NAPA COUNTY

DRUG COURT

PARTICIPANT'S HANDBOOK

Revised 9/23/2016

This handbook belongs to:

Name: _____

Date Phase I began: _____ Eligible for phase II: *(60 days)* **_____**

Date Phase II began: _____ Eligible for phase III: *(120 days)* **_____**

Date Phase III began: _____ Eligible for graduation: *(180 days)* **_____**

Sponsor's name:_____

Phone number: _____

Case Manager's name:_____

Phone number:_____

Treatment Program:_____

Counselor:_____

Phone number:_____

Probation Officer's name:_____

Phone number:_____

Attorney's name:_____

Phone number:_____

DRUG COURT PHASE REQUIREMENTS

Phase I	Phase II	Phase III
Duration	**Duration**	**Duration**
Minimum 60 Days clean	Minimum 120 days clean	Minimum 180 Days clean
UA Testing	**UA Testing**	**UA Testing**
Randomly, and as directed by Probation, Treatment and/or BI	Randomly, and as directed by Probation, Treatment and/or BI	Randomly, and as directed by Probation, Treatment and/or BI
Court Appearances	**Court Appearances**	**Court Appearances**
Once a week	Every other week	Once a month
Goals of Phase	**Goals of Phase**	**Goals of Phase**
Assessment	Education	Relapse prevention
Detoxification	Treatment	Recovery goals
Stabilization	Relapse prevention	System development
Motivation	Referral	Support maintenance
Education	Behavioral advancement	Outreach
	Identify recovery support	Employment/school/housing/ Vocational training
Service Frequency	**Service Frequency**	**Service Frequency**
Group: per treatment plan	Group: per treatment plan	Group: per treatment plan
DC group: 1 per week	DC group: 2 per month	DC group:1 per month
12-step: minimum 5/wk*	12-step: minimum 4/wk*	12-step: minimum 3/wk*

DRUG COURT PHASE REQUIREMENTS

Phase I	Phase II	Phase III
Advancement Criteria	**Advancement Criteria**	**Advancement Criteria**
Satisfactory participation	Satisfactory participation	Satisfactory completion
in treatment	in treatment	in treatment
60 clean days**	120 clean days**	180 clean days**
Petition to phase	Petition to phase	$100 Program fee paid
		Petition to graduate***

***If treatment has not begun by the time of the first judicial review, the Court will order participants to start their 12-step sessions at that point. Participants may be required to attend more than the minimum 12-step meetings. Meeting slips shall be provided to the Case Manager at Drug Court group.**

****For phase advancement, clean days must be consecutive and out of custody/residential treatment.**

*****Graduation dates will be set by the Drug Court Team. While awaiting graduation, participants are required to continue with Phase III requirements.**

WELCOME!

Welcome to Napa County Drug Court. This pamphlet is designed to answer questions and give you information about Drug Court. As a participant, you are required to follow the rules of this handbook and the directives of the judge, your probation officer, and your treatment team. It can be helpful to share this pamphlet with your family and friends who are supportive of your recovery efforts so they are aware of everything the Drug Court Program entails. They are an important part of your recovery and we welcome and encourage them to show their support for your progress by accompanying you to court review hearings and other program meetings.

QUESTIONS AND ANSWERS

WHAT IS DRUG COURT?

Drug Court is a program designed for people who have a desire and a willingness to change their past behavior and life-style that involved drugs and/or alcohol. As a Drug Court participant, you are being given the opportunity to choose a recovery lifestyle. You can complete Drug Court in as little as twelve months, but it may take significantly longer depending on your participation and recovery progress. Drug Court includes addiction treatment, 12-step meetings, drug/alcohol testing, vocational counseling, education, and other recovery support services, which may include enrollment in the Community Corrections Service Center (BI). Your selected treatment depends on what the team determines you will need for your recovery.

The better you do in the Drug Court Program, the sooner you will finish and the less you will be monitored. If you show you are having trouble (i.e. relapsing, missing appointments, poor attendance in treatment) your program requirements may be increased and/or sanctions may be imposed (i.e., more AA/NA meetings, community service, jail and/or more intensive treatment).

Issues discussed in group may include recovery from substance abuse, effects of substance abuse on the family, 12-step and sponsorship, and coping skills such as dealing with fears, anxiety, anger, depression, loss, etc. ***NOTE: Issues discussed in group are confidential and must not be discussed outside of the group setting. The only exception would be issues/incidents that qualify under mandated reporting.***

The Drug Court rules, which you are expected to know and follow, are set forth later in this handbook. If you successfully complete Drug Court, the length of your probation can be reduced, plus other possible positive legal consequences. (i.e. reduction to misdemeanor, expungement) However, if you do not successfully complete Drug Court, you will need to return to court for sentencing on your original charges.

HOW DO I PARTICIPATE IN DRUG COURT TREATMENT?

Within the first few weeks after you are sentenced to Drug Court, you will be required to complete an Alcohol and Other Drug (AOD) assessment at Napa County Alcohol and Drug Services (ADS) Access Unit. An ADS assessment is an opportunity to provide accurate information to a counselor which will assist in ensuring that you receive the appropriate type and intensity of treatment. Your Probation Officer will send a referral to ADS to set up an appointment with the ADS assessment counselor. You will be expected to complete the assessment at the scheduled appointment time. A treatment plan will be developed for you based on the results of your AOD assessment.

You must attend and successfully complete any treatment that is recommended for you. Your active participation in treatment is the key to breaking the cycle of substance abuse and crime. There are several treatment levels including detox, out-patient services, residential services, and cognitive behavior groups, which may include BI. You will also be required to frequently attend self-help groups such as AA, NA or other approved sober support. Drug Court team members will talk frequently with each other to see how you are doing in treatment. If you leave treatment against the advice of the treatment program, sanctions will be imposed by the Court.

WHO IS ON THE DRUG COURT TEAM?

The Drug Court Team Members include: the Judge, a Deputy D.A., a Public Defender, a Probation Officer, Case Manager and one or more representatives from ADS.

Before each Drug Court judicial review calendar, the Team will have a pre-court meeting to discuss your progress since your previous review hearing. They will discuss your attendance and participation in treatment, other programs, and 12-step meetings, as well as a record of your drug tests and any other important events that have happened. While the team collaborates and tries to come to agreement regarding changes to your treatment plan and/or sanctions for failure to comply with the Program, the judge will make the final decisions in your case.

HOW DO I WORK WITH MY DRUG COURT PROBATION OFFICER?

Your probation officer will meet with you initially to review your terms and conditions, and assign you a testing color. If you are in custody, you need to report to the Probation Department upon release. If you are out of custody and sentenced into Drug Court, it is your responsibility to report to the Probation Department immediately. You will meet with your Probation Officer, in the office, at the minimum of once a month. If additional support is needed, please let that be known. You are welcome to call the Probation Officer directly. Announced and unannounced visits including address verifications, home visits, and searches will be conducted on a regular basis, regardless if you are in compliance with Drug Court. Please advise everyone in the home that this will occur, as we expect full cooperation. The Probation Officer will not communicate with anyone outside of the Drug Court team without a release of information. If there is any confusion or questions pertaining to activities or personal interests that may conflict with your Drug Court requirements, please speak to your Probation Officer and/or address the Court at your Drug Court hearing.

You will need to provide your probation officer with information regarding:

- Change of address/phone number
- Change of employment/school schedule
- Proof of any prescription medication within 72 hours it is prescribed
- Plans to travel or leave the county of more than 1 day- if it affects your program attendance and ability to report for testing if your color is called
- Copies of receipts for payment on fines/fees/restitution
- All drug/alcohol use
- Any police contact

Your probation officer can help you in many ways with referrals to educational programs and employment opportunities; communicating concerns to the Drug Court team; and providing general support. Your probation officer wants you to be successful on this journey!

WHAT HAPPENS IN THE COURTROOM?

Drug Court is held at the Courthouse at 1111 Third Street, Napa, CA. Currently Drug Court is held on Fridays at 10:30a.m. in Courtroom D. This is subject to change and you will be informed of any upcoming changes. You must be at the courtroom by 10:30 a.m. and stay until the end of court unless the judge has given you permission to leave early.

Drug Court is different from most court sessions. You will talk directly with the judge. When your case is called, the judge will review your progress in the Program, provide encouragement and answer questions, and may impose sanctions when appropriate.

HOW OFTEN WILL I HAVE DRUG COURT REVIEW HEARINGS?

How often you go to court depends on which Phase you are in (see the Phase descriptions on page 3 of this handbook). You will begin by attending court once per week. As you progress in the Program your regularly scheduled visits will decrease. However, if we feel you need extra support or if you show you are having trouble with your program by missing appointments, failing to provide 12-step meetings when instructed, having positive or missed drug tests, or in some other way, you will be required to attend court more frequently. You are more than welcome and encouraged to attend other Drug Court hearings to support your peers.

WHAT ARE INCENTIVES?

Incentives are designed to encourage Drug Court clients to continue their hard work on the right path toward success. Positive reinforcement and consistent praise are key to behavior change. Incentives are offered in various forms in hopes to strengthen the client's belief in themselves and increase their desire to better their lives. Here are some examples:

- Verbal affirmation
- Recognition in Court
- Note cards
- Gift cards
- Bus pass
- Letters of reference/support
- Program graduation ceremony
- Sobriety chips
- Miscellaneous gifts from PO's awesome jar
- Permission to travel
- Reduction to misdemeanor
- Possible expungement
- Drug Court graduation
- Reduction of fines/fees
- Reduction in frequency of reporting and/or testing

WHAT ARE INCENTIVES?

- Awesome jar in Court : Anyone who has successfully completed all of their appointments, groups, testing requirements
- Merit award in Court : Someone who is going above and beyond the standard requirements, doing more to better their lives or help others

WHAT ARE SANCTIONS?

Sanctions are designed to hold Drug Court clients accountable without having to go back to Court on a formal violation of probation. Severity of sanctions range from low to high depending on the behavior they are addressing. It is at the Drug Court Team's discretion to impose the sanction they see fit for the behavior. Sanctions will be imposed for violations of the Drug Court rules such as (but not limited to): missed appointment with probation, case manager, or treatment provider, failure to test, dilute test, positive test, failure to appear in Court, AWOL/termination from treatment program, unexcused absences from groups, dishonesty, irresponsible behavior, etc. Here are some examples:

- Verbal admonishment
- Loss of awesome jar
- Written assignment
- Community service
- Electronic monitor
- Alcohol monitor bracelet
- Increased frequency of reporting and/or testing
- Increased 12 step meetings
- Increase in Court appearances
- Flash incarceration (overnights/weekends in jail)
- Jail
- Increased level of treatment (based on clinical need)
- Referral to cognitive behavioral program
- Life assignments (get license, seek employment, enroll in school, etc.)
- Delay of graduation

- Return to previous Drug Court phase
- Re-engagement of treatment services
- Termination from Drug Court

DRUG COURT RULES

To successfully complete Drug Court, you will need to successfully complete a treatment program which may include; outpatient, residential treatment, and/or BI, advance through the Drug Court phases and graduate by following the Drug Court rules. Violation of the rules, including missing appointments, groups or tests, will not only lengthen your time in the Program, but will also result in sanctions, which may include increased drug testing, judicial reviews or meetings, community service and/or jail time.

If it is determined that a participant would benefit from a Mental Health Assessment, he/she will be referred for said Assessment and must abide by any additional terms and conditions related to Mental Health Treatment.

RULE 1: YOU ARE EXPECTED TO BE ALCOHOL AND DRUG FREE

As a participant in Drug Court, you are agreeing to not use alcohol, illegal drugs or unauthorized medication. This includes medical marijuana unless authorized by the court.

Many prescriptions and over-the-counter medications are addictive and/or can provide false-positive results on drug test and therefore, are not appropriate for Drug Court participants. Thus, a participant must obtain written approval from the ADS case manager PRIOR TO TAKING ANY MEDICATION (other than aspirin, ibuprofen or acetaminophen for headaches). For prescription medications, the case manager may require you to sign a release in order for your doctor to provide further information regarding the prescription. If you test positive for drugs or alcohol and claim it is because you took a medication without prior authorization, I ty may be treated by the Team as a positive test. You must tell your Doctor you are in recovery before you are prescribed any medication. Please note that prescriptions will be monitored. **If you are using medical services outside of the County (HHS) you must sign a release to allow your probation officer to communicate with your doctor.**

Drug Court will require periodic drug testing to ensure that clients are abstinent. You will be assigned a color. Each day before 8a.m., you are required to call the phone number you receive from your case manager/probation officer in order to determine if your color is being tested that day. You must report by 4:45pm and be ready to test. Your color can be called between 0-5 times per week. You must call daily to check. Do not assume that because you are tested once, that you are in the clear for the rest of the week. **Failure to report to probation for testing will result in a "no drop" (aka positive test).** Please note that your clean time and phase time will start over.

If there is a conflict between your schedule and your testing requirements, you must make contact with your probation officer in person or by phone before 4:45pm.

Urine tests are screened for many substances. They are also tested for creatinine levels, which show if the samples have been diluted. Do not attempt to beat the drug test by drinking excessive amounts of water or taking an adulterant prior to providing a urine specimen. **The Drug Court Team will consider a diluted sample to be a positive drug test.** Anyone who tampers with their urine analysis will be taken into custody immediately.

RULE 2: YOU ARE EXPECTED TO SHOW UP FOR ALL APPOINTMENTS

You must participate in meetings with your probation officer and your case manager in addition to groups, education, job development,12-step meetings, community service, etc., as directed by members of the Drug Court Team or treatment staff. You will need to sign in for appointments if requested to do so, otherwise you will be considered absent. If you miss any Drug Court-related appointments you will be required to make them up and may possibly receive a sanction. You are also required to show responsibility by calling ahead if you have to miss a scheduled activity; including probation appointments, counseling appointments, treatment

groups, Drug Court group and court. Only acceptable absences will be considered excused absences. Excused absences will not result in a sanction, but you will be required to make them up.

If you miss an appointment because of an emergency you must provide proof of the emergency. All unexcused absences will be reported to the judge, marked in your file, and may result in a sanction.

RULE 3: YOU ARE EXPECTED TO PARTICIPATE PROPERLY IN COURT PROCEEDINGS

As a Drug Court Participant, you are expected to appear for court and to dress and act in a way that maintains the dignity of the court and shows respect for the judge, the Drug Court Team, and your peers. That means:

You must arrive on time for court (10:30 a.m.) and stay for the entire court session. Family and friends are encouraged to show their support by accompanying you to court. However, do not bring your children to court with you if there is any chance you will be remanded to custody.

During court you are to refrain from side conversations. There is no cell phone use and no contact with in-custody participants.

You are to dress appropriately for court, which means no chewing gum, no hats, no shorts or sleeveless shirts, and no clothing that is sexually provocative or gang, alcohol, or drug related. You will be directed to change your attire if it is considered inappropriate for court.

If you fail to appear for a judicial review hearing, a bench warrant will be issued for your arrest. If you do not voluntarily surrender to the court and are picked up on the warrant and taken into custody, you will remain in custody with bail set at $555,555 until the next Drug Court judicial review.

RULE 4: YOU ARE EXPECTED TO REMAIN CRIME-FREE

While in the Drug Court Program, you are required to be law abiding. Any contacts with the police, arrests, or new charges in any county or state must be reported immediately to your probation officer and your attorney.

If you pick up new law violations and/or abscond for 30 days or more, upon your return, your participation in Drug Court will be re-evaluated by the Team and may result in termination from Drug Court.

RULE 5: YOU ARE EXPECTED TO ENGAGE IN EMPLOYMENT EFFORTS

Drug Court encourages participants to engage in full-time employment or schooling/vocational training, since earning a living is a key component of successful recovery. While employment is an important goal of the Drug Court program, your treatment must come first. If your job starts to interfere with your treatment plan, some modification to your work schedule may be necessary. You must provide verification of your employment to your probation officer and/or treatment provider.

If you are unemployed, you may be required to complete the Community Corrections Service Center program or other job readiness training. If you do not have a high school diploma or G.E.D. certificate, the court may require that you obtain one by the end of the program. Please talk with your probation officer if you have employment or education needs. In order to graduate Drug Court, you must be employed, in school or be in a vocational training program.

RULE 6: YOU ARE EXPECTED TO GRADUATE

Upon completion of all three phases of Drug Court (see the phase descriptions on page 3 of this handbook) and with agreement of the Drug Court team, you will graduate from the Drug Court Program. You must also pay a $100 Drug Court Graduate fee. You must report to the Clerk's station at the Criminal Courthouse at 1111 Third Street, Napa, CA, 94559 to make your payment before the day of graduation. If you successfully complete Drug Court, your charge may be reduced to a misdemeanor if you were convicted of a wobbler. Additionally, your probation may be successfully terminated early and/or you may be eligible to expunge your conviction from your record pursuant to Penal Code section 1203.4.

A ceremony and reception is held to commemorate participants who graduate. All Drug Court participants are required to attend the graduation ceremony. Several months before graduation, the Drug Court team begins

to work with the client regarding transition to graduate status. This includes preparation of an Exit Plan (what was learned, plans to avoid relapse, and future goals) and attendance at the Exit Meeting. The goal for each participant is to have in place a relapse prevention plan, stable housing, and a steady source of income. One member of each graduating class will receive the **Myk Peterson Award**. The Myk Peterson Award is given to the Drug Court participant whose transformation has most inspired his or her Drug Court peers. That just might be YOU!

The Napa Drug Court Program was created by many members of your community who want to see you in successful recovery, out of the legal system, enjoying a positive life and giving back to our community. We wish you all the best in progressing through the Drug Court Program. Remember, it's never too late to become the person you believe you can be. GOOD LUCK!!!

Common Phone Numbers and Addresses

Alcohol and Drug Services……...707-253-4063

Drug Court Case Manager Eddie Flores……707-253-4767

2751 Corporate Valley Drive

Napa, CA 94559

Drug Court Probation Supervisor……....707-299-1860

Christina Pearson

1125 3rd Street, 2nd floor

Napa, CA 94559

McAlister Institute……...707-257-1460

Detox ……707-257-7359

2100 Napa Vallejo Highway, Bldg 253 M-1 and M-2

Napa, CA 94559

Napa Superior Court Criminal Division……..…707-299-1180

Criminal Courthouse

1111 Third Street

Napa, CA 94559

Office of the Public Defender……707-253-4442

Michael Lernhart

1127 First Street, Suite 265

Napa, CA 94559

Notes: