with life tasks. Reviews applications to advance and shares with the team. Meets with participants after phase advancement to ensure their understanding of the requirements. Coordinates the After Care Program.

TARGET POPULATION

The Ellis County Drug Court targets non-violent, felony offenders, whose criminal activity is assumed to be directly connected to the ongoing or habitual abuse of substances. It is also likely that the client, absent an interruption in their cycle of addiction will continue to commit crimes and re-enter the criminal justice system or have other serious, negative consequences as a result. The Ellis County Drug Court recognizes that substance abuse can contribute to a wide spectrum of criminal activity. Therefore, the program does not limit participation in the program to only drug related offenses.

Typical offenders placed in the Drug Court program will likely have a history hallmarked by prior law enforcement contact, previous exposure to alcohol and drug treatment and a history of relapse in substance abuse. The Ellis County Drug Court aims to target clients who are in need of a more intensive focus on treatment, monitoring and judicial intervention that the program provides. Adult, felony offenders assessed as habitual substance abusers and otherwise deemed appropriate by the Drug Court team will be granted access to the program.

DRUG COURT RULES

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.

Follow all conditions of probation. Failure to comply will result in a sanction or dismissal from the program and a revocation of your probation.

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. If any substance abuse issues arise, increased interventions may be imposed. You must bring your drug court planner with you to all treatment meetings, NA/AA meetings, probation appointments and drug court.

Be on Time.

If you are late for treatment, you will not be allowed to participate and will be considered non-compliant. Contact your ISO if there is a possibility that you may be late.

Wear appropriate clothing.

You must dress appropriately for court. The following is considered inappropriate:

- Clothing bearing drug or alcohol-related themes, promoting or advertising alcohol or drug use
- Clothing with inappropriate language
- Tank tops, spaghetti straps, bare midriffs
- Torn clothing
- Sunglasses, hats and bandanas are not to be worn inside the Courtroom.

- Sagging pants, pants must be around your waist
- No shorts;
- No indication of gang affiliation.

Do not make threats toward other participants or staff or act in a violent manner. Violent or inappropriate behavior will not be tolerated and will be reported to the Court. This behavior may result in a sanction or termination from the Drug Court Program.

Be respectful and courteous of everyone. Do not use profanity or abusive language. No derogatory remarks to staff or others. Failure to comply will result in a sanction or termination from the Drug Court Program and a revocation of your probation.

Attend all scheduled Drug Court sessions. You must attend all court sessions as directed by the Judge or Probation Officer. Please remain in the courtroom until the session has ended unless excused by the Judge.

COURT RULES

1. Punctuality is required.
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 comply with the dress code when appearing in the courtroom.
5. No beverages, candy, gum chewing, or eating is allowed in the courtroom.
6. It is forbidden for anyone to appear in the courtroom when under the influence of an intoxicating beverage or illicit drug.
7. No tobacco products, including smokeless tobacco, are allowed in the courtroom. The courthouse is tobacco free.

Submit to drug and alcohol testing as requested.

You will be tested throughout the entire program by both probation and treatment providers. You will be tested frequently and randomly. Adulterated urine, which may include diluting, tampering, or falsifying, will be considered as a positive test and may result in sanctions or termination from the program. You must submit to drug testing pursuant to the drug and alcohol testing guidelines. The goal of the Drug Court Program

is to help you achieve total abstinence from alcohol and mood-altering substances. Dishonesty concerning use will result in a harsher sanction.

If moved back a phase, you must remain in that phase a minimum of 30 days.

Follow all rules as established by the phases of the program.

Participants must make regular court payments and provide documentation to the Judge when they appear in court.

TERMINATION GROUNDS

If a participant fails to comply with program requirements there will be a system of progressive sanctions applied to motivate the participant to succeed. A participant may be terminated for drug use, new law violation, violence or aggressive behavior in treatment, failure to meet treatment goals, behavior that is disruptive in group or threatens the success of other participants, failure to attend treatment groups or court reviews.

SANCTIONS

A sanction is a punishment that may be imposed by the judge if you violate any conditions of your probation or rules of the Drug Court. Sanctions may be imposed individually or in any combination. Some examples of sanctions are as follows:

1. Removal from the program.
2. Extension of supervision.
3. Revocation of probation.
4. Jail time.
5. House arrest/electronic monitoring.
6. Increased attendance at Drug Court sessions.
7. Increased reporting to supervision officer.
8. Increased treatment requirements.
9. Community service work hours.

10. Impose or increase curfew.
11. Increased drug/alcohol testing and screening.
12. No contact orders.
13. Travel restrictions.
14. Verbal warning.
15. Written and/or verbal explanation to the court and the group with a plan of action to correct the violation(s).
16. An essay writing assignment.

NOTE: These examples are not all inclusive.

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. Gift card incentives.
4. Ceremonies and tokens of progress.
5. Decreased attendance at Drug Court sessions.
6. Reduced level of supervision.
7. Decrease in drug testing.
8. Less restrictive curfew.
9. Enhancement of privileges.
10. Reduced community service work hours.
11. Modification of conditions of probation.
12. Reduced treatment requirements.
13. Reduction of court fees/attorney fees.

PHASES/TRACKS

Phases

Phase I –Acute Stabilization

Length: approximately 60 days with a minimum of 14 consecutive days of clean time to advance

- Develop and follow an individualized treatment plan with treatment provider.
- Follow the rules of probation supervision.
- Develop case plan.
- Random drug testing as required.
- Probation meetings once per week.
- Home visits a minimum of once a month.
- Drug Court bi-weekly.
- Abide by a 9 pm curfew.
- Random surveillance checks.

Requirements to progress to Phase II:

1. Successfully perform all requirements as stated in Phase I
2. Mandatory 14 days of continuous clean time as verified by tests.
3. No sanctions for 14 days.
4. Regular attendance at treatment sessions as directed.
5. Apply for phase advancement and have the recommendation of drug court team for movement to Phase II.

Phase II – Clinical Stabilization

Approximate Length: minimum of 90 days or as needed pursuant to assessment and progress in program.

- Continue to follow recommended treatment plan and engage in plan. Same frequency as Phase I.
- Minimum of 1 AA/NA or other community self-help meetings per week at end of Phase II.
- Random drug testing as required.
- Probation meetings once per week.
- Drug Court bi-weekly.
- Utilize case plan.
- Gain/Maintain approved employment unless otherwise modified by the Court by end of Phase II.
- Begin or continue other specialized services or interventions as assigned by the team.
- Follow rules of probation.
- Abide by a 10 pm curfew.
- Random surveillance checks.
- Mandatory 30 days of clean time verified by testing.
- Seek support networks
- Attend Cognitive Perspectives group therapy.

Requirements to progress to Phase III:

1. Successfully perform all of Phase II requirements
2. Mandatory 30 days of consecutive clean time as verified by testing.
3. No sanctions for 14 days.
4. Continue attending and participating in recommended level of treatment.
5. Apply for phase advancement and have the recommendation of drug court team for movement to Phase III.

Phase III – Pro-Social Habilitation

Length: minimum of 90 days or as needed pursuant to assessment and progress in program.

Requirements:

- Continue to follow recommended treatment plan.
- Attend a minimum of 2 AA/NA or community self-help meetings per week as approved by ISO.
- Random drug testing as required.
- Probation meetings per LSI-R and home visits per needs assessment.
- Drug Court monthly
- Establish pro social activities 1 time per week.
- Be prepared to discuss your progress in the self-help program with the Judge or any team member.
- Maintain approved full-time or equivalent employment unless modified by the Court.
- Abide by a 11 pm curfew.
- Random surveillance checks.
- Mandatory 45 consecutive days of clean time as verified by testing.
- Develop and follow budget approved by the ISO.
- Minimum monthly \$25 payments made towards court costs and fees, unless adjusted by the court.
- Must be current on monthly program fees.
- Attend financial management course unless modified by the Court.

Requirements to progress to Phase IV:

1. Successfully perform all of Phase III requirements
2. Mandatory 45 days of consecutive clean time as verified by testing.
3. No sanctions for 30 days.
4. Continue attending and participating in recommended level of treatment.

5. Apply for phase advancement and have the recommendation of drug court team for movement to Phase IV.

Phase IV –Adaptive Habilitation

Length: minimum of 90 days or as needed pursuant to assessment and progress in program.

- Complete recommended treatment.
- Attend a minimum of 3 AA/NA or community self-help meetings per week as approved by ISO.
- Maintain prosocial activities minimum of 1 time per week.
- Continue to address medical, housing, financial, people and places.
- Random drug testing as required.
- Review case plan.
- Probation meetings per LSI-R
- Drug Court appearances monthly.
- Maintain approved employment unless modified by the Court.
- Assessment of: 1) job vocational training, 2) parenting, 3) family support.
- Abide by an 11 pm curfew.
- Random surveillance checks and UAs.
- Mandatory 60 consecutive days of clean time as verified by testing.
- Minimum monthly payments made towards court costs and fees according to budget.
- Must be current on monthly program fees.

Requirements to progress to Phase V:

1. Successfully perform all of Phase IV requirements.
2. Mandatory 60 days of consecutive clean time as verified by testing.
3. No sanctions for 45 days.

4. Complete recommended level of treatment.
5. Maintain prosocial activity and recovery support, ancillary services.
6. Regular monthly payments made.
7. Apply for phase advancement and have the recommendation of drug court team for movement to Phase V.

Phase V –Continuing Care

Length: minimum of 90 days or as needed pursuant to assessment and progress in program.

- Defendant will create and develop a continuing care plan and review with probation officer.
- Attend a minimum of 3 AA/NA or community self-help meetings per week.
- Maintain prosocial activities 1 time per week.
- Random drug testing as required.
- Probation meetings per LSI-R
- Drug Court appearances as directed by the Judge monthly.
- Maintain approved employment unless modified by the Court.
- Mandatory 120 consecutive days of clean time as verified by testing.
- Completion of all required interventions.
- Recommendation of drug court team to graduate.
- Continue to address employment, ancillary services, medical, housing, financial, people, places.
- Regular monthly payments made.
- Attend one After Care Program meeting in preparation for graduation.

GRADUATION REQUIREMENTS

To be eligible for graduation the participant must:

- Complete requirements of all phases of the program
- Satisfactory completion of all treatment services
- Have no new law violations
- Full time employment and/or involved in an academic program unless modified by the Court
- Be drug and alcohol free for 120 consecutive days with continuous clean drugs tests
- No sanctions for 90 days.
- Develop continuing care plan with treatment provider and probation officer at least two months before graduation (so they can practice following the plan for two months before graduation).
- Maintain prosocial activities.
- Have made effort to make monthly payments towards fines and court costs.
- Following approval of graduation application, the participant must submit a graduation essay at least 2 weeks prior to graduation. This is a neatly written or typed one-page essay that addresses their understanding of personal problems of addiction, criminal thinking, relapse prevention, and plans after graduation.

GRADUATION CEREMONY:

Graduations occur quarterly. It is a very special event. Graduates will be given the opportunity to speak at the commencement ceremony (but do not allow grandstanding). The Judge, treatment provider, Community Corrections and possibly a guest speaker may speak. Invited guests will be recognized. Graduates should dress for a special occasion. Graduates are called up separately and provided with a graduation certificate. Refreshments are provided at the end of the ceremony. Participants will need to be willing to meet with the coordinator a week or so after graduation to complete an exit interview on the program.

-End-