

**FOURTH JUDICIAL DISTRICT
DRUG RECOVERY COURT**

PARTICIPANT HANDBOOK

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Dear Drug Court Participant:

Congratulations on being accepted to participate in the Drug Recovery Court Program. You have chosen to accept an alternative sentence in order to receive help for addiction disorders that have led to criminal charges. If you do not believe you have a problem with drugs or alcohol, or if you do not believe you need help, then this is not where you belong! **This program is not a “get out of jail free” pass.** Many will consider this program harder than incarceration or probation.

The Drug Recovery Court will be working with you as a team. We are committed to providing you with the tools you will need to succeed. This manual is one of those tools. As with any tool, it will only be effective if you use it. If you do not use the tools provided, then you will ultimately fail to complete this program.

The next few pages detail the requirements of this program. Read them closely and be certain you want to participate fully. If you decide to stay with us, you are in for an exciting journey. We look forward to joining you as you travel the road to sobriety. We know you will find a better way to live, one that is well worth the work you will put forth to enter and remain in recovery.

We agree with the truth voiced at the close of many Twelve Step meetings, **“Keep coming back! It works if you work it!”** Drug Court will work for you if you will do the work required!

Again, congratulations and good luck!

The Fourth Judicial District Drug Recovery Court Team

Presiding Judges

Ben W. Hooper, II
Divisions I & III

O. Duane Slone
Division II & IV

Welcome

Welcome to the Fourth Judicial District Drug Recovery Court serving Cocke, Grainger, Jefferson, and Sevier Counties. This handbook is designed to answer your questions, provide overall information about the Drug Recovery Court program, and detail what is expected of you as a Drug Recovery Court Participant. In addition to the handbook, the staff working with Drug Recovery Court will assist you to ensure that you understand what is expected of you.

Mission Statement

The mission of the Fourth Judicial District Drug Recovery Court is to enhance public safety and reduce crime by providing a judicially supervised treatment program and individual case management to drug and alcohol offenders with the goal of improving their quality of life and returning them to our community as drug free, productive, and responsible citizens and family members.

Program Overview/Description

Drug Recovery Court is a four-phase intervention program for adults who have pled guilty to one or more non-violent felonies and who are having difficulty staying clean and sober. The program is a collaborative effort between the Criminal Court, the District Attorney's Office, the Public Defender's Office, the Board of Probation & Parole, Law Enforcement, and the treatment programs. By working together, the Drug Recovery Court seeks to provide a variety of programs along with consistent and intense supervision geared toward guiding and supporting you in your efforts to obtain a drug-free lifestyle.

Drug Recovery Court involves frequent court appearances, random drug testing, and group and/or individual counseling. Participants will be assisted with obtaining education and skills assessments. Referrals for vocational training, educational training, and job placement services will be provided to you. However, **Recovery Comes First**. The Court may reward positive choices and sanction negative choices. Participants who do not comply with the rules may be placed in short-term custody, moved back to a previous phase of the program, or terminated from Drug Recovery Court.

As a participant, you will be expected to work hard to make the positive and necessary changes in your life to avoid future encounters with the criminal justice system. Our goal is to provide you with the tools you need to stay clean, out of jail, and successfully complete the 4th Judicial District Drug Recovery Court. You must do the work. If you are not serious about making the necessary changes, don't set yourself up for failure. Remember, success is **YOUR** choice!

Drug Court Goals

- Enhance public safety
- Reduce substance abuse
- Provide a Judicially supervised regiment of treatment
- Close the “Revolving Door” of addicts in the Criminal Justice System
- Produce sober and clean citizens
- Develop a better understanding in our communities and in the Criminal Justice System of addiction and treatment
- Reduce recidivism therefore lessening the use of the County Jails

Eligibility Criteria

- Acknowledge that you have a drug and/or alcohol dependence/abuse problem
- Be a resident of Cocke, Grainger, Jefferson, or Sevier Counties
- Be willing to adhere to program specifics
- Be charged with a felony involving drug possession charges, drug-related property offenses, DUI, or violation of probation due to drug dependency

Disqualification Criteria

- Prior criminal record that includes a history of violence or sex offense

- Presently charged with Crimes Against a Person, Weapons charges, or Sex Offenses
- Presently charged with a Crime that is required to serve a sentence in TDOC
- Currently have unresolved charges in another jurisdiction
- Currently on probation/parole in another jurisdiction
- Unwilling to adhere to program specifics - **You Must Be Honest!**

This is a program for **non-violent offenders**. The following individuals are **excluded** from participation in the Drug Recovery Court Program:

1. A person charged or convicted of an offense during the course of which:
 - a) The person carried, possessed, or used a firearm or dangerous weapon;
 - b) There occurred the death or serious bodily injury to any person;
 - c) There occurred the use of force against a person without regard to whether any of the circumstances described in subparagraph (a) or (b) is an element of the offense of conduct of which the person is charged or convicted.
2. Have one or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.
3. A person having prior convictions for violent offenses. You can make special application to the Drug Recovery Court Team for consideration under this section. You will be reviewed on a case-by-case basis.

Drug Recovery Court - Team Members

The Fourth Judicial District Drug Recovery Court Team consists of the core members listed below. The Team meets weekly/bi-weekly prior to the court status hearings. At that time the participant's progress in the program is reviewed.

Dandridge Team

- ❖ The Honorable O. Duane Slone, 4th Judicial District Circuit Court Judge
- ❖ The Honorable Ben W. Hooper II, 4th Judicial District Circuit Court Judge
- ❖ Patricia Williams, Program Director
- ❖ Chuck Murphy, Assistant District Attorney General
- ❖ Jeremy Ball, Assistant District Attorney General
- ❖ Ed Miller, Public Defender
- ❖ Keith Haas, Assistant Public Defender
- ❖ Thomas Hollowell, Case Manager/Facilitator
- ❖ Rick Wardroup, State Probation Officer
- ❖ Sheriff Bud McCoig, Jefferson County Sheriff's Dept.

Newport Team

- ❖ The Honorable Ben W. Hooper II, 4th Judicial District Circuit Court Judge
- ❖ The Honorable O. Duane Slone, 4th Judicial District Circuit Court Judge
- ❖ Patricia Williams, Program Director
- ❖ Thomas Hollowell, Case Manager/Facilitator
- ❖ Tonya Thornton, Assistant District Attorney General
- ❖ Keith Haas, Assistant Public Defender
- ❖ Linda Dawson, Community Corrections Officer
- ❖ Mark Sartain, Community Corrections Officer
- ❖ Cheryl Parker, State Probation Officer
- ❖ Maurice Shults, City of Newport Chief of Police

Court Hearings

As a Drug Recovery Court participant, you are required to appear in Drug Recovery Court on a regular basis. The number of times you must appear in court depends upon the phase of the program you are currently in. Court status hearings give you a chance to discuss your progress in the program. Before Drug Recovery Court, the Judge and Drug Recovery Court Team will meet to review and discuss each participant's progress as presented by the Probation/Corrections Officer, Treatment Provider, and Case Manager/Coordinator. The progress report will include information such as your drug testing results, treatment progress, employment, financial obligations, and any other requirements that may have been imposed.

During your hearing, the Judge may ask questions about your progress and discuss any problems you may be having. If you are doing well, you will be rewarded. If you are not doing well, the Judge will discuss this with you and inform you of any sanctions to be imposed or future action necessary to help you remember and achieve your goals in the Drug Recovery Court Program. Failure to appear in court will result in a "capias" being issued for your arrest. Upon arrest, you will be held in jail until you can appear before the Court. Should the Justice Center or Court House be

closed due to bad weather, you are to contact your Drug Recovery Court Case Manager/Coordinator for instructions.

Attendance

Attendance at court sessions, treatment sessions, and AA/NA meetings is **mandatory!** Excused absences are the exception, not the rule. Occasionally, participants are granted excused absences from court, treatment, or other scheduled appointments for the following reasons:

- ❖ Medical emergencies
- ❖ Illness
- ❖ Death of an immediate family member

You must call your case manager/coordinator **prior** to seeking treatment for any severe medical emergency. In addition, you will be required to submit proof of the emergency in order for your absence to be excused. In cases of non-emergency illnesses, you must report first and then, if deemed appropriate, you may be excused. If there is a death of an immediate family member, you must call your case manager or treatment counselor immediately.

Unexcused absences are a violation of the drug court rules and may/will result in sanctions being imposed. Continued violations of attendance may/will result in your being removed from the drug court program.

Leave Requests

You may request leave from your meetings in writing. The Drug Court Team must approve the leave request prior to leave being taken. Conditions of a leave request are as follows:

- ❖ You must attend AA/NA meetings at the place where you are spending your leave unless the Drug Court Team has agreed otherwise.
- ❖ You must have a good reason for the leave request and provide the necessary documentation.
- ❖ You must have approval from the Drug Recovery Court Team before taking the leave.

As a general rule, the Drug Recovery Court will **not** grant leaves during Phase I.

Drug Testing

You will be randomly tested for drugs and alcohol use throughout your entire participation in the Drug Recovery Court Program. Drug tests:

- Will be observed to ensure freedom from errors.
- If you miss a test or refuse a test, it will count as a positive test.
- If you attempt to alter, tamper with, or fake a drug screen, it will count as a positive test.
- If you have a positive test and you deny using any prohibited substance, the sample will be packaged and sent to an approved lab. If the lab report confirms the positive results, the participant will be required to pay for the cost of the lab testing.
- A positive drug test will be reviewed by the Drug Court Team and immediate sanctions will be imposed.

Search and Arrest Requirements

As a participant in Drug Recovery Court, you are required to submit your person, vehicle, and place of residence to search and seizure of narcotics, drugs, or other contraband. These searches can/will be conducted at any time during the day or night, with or without a search warrant, with or without prior notice, and with or without probable cause by any peace officer, probation officer, and/or Drug Recovery Court designee. Participants found in violation of the law will be detained in jail and brought before the Drug Recovery Court.

Confidentiality

State and Federal regulations require that your identity and privacy be protected. In response to these regulations, Drug Recovery Court and the treatment providers have developed policies and procedures that guard your privacy. You will be asked to sign a Consent for Release of Information allowing communication between the Drug Recovery Court Coordinator and other treatment professionals providing service to the Drug Recovery Court.

The purpose of this disclosure is to inform the Court and Drug Recovery Court Team of your eligibility, treatment attendance, prognosis, compliance, and progress in accordance with the Drug Recovery Court program's monitoring criteria. Disclosure of any confidential information may be made only as necessary for hearings and/or reports concerning any pending charges and convictions.

Phases of Drug Court

Drug Recovery Court is a minimum 18 month program that is divided into four phases. A participant must successfully complete each phase before transitioning into the next phase. The Drug Recovery Court Team will determine whether a participant has completed the current phase and is ready to progress to the next phase. Each phase of the program has a key concept or focus. The conditions listed for each phase are minimum standards only. Each participant may have conditions that have been modified by the Drug Recovery Court.

Phase One

Key Concept: Recovery and Responsibility to Self

Phase I is the **Intensive Phase** that is a minimum of 120 days long.

Requirements:

- Attend Drug Recovery Court every other week for status check
 - Report to Drug Recovery Court Staff at least twice a week
 - Submit to at least three random drug screens per week
 - Attend Intensive Outpatient Drug Treatment (IOP) at least 3 times per week
 - Attend at least 3 self-help support groups per week
 - Attend individual and family therapy sessions as scheduled by treatment staff
 - Maintain a curfew of 9:00 pm until 5:00 am (may be modified by Drug Recovery Court for work)
-
- Remain drug/alcohol free for at least 120 days
 - Remain crime free

- Additional requirements may be added by the Drug Recovery Court Team

Advancement Criteria:

- Must have clean drug screens consistently for at least 120 days
- No unexcused absences from scheduled services
- Must have completed all evaluations or assessments required
- Verbal acknowledgment of a desire to learn how to live without mood altering substances

Phase Two

Key Concept: Continuation of Recovery and Responsibility to Self and Others

Phase II is the **Intermediate Phase** that is a minimum of 120 days long.

Requirements:

- Attend Drug Recovery Court every other week for status check
- Report to Drug Recovery Court Staff at least twice a week
- Submit to at least three drug screens per week
- Attend Outpatient Drug Treatment at least once a week
- Attend at least 3 self-help support groups per week
- Attend individual and family therapy sessions as scheduled by treatment staff
- Maintain a curfew of 9:00pm until 5:00 am (may be modified by Drug Recovery Court for work)
- Begin community service work
- Begin efforts to obtain employment or be enrolled in school full-time
- Remain drug/alcohol free for at least 120 days

Advancement Criteria:

- Must have clean drug screens consistently for at least 120 days
- No unexcused absences from scheduled services
- Must set up a payment plan for costs/fines/restitution
- Verbal acknowledgement of the extent of your substance abuse problem and a commitment to become drug free

Phase Three

Key Concept: Maintenance of Recovery Skills and Enhanced Behavioral Skills

Phase III is the **Transition Phase** that is a minimum of 120 days long.

Requirements:

- Attend Drug Recovery Court every other week for status check
- Report to Drug Recovery Court Staff at least twice a week
- Submit to at least two drug screens per week
- Attend at least two self-help support groups per week
- Attend individual and family therapy sessions as scheduled by treatment staff
- Maintain a curfew of 9:00 pm until 5:00 pm (may be modified by Drug Recovery Court for work)
- Working and/or attending school at least part-time
- Remain drug/alcohol free for at least 120 days

Advancement Criteria

- Must have clean drug screens consistently for at least 120 days
- No unexcused absences from scheduled services
- Paying on costs/fines/restitution

Phase Four

Key concept: Reinforce a clean, sober, and legal lifestyle

Phase III is the **Aftercare-Final Phase** that is a minimum of 180 days long.

Requirements:

- Attend Drug Court every other week for status check (may be modified by Drug Recovery Court for work)
- Report to the Drug Recovery Court Staff once a week
- Submit to at least 1 drug screen per week
- Attend at least 2 self-help support groups per week
- Attend individual and family therapy sessions as scheduled by treatment staff
- Maintain a curfew of 11:00pm until 5:00 am (may be modified by Drug Recovery Court for work)
- Continue community service work
- Maintaining employment or school full-time
- Paying on costs/fine/restitution

- Remain drug/alcohol free for at least 180 days

Advancement Criteria:

- Must have clean drug screens consistently for at least 180 days
- Must be able to demonstrate a clear plan for continued recovery
- Must have at least 2 inches of head hair for submission of hair follicle testing
- Must have completed a graduation questionnaire
- Must have completed an interview with the Drug Recovery Court Team

Graduation

After you have successfully completed all four phases and met the Court's requirements, you are eligible to graduate from the Drug Recovery Court Program. Graduation from the Drug Recovery Court Program is a very important event.

You must complete an application for graduation to be reviewed and approved by the Drug Recovery Court Team. You are required to include a copy of your updated relapse-prevention plan with your application. You must have submitted to a hair follicle test if requested to do so. If your graduation application is approved, you will be scheduled to graduate at the next determined time.

At least one week prior to your scheduled graduation, you must complete an exit interview with the Drug Recovery Court Team. The purpose of this interview is to gather information regarding the benefits you have received from your Drug Recovery Court experience and to offer suggestions on how Drug Court might better serve participants in the future.

After graduation you will continue to report to the Drug Recovery Court for weekly aftercare sessions to ensure you are not straying from recovery. After one year, the Judge will review your progress during the aftercare phase and consider releasing you to unsupervised probation for the balance of your sentence. You will maintain periodic contact with the Drug Recovery Court for the second year in order to track any relapse or any new criminal charges.

Drug Recovery Court Program Rules

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

1. Totally abstain from the use of illegal drugs and alcohol. Prescription and over-the-counter medications must be approved.
2. Submit to drug screens as required. You may not refuse or alter a drug screen. Failure to make an appointment for a drug screen will be viewed as a positive screen.
3. Answer all questions asked by the Drug Recovery Court promptly and truthfully.

4. Obtain permission from Drug Recovery Court staff for any curfew extension.
5. Arrive on time for all classes, appointments, groups, including scheduled phone calls.
6. Bring all books, workbooks, journals, and participant handbooks to class, group, and court.
7. Complete all class and module work, workbook assignments, writing assignments, and community service hours on time.
8. Make sure Drug Recovery Court staff is notified immediately of any changes to your address and phone number. Ensure that Drug Recovery Court staff always has the most up-to-date information.
9. Provide documentation of job searches via copies of applications and/or completion of the employment section of the participant handbook.
10. Provide proof of attendance at GED classes as well as results of testing.
11. Provide Drug Recovery Court staff with court regards from hearings such as child support, DCS, or other legal matters.
12. Provide proof of payments for child support, court costs, fines, and restitution.
13. Obtain consent from Drug Recovery Court staff before riding with any other Drug Recovery Court participant.
14. Provide documentation of any medical/mental health appointments, ER visits, medical treatment received, dental appointments, and medications prescribed - immediately.
15. Obtain permission from Drug Recovery Court staff before testing with anyone other than Drug Recovery Court staff. Provide documentation of test results.
16. Inform treating physicians that you are a recovering addict and cannot take any type of narcotic or addictive medications or drugs.
17. Attend court sessions and treatment sessions as scheduled.
18. Do not associate with people who use or possess drugs.
19. Do not commit any violent act or possess any weapons.
20. Unexcused absences from Drug Recovery Court activities are not permitted. All absences must be approved by the Director or Drug Recovery Court staff before the activity. Calling the same day is not adequate unless it is an emergency.
21. Keep the Drug Recovery Court staff, probation officer, and treatment provider informed at all times of your current address and phone number. Moving must be approved in advance and not after the fact.

22. A condition of Drug Recovery Court participation includes a search of your person, property, residence, vehicle, or personal effects at any time. These searches can be with or without a warrant and with or without reasonable cause.
23. Dress appropriately for court, reporting, and treatment sessions.
24. Abide by all rules and regulations imposed by the Drug Recovery Court. Be a law-abiding citizen.

Be Honest and Stay Clean

Incentives and Sanctions

Incentives – Upon the recommendation of the Drug Recovery Court Team, participants may be given incentives for compliant behavior. Incentives may include but are not limited to the following:

- Praise and encouragement
- Recognition and applause from the Judge and others in attendance at Drug Recovery Court
- Extending curfew for a night or weekend
- Candy for participants in attendance and compliance for the week
- Opportunity to draw from fish bowl
- Reduction in required court appearances
- Reduction in number and frequency of drug screens
- Reduction in fines or fees
- Promotion to the next phase
- Certificates

Sanctions – Upon the recommendation of the Drug Recovery Court Team, participants may be sanctioned for non-compliant behavior. Sanctions may include but are not limited to the following:

- Reprimand from the Judge
- Increased curfew and/or house arrest
- Increased number of drug screens
- Increased reporting to your case manager

- Increased treatment intensity and number of 12 step meetings
- Writing and reading aloud in open court essays on topics directed by the Drug Court
- Community service
- Jail time
- Demotion to an earlier phase of the program
- Termination

Violations

The following are **major violations** and will result in **termination** from Drug Recovery Court:

- Selling or dealing narcotics
- Commission of a new crime or engaging in criminal behavior
- Possession of firearms or weapons
- Willful destruction or tampering with electronic monitoring equipment
- Assaulting, threatening, bribing, or extorting of another participant or staff member
- Continued non-compliant behavior resulting in multiple sanctions imposed by Drug Recovery Court

The following is a list of possible **violations** that will result in **sanctions** by the Drug Court:

- Relapse
- Positive drug screens, missing a scheduled drug screen, or altering a drug screen
- Drug testing with anyone besides Drug Recovery Court staff or at any location other than Drug Recovery Court without prior approval
- Curfew violation
- Failure to attend reporting sessions, treatment sessions, court sessions, and/or 12 step meetings

- Failure to submit to searches
- Failure to produce a urine specimen within 2 hours or providing a specimen that was not collected via direct observation by approved personnel
- Failure to be on time for class, groups, therapy sessions, or court
- Missing class, groups, or therapy sessions without prior approval from Drug Court staff
- Failure to personally contact Drug Recovery Court staff regarding tardiness or absence
- Failure to complete assignments on time
- Refusal to actively participate in class, groups, or therapy sessions
- Failure to follow directives given by Drug Recovery Court staff in regard to any area of supervision, treatment, or recovery
- Disruptive behavior in reporting or treatment sessions
- Disobeying Drug Recovery Court orders
- Failure to maintain employment or school attendance
- Failure to submit required documentation
- Altering meeting or treatment documentation
- Sexual misconduct (It is **recommended** that you refrain from entering into a romantic relationship during the first year of recovery. You are **not** allowed to enter into a romantic relationship with anyone affiliated with Drug Recovery Court and its related programs.)
- Obtaining a new tattoo or piercing while in the Drug Recovery Court program
- Visiting at the jails with individuals who are incarcerated without prior approval from Drug Recovery Court staff

Prescription Medications and Over-the-Counter Medications

Prescription Medications

You must agree to discontinue the use of all mood-altering substances, whether illicit, prescribed, or over-the-counter. Such substances include, but are not limited to narcotics, tranquilizers, sedatives, muscle relaxants, stimulants, opiates, opiate-based medications, methadone and/or suboxone, benzodiazepines, herbal supplements, alcohol or alcohol-based products, hallucinogens, amphetamines, cocaine, or any substance that would interfere with the accuracy of a drug screen.

You can obtain medical information forms to present to doctors and dentists prior to medications being prescribed for necessary procedures. This form identifies you as a Drug Recovery Court participant; requests the doctor prescribe non mood-altering medications; and asks the doctor to

enter the names, amounts, and reasons the medication is prescribed. You are to relay this information to your case manager and get approval **prior** to having any prescriptions filled. Consequences for failure to adhere to this policy may include jail time or program termination.

Note: If you are already a Drug Recovery Court participant and a doctor's diagnosis of a medical condition requires mood-altering medication, you will not be allowed to continue in Drug Court and will either be furloughed or discharged from the program.

Over-the-Counter Medications

It is not recommended that you take any over-the-counter medications without **permission** or **prior approval** of your case manager. Many over-the-counter medications will show positive on a drug screen. Your case manager will tell you what medications you may take if you have a cold, headache, or other minor illness.