

# **Bonner County Drug Court Participant Guide**

## **What is Drug Court?**

- Drug Court is a problem solving court that provides a supervised, structured, whole person treatment-based program designed to help you stay clean and sober while making healthy life choices. The Drug Court program is 18 months long.
- The Drug Court team is made up of many professionals: judge, public defender, prosecutor, probation officers, coordinator, doctor, treatment and law enforcement. This team's skills help to guide and support you in your efforts.

## **You are eligible if:**

- You are charged in Bonner County with a serious (usually a felony) drug-related offense.
- You have an alcohol or drug problem.
- You live in Bonner County.
- You have no holds from other jurisdictions.
- You are willing to participate in an intensive treatment program.
- The substance abuse evaluation and level of services inventory assessment indicate you meet the requirements for the program.
- The prosecutor, defense counsel and you, the potential participant all agree to your participation in Drug Court.
- A condition of entering Drug Court is that you plead guilty.

## **You are not eligible if:**

- You have been convicted of a sex offense.
- You have other pending felony charges which have not been incorporated into your Drug Court offense.

## **How does Bonner County Drug Court Work?**

Once you have decided to plead guilty to a criminal charge, you may discuss the advantages and consequences of entering the Drug Court program with your defense counsel who may submit a referral to Drug Court on your behalf. You must then complete an intake with the coordinator, obtain a substance abuse evaluation, complete the presentence investigation and be sentenced.

If you are deemed eligible for Drug Court, your defense counsel will be notified and the Drug Court team's recommendation will be forwarded to the sentencing judge. If you are deemed not eligible for Drug Court, your defense counsel and the prosecutor might make other arrangements or your case will proceed through the regular court process. You may be required to serve some jail time before entering the program. You will sign an agreement to participate in the program and abide by its rules and regulations. Upon successful completion of the program and completion of probation, your defense counsel may petition the court to reduce or dismiss your charge, as provided by applicable statutes.

Immediately upon entry into the Drug Court program, you will be assigned a drug test number will be required to call the Drug Court office every morning between 6-7 am to see if you are required to test that day. If you fail to test, it is considered a positive test resulting in consequences. If you test positive, you may be taken into custody immediately until further order of the Court.

You will be required to attend Drug Court on the first and third Tuesday of each month. Court is scheduled from 5-7 pm.

Positive progress will be rewarded with incentives and rewards. Relapses, non-productive or unacceptable behavior may result in sanctions. As a result of relapses or other reasons, you may be required to wear monitoring devices **at your own expense**. You are required to remain current on your Drug Court fees and cost of supervision fees.

Participation in Drug Court is a condition of your probation and you will continue to be monitored by your probation officer. You are also required to maintain contact with the program coordinator to report any changes to your residence, employment, medical conditions, prescribed medication, phone numbers or concerns within 48 hrs of a change.

There are 4 phases that each person must complete. As a participant you will actively participate in a variety of outpatient activities including group and individual therapy, self-help support groups such as AA/NA or Celebrate Recovery. Additional beneficial programs may include vocational training, parenting or family groups, life skills, anger management and community service. If you have not obtained your GED, you may be required to do so. Participants must have 6 months of abstinence and 6 months of full time employment prior to graduating unless disabled or excused. If you fail to meet these requirements, your time in the program will be extended to meet them.

When you have successfully completed the program and all treatment requirements, you will graduate. The time frame varies and will be determined by the Drug Court Team. Family, friends, employers, counselors, and sponsors are welcome to come to court and share in this joyous and life-affirming occasion. There will be a commencement ceremony in which you will receive a certificate demonstrating your completion of Drug Court and the accomplishment of beginning a drug-free life. Your attorney may then petition the court to arrange for a hearing to reduce or dismiss your charge.

## **The Four Drug Court Phases**

### **Phase One: (Early Recovery) approximately 4-6 months**

- Appear in Drug Court on the first and third Tuesday of every month.
- Attend all groups and counseling sessions as scheduled. Complete homework assignments, participate in discussions and provide positive feedback to other participants.
- Participate in random drug testing at the courthouse M-F and at the jail on weekends and holidays. Testing 7 days a week at the jail must be approved by the Drug Court team.
- Attend at least 2 AA or NA meeting per week and provide proof at each Drug Court session. During the first 90 days attend 4 Drug Court Support Group meetings.

- Secure a job. If you are not employed, you will be required to put in 3-4 applications a week and/or attend vocational workshops and/or complete employment training. You will be required to complete 20 hours of community service for each week you are unemployed.
- Stay current on Drug Court fees. Make regular payments on any electronic monitoring device required and on any advances you are given for housing, license reinstatement fees etc.

**Phase Two: (Decision Making) approximately 4-6 months**

- Appear in Drug Court on the first and third Tuesday of every month and be ready to discuss your progress, accomplishments and challenges with the Judge.
- Attend all counseling groups and individual sessions as scheduled. Demonstrate participation through completed homework, defined goals, and involvement in helping others.
- Regular participation in random drug testing at the courthouse M-F and at the jail on weekends and holidays. No positive or missed tests.
- Attend at least 2 AA or NA meetings per week and provide proof at each Drug Court session of attendance.
- Maintain at least part time employment and actively participate in career development activities.
- Stay current on Drug Court fees. Make regular payments on any electronic monitoring device required and on advances you are given for housing, license reinstatement fees etc.

**Phase Three: (Stabilization) approximately 4-6 months**

- Appear in Drug Court on the first and third Tuesday of every month and be ready to share with the Judge employment details/recognition/accomplishments, new opportunities or hopes for relationships or family reunification.
- Participation in random drug testing at the courthouse M-F and at the jail on weekends and holidays. No positive or missed tests. If you are working full time a permanent alternative testing site may be approved by the Drug Court team.
- Attend 2 AA or NA meeting per week and provide verification at each Drug Court session.
- Maintain part time or full time employment.
- Current on Drug Court fees or paid ahead. Balances on electronic monitoring devices significantly paid down. Payments on advances for housing, license reinstatement fees etc. regularly made.

**Phase Four: (Maintenance) approximately 2-4 months**

- Required to appear in Drug Court at least once a month but welcome 2 times a month. Share with the Judge details of progress in employment, housing and family reconciliation.

- Complete all treatment requirements.
- Continue to test on a random system. No positive or missed tests.
- Attend 2 support groups per week and submit verification of attendance.
- Current on Drug Court fees and electronic monitoring cost paid in full as well as housing and license advances.
- Be recommended for graduation by all Drug Court team members based on successful completion of Drug Court requirements.

## **Courtroom Behavior**

You are expected to maintain appropriate behavior at all times in the courtroom and the courthouse. This includes:

- No talking or outbursts in the courtroom.
- No sleeping in the courtroom.
- No eating or drinking in the courtroom.
- No smoking in the courthouse to include e-cigarettes or chewing tobacco.
- No hats.
- No gum chewing.
- Be on time and do not leave during the hearing except to use the restroom (emergencies only). You are expected to have used the restroom prior to the court session starting.
- Cell phones must be turned off or they will be confiscated.
- No text communication during the court session.
- Appropriate modest dress is necessary. Shoes and shirts are required. Baggy pants, hats, shorts, sunglasses, tank-tops as well as shirts exposing your midriff are not allowed. You are expected to maintain appropriate grooming and personal hygiene. If you are attending court straight from work and your work clothes will be soiled, keep a fresh change of clothes with you and change into them prior to court.

## **Frequently Asked Questions**

### **1. What are the rewards and incentives?**

The most compelling incentive is that you will maintain your liberty by not being incarcerated. As you work through the program, you will be rewarded for maintaining sobriety, actively participating in treatment and for having a positive influence in our community. Some of the rewards you may receive are candy bars, miscellaneous prizes from our raffle (donated by members of our community), gift cards, food vouchers, gift baskets, movie tickets and coupons for free or discounted goods and services from area retailers. More importantly, you may receive a reduction in your sentence, fine and/or community service hours or an early release from the program for exemplary conduct throughout your program. You may also be eligible for special restricted Drug Court driving privileges.

## **2. What if I have a serious medical condition?**

In general, if you have a serious medical condition you will not be excluded from Drug Court. You must be willing to fully disclose your condition and medical care to the treatment providers and Drug Court Team. Although we can be flexible and may be able to work around your condition, you must be able to engage in and complete treatment.

## **3. Can I use prescription medications?**

If your doctor prescribes medication, you must bring in the prescription to your probation officer as well as the drug testing facility. While in Drug Court, you must use ONE doctor, ONE dentist, and ONE pharmacy. You are also required to notify medical professionals of your addiction and request non-narcotic pain medications when a prescription is being recommended. If the medical professional feels that ONLY a narcotic pain killer will work and prescribes for a short period of time, you are required to get a written note from the professional (with the professional's name clearly written) indicating such. If you are taking a narcotic pain killer regularly, you will not be able to participate in drug court.

## **4. What if I relapse?**

If you relapse during this program that means you have more work to do. Sanctions may be imposed. It does not necessarily mean, however, that you will be terminated from the program. The Drug Court Team understands that addiction is a devastating disease which consumes you. All we ask is that you are honest and tell us if it happens. That way the team can make sure the program is fitting your needs, or determine if you need something different or something more.

## **5. What are grounds for termination?**

You will be terminated from Drug Court if you do not comply with treatment. Although a relapse is not absolute grounds for termination, a continual inability to meet your treatment goals will result in expulsion. There are several grounds for possible termination. These include but are not limited to:

- > Possession of alcohol, drugs, or paraphernalia at your residence, in your car, or on your person.
- > Repeated positive urinalysis/breath/oral/hair/analysis tests (failure to submit to a test is considered a positive test).
- > Attending a treatment group under the influence or failing to attend treatment as required.
- > Possession of a weapon in your residence, car, or on your person.
- > New charges, especially violent or sexual crimes.
- > Corrupting or negatively influencing another Drug Court member.
- > Tampering with a UA sample, using the urine of someone else for your own, or allowing someone else to use your urine for their sample.
- > Any instance necessitating the issuance of a bench warrant.
- > Non-compliance with program rules and regulations, court orders, or probation directives.

> Dishonesty with the Drug Court Team.

**6. What does Drug Court Cost?**

If admitted into Drug Court on a misdemeanor charge, you will be required to pay the cost of supervision, not to exceed \$25.00 per month. If you are admitted on a felony charge, you will be required to pay \$15.00 per month for cost of supervision. In addition, you will be required to pay \$45.00 per month in Drug Court participation fees. In addition you may be required to pay, all or a part of the cost of an interlock, scam, sobriety or other electronic monitoring devices.

**7. What happens if I am terminated from Drug Court?**

Your case will be referred to the assigned District or Magistrate Judge for further disposition.