**BOONE COUNTY DRUG COURT**

**PARTICIPANT HANDBOOK**

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**Mission Statement**

Boone County Drug Court is a participant centered, evidence-based program that strives to support participants in their recovery by providing identified interventions, monitoring and supervision, graduated sanctions and incentives, treatment, and other rehabilitation services. Boone County Drug Court will provide access to support while maintaining public safety in the community.

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**Welcome to Drug Court!**

Welcome to Boone 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 the drug court program by the Judge and comply with the treatment plan developed for you by the drug court team.

This handbook will detail what is expected of you as a drug court participant and review general program information. If you are reading this handbook, it means that you are interested in being accepted into drug court and, based on a look at your history of drug/alcohol use and other encounters with law enforcement, also means that we are confident that drug court will help you to learn how to make successful choices free of the influences of drugs or alcohol.

**Program Overview**

Participation in drug court is voluntary, it is not a right but rather an opportunity for you to change the direction of your life.

Drug court is an 18-24 month program based on 4 phases with an optional 5th phase. Phase 5 will be utilized if you have met all of the requirements given to you throughout the program but still have conditions of your plea agreement to meet prior to completion of drug court (such as restitution, total time needing to be in the program, etc.).

Drug court serves adults (18+) who are Boone County residents that have pled guilty to one or more non-violent offenses and have been determined to have a substance abuse disorder.

Drug Court is a collaborative effort between Boone County Circuit Court, Probation, Community Corrections, Prosecutor’s Office, Public Defender's Office, local law enforcement agencies, Aspire, and Integrative Wellness. By working together, team members 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, 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.

If accepted into drug court, you will be expected to follow a case plan.

**Case Plans**

Case plans are developed between you and your drug court case manager based on assessment results. Your case plan may require some or all of the following: Attending treatment, obtaining and maintaining employment, taking classes, participating in pro-social activities, job training, budgeting, life skills assignments, etc.

You will play a vital role in creating your case plan, but some things may be required of you to advance in the drug court program.

**Drug Court Team**

The drug court Judge has final decision regarding your participation, sanctions, and incentives in the drug court program based on all information given to the Judge by the team. The drug court team consists of the following members:

1. The Judge
2. Prosecutor
3. Defense attorney
4. Case manager
5. Therapeutic agencies (Inwell and Asprie)
6. Local law enforcement officers

Prior to court, the team will meet and familiarize themselves with your progress so they may discuss that progress with you during the drug court session.

Your progress may include drug testing results, attendance at treatment or other court obligations, participation and cooperation in your treatment program, employment, or other requirements that may have been imposed.

**Weekly Court Hearings**

As a drug court participant, you will be required to appear in court on a regular basis. The number of times per month you must appear depends on the phase you are in. Failure to appear to court may result in a failure to appear warrant being issued for your arrest and you may be held in jail until the next drug court session.

While you’re in court, the Judge may ask you questions about your progress and discuss any issues you may be having. If you’re doing well, you may be rewarded with reduced program requirements or, at times, other incentives such as gift cards or Court Cash. If your progress reports show that you’re not doing well, the drug court team will discuss this with you in court 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 reporting to 1-5 days of jail custody.

**Drug Court Phases**

Drug court is a 18-24 month program divided into 4 phases with an optional 5th phase. A participant must successfully complete each phase before transitioning to the next phase. Each phase has a key concept or focus. Participants in all phases will be drug tested and have field contacts.

**Phase I – Stabilization**

In the first phase of drug court, participants will be required to be in Work Release or on Home Detention, attend court every week, see their case manager at least once per week, be drug tested randomly, attend a substance abuse/mental health evaluation, and attend treatment requirements as referred.

In order to advance to the next phase, participants will need to be in the program no less than 90 days, have no more than 3 sanctions within 30 days of applying to move phases, provide a list of network support contacts, have satisfactory attendance with their treatment provider, be in compliance with their case plan, and have identified their financial obligations. Participants must also present a relapse prevention plan to the court the day that they plan on advancing to phase II.

**Phase II – Adulting 101**

In the second phase of drug court, participants will be required to be on Curfew Monitoring, attend court bi-weekly, case management appointments weekly, be drug tested randomly, continue to be involved in their recovery community, follow all treatment recommendations, obtain employment, and begin making payments towards any outstanding financial debt(s).

In order to advance to the next phase, participants will need to be in Phase II no less than 90 days, have no more than 3 sanctions within 30 days of applying to move phases, have satisfactory attendance with treatment provider recommended services, compliance with case plan, employed or pursuing a course of study, current on program fees, and must present a phase advancement application to the court.

**Phase III – Maintain Recovery, Develop Responsibility**

In the third phase of drug court, participants will be on GPS Monitoring only and will be required to attend court bi-weekly, have case management appointments bi-weekly, be randomly drug tested, focus on how to develop and maintain their recovery network and work on other areas of responsibility such as getting a driver’s license, progressing towards obtaining an HSE, and taking care of any financial debt(s) or court ordered obligations.

In order to advance to the next phase, participants will need to be in Phase III no less than 90 days, have over 45 days of recorded sobriety, no more than 2 sanctions within 30 days of applying to move phases, continued compliance with treatment provider recommendations, begin or have recorded attendance at pro-social activities, obtained and maintained stable employment, be current on program fees, and must present a phase advancement application to the court.

**Phase IV – Pre-Graduation**

During this phase, participants will not be on any electronic monitoring. They will be in active recovery, working on relapse prevention skills, focused on responsibilities, compliance with case plan, and involved in their recovery community.

Participants in this phase will be required to attend court monthly, case management monthly, and will continue to have random drug screens.

**Phase V – Alumni Group**

This phase will focus on maintenance of recovery. If participants have an extended sentence and complete 6 months of Phase IV, they may be advanced to an optional Phase V where they have the opportunity to report less frequently and participate in the development and implementation of a Drug Court Alumni Group.

**Confidentiality**

Federal regulations, 42 CFR Part 2, require that your identity and privacy be protected. In response to these regulations, drug court case managers and treatment providers have developed policies and procedures that guard your privacy. You will be asked to sign a Consent for Disclosure of Confidential Information. This disclosure of information is for the sole purpose of monitoring your progress, providing effective interventions, and exchanging information during hearings and case staffings.

**Drug 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. You must totally abstain from the use of illegal drugs and alcohol, and submit to random alcohol and drug testing.
2. As a participant in drug court, you are responsible for what goes into your body that may affect drug test results. You agree to consult with your treating physician about the availability of non-narcotic or addictive medications or drugs as alternatives to any narcotic or addictive drugs which your physician may consider prescribing. You must provide consent to the drug court team for all of your treating physicians which will allow the team to discuss your medications with your physicians. Prior to taking medication of any kind, even non-prescription medication, you agree to check that it is non-narcotic, non-addictive, and contains no alcohol. In the event that your treating physician wishes to treat with narcotics or addictive medications, that fact must be disclosed to the team, a release provided, and you will be required to verify that you are taking those medications as prescribed and for only the duration that is medically necessary.
3. If you are undergoing any medication assisted addiction therapy before entering the program, you must verify to the court that it is therapy while you are in drug court. Your misuse or abuse of prescribed medication, delivery of your medication to others, and/or your failure to take medication as prescribed WILL RESULT IN A SANCTION AND COULD RESULT IN TERMINATION FROM THE PROGRAM. You may not take any over the counter substances that contain alcohol, codeine, and ephedrine. READ LABELS! Any synthetic substance used to replace a narcotic or banned substance is also not allowed without the permission of your drug court case manager and/or drug court Judge. You are advised not consume energy drinks as they may cause a false positive or cause unintentional dilution in your urine drug screens. When in doubt ask your case manager prior to taking any questionable substance.
4. You will not commit another criminal offense.
5. You must attend court sessions, treatment sessions, and case management appointments as scheduled. Attendance is closely monitored and failure to appear may result in a sanction, including a warrant and possible incarceration.
6. You will not associate with people, outside of drug court activities, who use or possess drugs, nor will you be present while drugs or alcohol are being used by others. You will not engage in any romantic relationship with another drug court participant. You will avoid non-familial individuals with felony convictions whenever possible unless that individual is activey engaged in recovery and my case manager is aware of my need to interact with that individual.
7. You will not purchase, own, or have in your possession a firearm or any other weapon while in the drug court program. You will disclose the presence of any weapons possessed by anyone else in your household.
8. Keep the drug court team, case manager, and treatment provider informed of your current address and phone number at all times.
9. You consent to the warrantless search without reasonable suspicion of any place you are visiting or staying, or any location where your personal property may be found. The search may be conducted by any probation officer, field officer, community corrections officer, or law enforcement officer acting on behalf of the drug court. You agree to cooperate with such person or persons.
10. You must follow dress code for all drug court related activities.
11. You must be home by curfew.
12. You must have express permission from the court to travel outside the state of Indiana. Travel requests must be submitted to your case manager and approved by the court.
13. You will abide by any other rules and/or regulations imposed by the drug court team as part of your personal treatment plan.

**Incentives**

Upon the recommendation of the drug court team, participants may be given rewards or incentives for positive behavior such as completing assignments, attending pro social activities, positive participation in treatment classes, moving up a phase, etc.

Common incentives are as follows:

* Praise by the Judge/drug court team
* Gift Cards
* Fast Pass in court
* Court Cash
* Reduced reporting requirements
* Raised Curfew
* Promotion to the next phase
* Certificates of graduation

**Sanctions**

Upon the recommendation of the drug court team, participants may be given sanctions for violation behavior such as curfew violations, failure to appear for appointments, classes, court hearings, and/or urine drug screens (UDS), failure to call for a UDS, not following through with case plan goals or instructions given by case manager, etc.

Common sanctions are as follows:

* Increased supervision
* Written Reports
* Community service work
* Lower curfews
* Increased electronic monitoring supervision
* Jail time

**Termination from Drug Court**

Warrants, new arrests, or a violation of any aspect of your treatment plan may result in your being terminated from the drug court program. Other violations, which could result in termination, include the following:

1. Excessive missing and/or positive drug tests.
2. Alternation or attempted alternation of a drug test (which also can be a new criminal offense).
3. Demonstrating a lack of engagement or progress by failing to cooperate with the case manager or treatment team.
4. Violence or threat of violence directed at treatment staff, other participants of the program, or other clients of treatment 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. Any law enforcement officer who observes a current participant of drug court in any of the following circumstances is authorized to arrest that individual:

1. In violation of any criminal law.
2. Ingesting a controlled substance, marijuana, or alcohol.
3. Being under the influence of a controlled substance, marijuana, or alcoholic beverage.
4. Possessing a controlled substance, marijuana, alcoholic beverage, or drug paraphernalia.
5. Being in the presence of a person in possession of a controlled substance and a reasonable person in a like position would conclude that drugs are present.

Participants detained in jail after arrest will be brought before the drug court Judge for hearing.

**Drug Testing**

You will be drug tested randomly throughout your entire drug court program.

1. Drug tests are conducted at Boone County Community Corrections and may be collected by your treatment provider.
2. Your drug tests will be observed to ensure there is no adulteration of the sample.
3. If you miss a test, it will count as a positive test.
4. If you have a positive test in any drug court phase, the Judge may apply immediate sanctions based on the recommendations from the case manager/treatment provider/staffing team which may include time in jail.
5. You will be assessed a $50.00 drug screen fee for any test sent to the lab for confirmation, regardless of positive or negative results.
6. Denying use after a positive test from the toxicology lab is dishonest and is viewed negatively by the team. It is better to be honest, but if you continue to choose to deny use, staff will submit that test for confirmation. If the confirmation test is positive, you may be assessed an additional fee of $25.00 per confirmed substance.

You may either call or log-in to the drug testing hotline system. Your case manager may also sign you up for automatic daily text messages during your first appointment. It is your responsibility to know your PIN and other information in order to have access to the hotline system 24/7.

If you are told to report, you may report M-F between 8:00 AM – 12:00 PM and 1:00 PM to 3:45 PM for a drug test. If you are told to report on a Saturday or Sunday, you must report the next possible business day.

**Program Fees**

All participants will be assessed a $100 admission fee and a $25 monthly fee beginning the second month of participation. Drug court participants will not be charged for electronic monitoring fees unless they intentionally tamper with their device. Drug court participants will not be charged for any negative drug tests they submit.

All participants will be responsible for paying for any treatment fees by the agency for which they are referred. Case managers will be responsible for helping participants obtain any relevant financial aid they may qualify for, or signing participants up for insurance if applicable.

**Self Help Community**

All participants are required to attend some sort of self-help/support group meetings while in the program. Statistically those with substance abuse disorders who attend support groups and become active in their local recovery community increase their likelihood toward long-term sobriety and success.

As a participant in drug court, you will be required to actively participate in your recovery community. This may include obtaining a sponsor, mentor, or accountability partner to help complete the steps/principles of your chosen recovery community. Attending these meetings will help provide you with the opportunities to develop healthy friendships and supportive relationships while establishing social ties to the sober community and developing positive leisure activities.

**Dress Code**

As a participant in drug court, you will be required to follow the dress code for all drug court events. This includes court, case management appointments, treatment appointments, etc.

Shorts, short skirts, tank tops, ripped pants, sleeveless shirts, saggy pants, any head coverings, shirts with inappropriate materials are not permitted at any time you are present for a drug court function. Failure to follow the dress code may get you turned away from your appointment and you will not get credit for being there.

If you ever have any questions regarding what is appropriate, ask your case manager!

**Graduation**

Upon your successful completion of the treatment court program and satisfaction of all other court requirements (including continued sobriety), you will graduate from drug court. Graduation from drug court is an important event, you may invite family members or close friends to join you at your graduation ceremony as the drug court team congratulates you for successfully completing Phases 1-4 of the program and achieving your goal of establishing a drug-free life. At the time of your graduation, you will receive the benefit of your plea agreement.

**Grievances**

If you have a grievance with a staff member, or if you believe your client rights were violated, you may inform the Coordinator, Katie DeVries, or the Assistant Director of Community Corrections, Ashley McClure, of your complaint. If you believe your grievance was not satisfactorily addressed, you may contact Judge Lori Schein, Boone County Drug Court at 765-482-0530. If you believe your grievance was still not satisfactorily addressed, you may contact the United States District Attorney’s office at 260-422-2595. The results of client rights investigations will be entered in the client’s record and the personnel file of the staff member(s) involved.

**Conclusion**

The goal of Boone County Drug Court is to help you achieve an increased quality of life, free of dependence on mood-altering substances and involvement in the criminal justice system. The Judge, court staff, and drug court team are here to guide and assist you, but the ultimate responsibility is yours. To succeed, you must be motivated to make this commitment to a drug-free life.

**Important Phone Numbers**

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| --- | --- |
| Drug Court Case Manager:  (765) 482-2484 ext. 51 | Drug Testing Call-In Info:  (765) 416-8080  my.averhealth.com |
| Community Corrections Office:  (765) 482-2484  GPS Emergencies:  (765) 894-3498 | Aspire:  (877) 574-1254  Inwell:  (765) 680-0071 |

***One day at a time!***