

**8th Judicial District Community Corrections
Geary County Drug Court**

Manual



*Building Today's Foundation for
Tomorrow's Success*

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Community Corrections
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I. Mission Statement

Geary 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.

II. Introduction

The Geary County Drug Court Program is a court that is designed to manage cases involving non-violent drug offenders. The program will be a court-supervised, comprehensive program for select chemically dependent defendants. The Drug Court concept was based on a program established in Miami, Florida in 1989, with the goal of reducing both substance abuse and criminal behavior.

Drug Courts are established by a team approach between the criminal justice system and the drug treatment organizations. This partnership structures treatment intervention around the influence and personal involvement of a single Drug Court Judge. The Judge and a dedicated team of professionals work together toward a similar goal of stopping the cycle of drug abuse and criminal behavior.

Unique problems and opportunities may arise while working with criminal offenders using drugs, therefore treatment and rehabilitation strategies must recognize:

- Relapse and periodic advancements are part of recovery, therefore, progressive sanctions and incentives must be integral to the Drug Court strategy.
- The addiction to alcohol and drugs is usually accompanied by other serious problems that threaten rehabilitation, so treatment will need to include other services and resources such as educational and vocational assessment.
- Treatment for addiction to drugs and alcohol must be long-term and comprehensive.
- Communication is key to assuring offenders accountability and success. Court supervision must be highly coordinated and comprehensive.
- Addicts are most vulnerable to successful intervention when they are in the crisis of initial arrest and incarceration, so intervention must be immediate and up-front.

Goals of the Geary County Drug Court Program

1. Assist participants in the Drug Court Program to stop the cycle of chemical dependency and addiction.
2. Increase community safety by reducing drug and alcohol related crimes.
3. Offer sanctions, rewards, and treatment programming that are effective.
4. Assure Drug Court participants begin the program as soon as possible.
5. Assist participants in obtaining their education and in gaining/maintaining employment.
6. Increase family stability and improve interpersonal relationships.
7. Assure Drug Court participants make appropriate contributions to all Court related costs.
8. Provide resources to participants to ensure continued progress both during and after completion of program.

III. KEY COMPONENTS OF A DRUG COURT PROGRAM

- A. Drug Courts integrate alcohol and other drug treatment services with criminal justice system case processing.
- B. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting each participant's due process rights.
- C. Eligible participants are identified early and are promptly placed in the drug court program.
- D. Drug Courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.
- E. Abstinence is monitored by frequent alcohol and drug testing.
- F. A coordinated strategy governs drug court responses to participants' compliance.
- G. Ongoing judicial interaction with each drug court participant is essential.
- H. Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
- I. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
- J. Forming partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.

IV. THE DRUG COURT TREATMENT TEAM MEMBERS

- Drug Court Judge
- Drug Court Coordinator
- Intensive Supervision Officer(s)
- Law Enforcement Representatives
- County Attorney's Representative
- Treatment Providers
- Health Department Representative
- Court Services Representative
- Defense Counsel

Roles and Responsibilities of Drug Court Treatment Team

Judge:

- Provide explanation of program requirements
- Impose appropriate sanctions and incentives
- Communicate and work with treatment team
- Review progress of treatment and address it directly with participant in Court, considering the recommendations of the treatment team.
- Preside over termination proceedings
- Ensure compliance with drug court program rules by participants
- Grant final decision in outcome of participant's progress or termination

Drug Court Coordinator/ISO/Probation Officer(s):

- Evaluate potential participants for eligibility
- Conduct assessment and intake
- Verify & Monitor compliance of participant with the program and treatment requirements
- Collect all relevant information and distribute at treatment team meetings
- Review policies and practices and monitor need for changes
- Facilitate team/staff meetings
- Set agenda for meetings
- Community liaison
- Gather data for evaluator
- Supervise day-to-day operations
- Maintain a confidential file on each participant
- Case management and community supervision of each participant
- Referral to community resources
- Drug and Alcohol testing
- Home/School/Employment visits
- Collateral Contacts
- Monitor and encourage participant's compliance with the program
- Imposition of sanctions and rewards
- Attend treatment team meetings and drug court
- Coordinate with law enforcement

Senate Bill 123 Certified Treatment Providers:

- Assessment and referral as needed
- Use strength-based methodology
- Update team members on progress of participants in a timely fashion
- Establish rapport with participant
- Maintain confidentiality protection
- Ensure signing of all confidential releases required for communication with Drug Court Team
- Provide group and individual sessions for participants
- Coordinate/Advocate for pro-social activities

Law Enforcement:

- Partner with community agencies to achieve drug court goals
- Provide possible referrals for drug court program
- Assist probation officer in home visits and checks on participants
- Community policing (officers will get to know participants)
- Attend meetings as needed

- Comply with grant/state regulations
- Notify the Treatment team of violations committed by participants
- Escort incarcerated participants to and from Drug Court proceedings and supervises them during proceedings

County Attorney:

- Review potential participants for eligibility
- Make referrals to Drug Court
- Maintain a non-adversarial role during Court proceedings
- Ensure compliance with State law
- Actively participate in staffing when necessary
- Negotiate and complete plea agreements on behalf of the State
- Recommend appropriate sanctions and incentives
- Educate peer professionals on effectiveness of program and changes in state laws that affect the program
- Community advocate for effectiveness of the program
- Make recommendations for sentencing at revocation if the participant is terminated from the program

Defense Attorney:

- Attend team meetings as necessary
- Review pros and cons with potential participants before entering the Drug Court program
- Review cases for potential legal issues
- Discuss resolution of case with District Attorney before entering the drug court
- Remain accessible to participant
- Advocate for fair process
- Provide representation for the participant in termination proceedings if eligible

V. ELIGIBILITY STANDARDS

Potential candidates meeting the following criteria will be considered for admission to the Geary County Drug Court Program:

- Adult offenders
- Geary County resident
- Convicted in the 8th Judicial District for a drug possession, not including: manufacturing, drug trafficking or drug possession with intent to sell offenses; All other drug-related convictions will be reviewed on case-by-case basis
- A history of drug or substance dependency
- Physically able to participate in treatment

- Resolution of pending felony charges
- No documented history of violent felonies or domestic abuse
- No history of violent behavior
- No severe untreated psychological problems
- Viable chance of recovery and least risk to public safety
- Must sign all releases requested of the Probation and the Drug Court

VI. INTAKE

The Geary County District Court at sentencing will place participants into the Drug Court Program. Participants will initially meet with the Geary County Drug Court Coordinator to submit all necessary information to begin the program. The information will be reviewed with the Drug Court Team at the next available Drug Court Team Meeting.

VII. DRUG COURT PROCEEDINGS

The Drug Court calendar is a priority and will be a specialized, separate court, operating on a weekly basis and dedicated to the assessment, treatment, and supervision of eligible candidates. The treatment team will meet each Wednesday, prior to court at 1:00 pm. The Drug Court Team will staff Drug Court participants and advise the Drug Court Judge of the successful progress or any violation(s). Drug Court shall be held in the Geary County Courthouse on Wednesday at 2:00 pm. During the Drug Court hearing, the Judge will discuss each case with the participant and grant sanctions and rewards as deemed appropriate by the Team.

Other individuals, including family and sponsors who wish to observe Drug Court proceedings, must obtain prior approval from the Drug Court Team. Those individuals present in the courtroom may observe but not participate in proceedings. Individuals wishing to provide input to the Team are encouraged to communicate in writing via the Drug Court Coordinator. Drug Court participants are expected to remain in Court until **all** participants have gone before the Drug Court Judge, unless they have prior approval from the Judge or Drug Court Coordinator.

VIII. CONFIDENTIALITY

Drug Court participants will be required to sign a release of information authorizing the exchange of mental health, criminal, employment, and educational records. Participants will sign the waiver of confidentiality during the initial visit with the Drug Court Coordinator and it will be updated as necessary. Failure to sign a waiver of confidentiality will result in rejection into or termination from the program, as this is a mandatory condition of supervision for Drug Court participants.

IX. TREATMENT AND TESTING

The Geary County Drug Court Program shall consist of three phases. The first phase will be the assessment and primary treatment phase and will be a minimum of 30 days and a maximum of 90 days. Phase II will be a minimum of 6 months and a maximum of 12 months. Phase III will last up to 6 months. The Drug Court Team, upon recommendation of the treatment counselor and probation officer/coordinator will determine when promotion to a higher phase is appropriate.

A critical component of successful Drug Court participation involves intensive supervision and random testing to determine compliance with the rules of Drug Court Program. The frequency of the random tests will be determined by the phase each participant is in and is subject to change based on violations and the recommendation of the treatment team. If a test returns positive and the participant requests a confirmation test be done, the participant will be required to pay for the lab fees. If the lab results return negative, the money will be refunded to the participant

Note: Drug Court Program is a minimum of 13 months and a maximum of 18 months.

X. PHASE I- ASSESSMENT AND PRIMARY TREATMENT PHASE

The **minimum** requirements for successful completion of phase I are:

- Successful participation of program phase for minimum of one month
- 30 consecutive days of total abstinence from the use of drugs and alcohol
- The initial assessment will be done and will be staffed with the entire treatment team
- Develop and individualized treatment plan
- Begin treatment
- Individual counseling as needed (must be documented)
- Group therapy three to four hours per week
- 2 AA/NA meetings per week (must be documented)
- Call in daily for UA instructions and submit to testing as directed
- Probation meetings twice a week or as instructed after LSI'R completed
- Follow recommendations as determined by the Drug Court Team
- Obtain a sober sponsor
- Drug Court appearances weekly
- Comply with orders by the Judge
- Comply with rules of probation
- Be current with all Court related financial obligations
- Gain/Maintain full time employment and/or educational pursuits
- Recommendation of treatment team for movement to Phase II

XI. PHASE II – TREATMENT PHASE

The **minimum** requirements for successful completion of Phase II are:

- Successful participation of program phase for a minimum of 6 months
- 180 additional consecutive days of total abstinence from the use of drugs and alcohol
- Treatment plan will be updated
- Individual counseling as needed
- Group therapy two hours per week (must be documented)
- 2 AA/NA meetings per week (must be documented)
- Call in daily for UA instructions and submit to testing as directed
- Probation meetings per LSI'R level
- Drug Court appearances every 2-6 weeks. This will be determined by each participant's progress
- Follow all other recommendations as determined by the Drug Court Team
- Comply with any orders by judge
- Comply with rules of probation
- Be current with all Court related financial obligations
- Have a payment plan for all other financial obligations and show responsibility towards complying with that plan
- Have a sober sponsor
- Maintain full time employment and/or educational pursuit
- Recommendation of treatment team for movement to Phase III

XII. PHASE III – CONTINUING CARE AND GRADUATION

The **minimum** requirements for successful completion of Phase III are:

- Successful participation of program phase for minimum of 6 months
- Be current with all Court related financial obligations
- Continued sobriety
- Completion of treatment and aftercare
- Individual counseling as needed
- Group therapy two hours per week (must be documented)
- 2 AA/NA meetings per week
- Call in for UA instructions and submit to testing as directed
- Probation meetings per LSI'R
- Drug Court appearances every 1 to 2 months
- Maintain full time employment and/or educational pursuits
- Graduation

XIII. GRADUATION

Upon successful completion of all three phases, including the payment of all assessed fees, the participant will need to request an application of graduation from the Drug Court Coordinator. A checklist will be completed by the Drug Court Coordinator to ensure

graduation is suitable. The application should be completed a minimum of six weeks before the anticipated graduation. The treatment team will review the application, and the treatment team shall declare the Drug Court participant a graduate of the Drug Court Program. The graduation ceremony will be a celebration of completing all established guidelines as listed below:

- Participate in program at least 13 months
- Acceptable level of sobriety (to include no positive drug tests, including missed or tampered tests)
- Maintain consistent employment or sufficiently be involved in a vocational/educational training program
- No unexcused absences from Drug Court or other mandatory programming
- Achieve stable living arrangements and healthy interpersonal relationships
- Achieve understanding of personal problems of addiction and relapse prevention as demonstrated through a written graduation application
- Accomplishment of goals stated in individuals treatment plan or positive progress toward appropriate long-term life goals.
- Proof of attendance at all other events required by the Drug Court Team
- Completion of community service work
- Be paid in full on all Court related financial obligations
- Approval of application for graduation by the Drug Court Team

XIV. REWARDS

Reward – A reward is an acknowledgement by the Drug Court Team that participants have accomplished a specific goal.

Why Rewards are given? – It is important to recognize achievements and progress in some way. Receiving rewards help participants build self-esteem, provides motivation, as well as, encourages continue progress.

Are rewards the same for all participants? – No. There are several possible rewards that can be received by participants in the program for their achievements. The Drug Court Team decides which reward is the most appropriate for each case.

XV. VIOLATIONS AND SANCTIONS

Recognition of progress is very important, however, it is also important to respond promptly to negative behaviors. Imposition of sanctions and consequences for non-compliance of Drug Court conditions will ensure participants learn that immediate consequences will occur for failure to comply with conditions. The objective is to not only encourage participants to continue working through the recovery and treatment process but to also hold them accountable for their actions.

Violation – a negative action that is in breach of the conditions of supervision or rules of the Drug Court Program.

Sanction– a punishment in response to a violation. The seriousness of the violation determines the consequence imposed. Not only are more severe consequences imposed for more serious violations, but also, if violations continue to accumulate, the consequences become more severe.

Any violation of the rules of the program or conditions of supervision will result in the immediate imposition of sanctions, as determined by the Drug Court Judge and/or treatment team. The Team may also individualize sanctions as deemed appropriate.

Sanctions may include but are not limited to:

- Written essays
- Modification of conditions
- Fine
- Increase urine/alcohol-testing
- Increase support meetings
- Increased supervision
- Community service work
- Phase reduction
- Make up treatment
- Team interventions
- Increase group participation
- Journaling
- Change of outpatient treatment site
- Written letter of apology
- Warrant issued
- Verbal Warning
- Curfew
- Decrease in privileges
- Take away driving privileges
- Jail/Job search
- Inpatient treatment participation
- Extension/Revocation of probation

**Any time served as a sanction for the drug court program
DOES NOT count toward credit for time served on
sentence.**

VIOLATION	SANCTION
Positive Drug/Alcohol Test	
1 st offense	<ul style="list-style-type: none"> • Serve 48 hours in Geary County Jail • One page report presented to Drug Court and follow recommendations of the Drug Court Team • Complete 8 hours of community service work by the following Drug Court date
2 nd offense	<ul style="list-style-type: none"> • Serve (2) 48 hours in Geary County Jail • Daily drug testing for one week at clients expense • 6 p.m. curfew • Follow recommendations of Drug Court Team
3 rd offense	<ul style="list-style-type: none"> • Serve 7 days in Geary County Jail • Daily drug testing for one week at clients expense • 24 hour curfew • Daily reporting for 30 days • Follow recommendations of the Drug Court Team
4 th offense	<ul style="list-style-type: none"> • Possible termination for the program
Tampered Urine Sample	
1 st offense	<ul style="list-style-type: none"> • Serve 48 hours in Geary County Jail • Increase testing at the expense of offender
2 nd offense	<ul style="list-style-type: none"> • Possible termination for the program
Unemployed	
First two weeks	<ul style="list-style-type: none"> • Complete 3 applications per day • Spend a minimum of one hour per day at the Workforce Center working on resume, interview, and cover letter assistance
Each week thereafter	<ul style="list-style-type: none"> • Daily reporting • Complete 3 applications per day <ul style="list-style-type: none"> • Spend a minimum of one hour per day at the Workforce Center working on resume, interview, and cover letter assistance • 20 hours of community service work per week at the discretion of the Drug Court Team.
Failure to report to Drug Court	

1st offense	<ul style="list-style-type: none"> • Warrant issued • Complete 10 hours of community service work before next Drug Court date • Phase Reduction • 3 page report on strengths of Drug Courts
2nd offense	<ul style="list-style-type: none"> • Removal from Drug Court Program
Missed appointments with probation officer on a random basis	
1st offense	<ul style="list-style-type: none"> • Verbal Warning
2nd offense	<ul style="list-style-type: none"> • Increased supervision
3rd offense	<ul style="list-style-type: none"> • Curfew
4th offense	<ul style="list-style-type: none"> • Phase Reduction
5th offense	<ul style="list-style-type: none"> • Drug Court Team decision
Missed Treatment	
1st offense	<ul style="list-style-type: none"> • Make up treatment
2nd offense	<ul style="list-style-type: none"> • Increased treatment if Drug Court team deems necessary
3rd offense	<ul style="list-style-type: none"> • Presentation for Drug Court on Drug Court Teams choice
4th offense	<ul style="list-style-type: none"> • Phase Reduction
5th offense	<ul style="list-style-type: none"> • Serve 48 hours in Geary County Jail
Inappropriate Behavior in Treatment	
1st offense	<ul style="list-style-type: none"> • Written letter of apology, approved by ISO
2nd offense	<ul style="list-style-type: none"> • Community Service Work before next Drug Court appearance
3rd offense	<ul style="list-style-type: none"> • Possible termination from program
Failure to Complete Residential Treatment	
1st offense	<ul style="list-style-type: none"> • Warrant issued • Returned to treatment if Drug Court team finds it necessary
2nd offense	<ul style="list-style-type: none"> • Geary County Jail / Termination from program

Forged Drug Court Planner

1st offense	<ul style="list-style-type: none"> • Phase reduction • Make up treatment • Increase participation • 48 hours in Geary County Jail
2nd offense	<ul style="list-style-type: none"> • Removal from Drug Court Program
New arrest	
1st offense	<ul style="list-style-type: none"> • Possible removal from Drug Court program based on seriousness of offense
Abscond Probation	
1st offense	<ul style="list-style-type: none"> • If an offender misses two Drug Court appearances in a row an offender will be removed from the Drug Court Program and a Motion to Revoke Probation will be filed.
Minor Violations of Drug Court	
1st offense	<ul style="list-style-type: none"> • Presentation to Drug Court on Drug Court Team's choice
2nd offense	<ul style="list-style-type: none"> • Curfew
3rd offense	<ul style="list-style-type: none"> • Daily reporting and additional community service work before next Drug Court appearance
4th offense	<ul style="list-style-type: none"> • Phase reduction

XVI. DRESS CODE and OTHER REGULATIONS

Participants are required to follow the following rules in the courtroom and/or probation office:

1. Shorts or short skirts (above the knee) are **NOT** allowed in the courtroom or probation office.
2. Revealing shirts, tank style shirts and tube tops are **NOT** allowed in the courtroom or probation office.
3. Baggy pants are NOT allowed in the courtroom or probation office.
4. All undergarments must be worn including underwear and bras.
5. Caps, hats, or bandanas of any kind may not be worn in the courtroom or probation office.
6. Appropriate footwear does not include slippers, house shoes, wheelies or flip flops.
7. Purses, handbags and/or backpacks are not allowed in the courtroom or probation office.
8. No food or beverages (including gum and candy) are allowed in the courtroom or probation office.
9. Visitors may only attend a drug court session if they have obtained prior approval from the Drug Court Coordinator and have signed a confidentiality agreement.
10. No weapons, of any kind, are allowed in the courtroom or probation office.
11. No cell phones or pagers are allowed in the courtroom. In the probation office, cell phones and pagers must be turned off, not just silenced.
12. Clothing bearing drug or alcohol related themes, promoting or advertising alcohol or drug use is not allowed in courtroom or probation office.
13. Sunglasses are not to be worn inside the courtroom or probation office.
14. Should a participant need assistance with appropriate clothing or hygiene items, he/she should contact the Drug Court Coordinator as soon as possible in advance of meeting or court appearance.

Any violation of these regulations will result in the participant being sanctioned immediately for failure to comply with the requirements of the Drug Court Program.

XVII. UNSUCCESSFUL TERMINATION/REVOCAION

A Drug Court Participant can be terminated from the Drug Court Program for any of the following:

- Commission of a violent crime
- Failure to attend scheduled Drug Court hearings
- Evidence that a participant is involved with drug use, drug dealings or driving while under the influence
- Evidence that a participant has been involved in any threatening, abusive, or violent verbal/physical behavior towards anyone
- Tampering of drug/alcohol tests
- Revocation of Probation or Parole
- Other grounds that the Drug Court finds sufficient for termination

XVIII. PROCESS FOR TERMINATION/REVOCAION

Any member of the Drug Court Team may make a request for termination. When appropriate, the Drug Court Team may give the participant advanced warning that termination is being considered. The Drug Court Team will discuss the request for termination and a vote will take place on the proposed termination from the Drug Court Program. The participant will return to the sentencing Judge for revocation proceedings.

XIX. VOLUNTARY REMOVAL

A Drug Court Participant will **not** have the option to quit the Drug Court Program. Successful completion of the program or unsuccessful terminations of the program are the only acceptable ways to leave Drug Court. Participants who wish to terminate the program are encouraged to discuss their thoughts with the Drug Court Team.

XX. COSTS

There will be a Drug Court Program fee of \$300.00, to participate in the program. Participants will be expected to be current with all Court ordered financial obligations before moving to the next phase of the program. All financial obligations, including treatment costs are required to be paid in full in order to graduate.

XXI. GENERAL DRUG COURT RULES

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.

Be on time.

If a participant is late for appointments or treatment he/she will not be allowed to participate and will be considered non-compliant. Participants must contact their counselor/ISO if there is a possibility that they may be late.

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 will result in a sanction and/or termination from the Drug Court Program.

Attend all scheduled Drug Court sessions.

Participants must attend all court sessions as directed by the Judge or ISO. Participants must dress appropriately for court. Clothing bearing drug or alcohol related themes, promoting or advertising alcohol or drug use is considered inappropriate. Sunglasses, hats and bandanas are not to be worn inside the Court.

Submit to urinalysis and/or breath tests as requested.

Participants will be tested throughout the entire program. During the first phase, you will be tested frequently and randomly. As they progress through the program, testing will be required on a less frequent basis. Adulterated urine, which may include diluting, tampering or falsifying, will be considered as a positive test and will result in sanctions and/or termination from the program. The goal of the Drug Court Program is to help the individual achieve total abstinence from alcohol and illicit drugs. Dishonesty concerning use will result in a harsher sanction.

Always tell the truth.

Overcoming chemical dependency is not easy. This will take participants' best efforts. Always remember that the end result is to assist them in maintaining a clean and sober life.

Reside in Geary County.

Participants will be actively involved in treatment, meetings, community service work, court attendance and reporting to their supervision officer. Therefore, each participant shall reside in Geary County throughout the entire term of supervision under the Drug Court Program unless other permissions are granted by the Drug Court Judge.