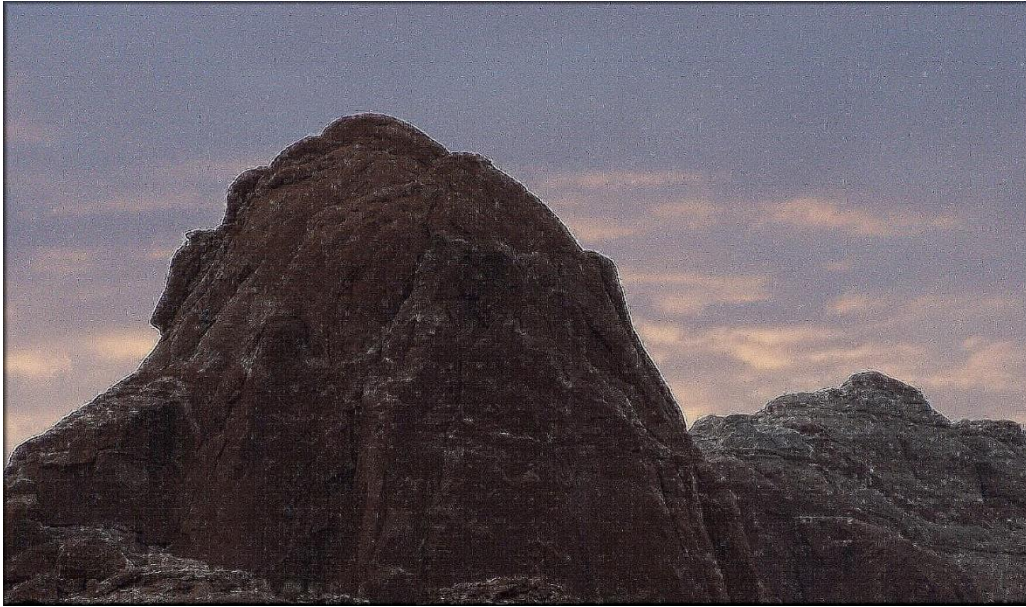


Iron County



Drug Court

Participant Handbook

Iron County Drug Court
40 North 100 East
Cedar City, Utah 84720

Welcome to the Iron County Drug Court Program. This participant handbook will provide overall information, answer general questions and inform you of the rules of the Drug Court. As a participant, you will be expected to follow the instructions contained in this handbook, the directions given to you by your Drug Court Tracker and the Court, and to comply with the treatment plan designed for you by the Treatment team. Participants are encouraged to share this handbook with their family and friends.

MISSION OF THE DRUG COURT

The Iron County Drug Court (ICDC) program is founded upon the Ten Key Components identified by the National Association of Drug Court Professions (NADCP). ICDC will provide a judicially supervised rehabilitation program for offenders where substance abuse has been a significant contributing factor in their criminal activity. Through close supervision, intensive counseling, and education, individuals with substance use disorders will change their lives to become recovering, responsible citizens, parents and family members. Our objective is to reduce the societal impacts and direct costs of substance use disorders in Iron County.

DESCRIPTION OF THE DRUG COURT

The Drug Court is a court-supervised, comprehensive treatment program for Defendants with substance use disorders. This is a voluntary program that includes regular appearances before the assigned Drug Court Judge. Treatment includes individual and group counseling, and may include 12 Step Facilitation, MRT, DBT, Seeking Safety or other evidence-based interventions & treatment. Active participants will be given regular and random urine tests to determine whether they are abstaining from illicit drugs, as well as drugs that may undermine recovery efforts. Treatment is provided by a licensed substance use disorder treatment provider. The length of the Drug Court program is a minimum of one year, but may last up to 24 months. The participant progresses through four phases prior to successful completion of the Drug Court program.

Following arrest (if you are eligible), you will be offered a choice of prosecution of the pending charge (s) or participation in Iron County Drug Court. You may request entry into Drug Court through your defense attorney. Participation in Drug Court requires that you enter a guilty plea to be held in abeyance. If you successfully complete the Drug Court program, your plea will be withdrawn and the case will be dismissed. If you are accepted into the Drug Court program, your attorney may continue to represent you in the Drug Court. Failure to successfully complete the program will result in reinstatement of your guilty plea and sentencing. Some participants may be referred to Drug Court as a condition of probation.

Judge Marie Ann Mciff Allen will serve as the Iron County Drug Court Judge. Participants will be assigned to Judge Allen calendar and will continue to appear before Judge Allen throughout the program. Determination of entry into the Drug Court program will be made at the sole discretion of the Iron County Attorney. The applicant must also be screened and determined to be high risk, high need using the RANT as a condition of acceptance into the program.

Drug Court Monitoring and Supervision

As a Drug Court participant, you will appear in Drug Court on a regular basis. At the beginning of your treatment program, you will appear weekly. You will be assigned to a Drug Court Tracker. The Tracker and the treatment team will report your progress, attendance at treatment and recovery support meetings, drug test results, employment or schooling progress, along with your attitude about being in the drug court program.

During your participation in Drug Court, you are required to provide urine samples and/ or Breathalyzer tests, to assist you in your recovery. These tests may be required by the Judge, the Drug Court Tracker, or Treatment Provider. Information on drug testing schedules is updated daily on the Drug Court ***Tracker's phone #435-704-4087***. Please call the Tracker's phone daily, to hear if you are to provide a urine sample that day. Testing samples will be collected by the Tracker or the Treatment Provider. You may expect to be tested approximately three times a week during Phase I and at least twice a week in Phase II, III and IV.

The Judge may ask you and your Drug Court Tracker questions about your progress and your needs when you appear in Drug Court. If you are doing well, the Judge will encourage you and help you progress to the next phase in the program. If you have missed counseling, recovery support meetings, have had a positive drug test, or failed to progress in some other fashion, the Judge may sanction you. Your treatment program may be modified according to your needs and progress. As a Drug Court participant, you understand and acknowledge that the Drug Court Judge can require you to undergo significant life style changes, including, but not limited to: employment, residence, associations and curfew.

Failures to appear in Drug Court will likely result in a warrant being issued and incarceration. If you cannot appear in Court, you must notify the Court Clerk and the Tracker immediately and explain why you cannot appear. If you have any questions about your scheduled appearances, contact your Drug Court Tracker at 435-704-4087 or the Drug Court Clerk at 435-867-3250.

Warrants and/or new arrests could result in your termination from the Drug Court program. Other violations which may subject you to termination from the program include repeated positive drug tests-- especially if you have not been honest about using, missing or appearing late for Court or counseling, violation of the Drug Court plea agreement or Drug Court rules, and any violence or threat toward Court staff, treatment staff, or other participants. All decisions regarding termination will be made by the Drug Court Judge after consultation with your Drug Court Tracker and the Drug Court Team.

Drug Court Program Agreements

1. **Attend all Court appearances and treatment sessions.** Treatment sessions include: individual and group treatment sessions, recovery support sessions, education sessions, and other meetings as indicated. If you are unable to attend a scheduled counseling session, you must contact the Treatment Provider as soon as possible.
2. **Be on time.** If you are late, you may not be allowed to participate in the treatment session or Court hearing and will be in violation of Drug Court requirements.

3. **Do not make threats towards other participants or staff or behave in a violent manner.** Violent or inappropriate behavior will not be tolerated and will be reported to the Court. This may result in termination from the program.
4. **Do not possess Weapons or possess or use drugs, paraphernalia, alcohol, any other illicit mind/mood altering substance (including, but limited to: spice, bath salts, Kratom), or anything, that promotes or advertises drug, alcohol, or gang affiliation.**
5. **All areas related to Drug Court are tobacco free.** The Drug court encourages balance and overall wellness in your recovery. Please do not use tobacco products of any kind on treatment campuses, court or testing locations. We have resources to assist you, if you are considering including tobacco cessation to support your recovery.
6. **Energy drinks are not supportive of your recovery.** Please do not consume them.
7. **Dress appropriately for Court and treatment sessions.** Please wear a shirt or blouse, pants, dress, or skirts of a reasonable length. Shoes are to be worn at all times. Clothing, jewelry, or accessories advertising alcohol or drugs or that have alcohol or drug use themes do not support yours/ others recovery. Sunglasses and hats are not to be worn into Court or the treatment facilities.
8. **Inappropriate sexual behavior or harassment will not be tolerated.**
9. **Notify your Drug Court Tracker of any contact with law enforcement officers** for any reason.
10. **Please tell your health care provider that you are a Drug Court participant before receiving any prescriptions.** Report any prescribed medication to your Drug Court Tracker and Treatment Provider. Obtaining prescriptions for similar drugs from more than one health care provider (unless approved by the Court), may be grounds for termination from the program. You will need to sign a release if the Judge, the Treatment Team or your Drug Court Tracker determines that it is necessary to contact your health care provider to clarify whether the prescription is warranted.
11. **Appear for drug tests as scheduled and when ordered by the Judge, your Drug Court Tracker, or Treatment Provider.** It is your responsibility to provide a valid drug test. Testing is done randomly. To facilitate this process, you will be tested according to phase number. Each day you will call the Tracker's "call in" line (435-867-7510) between noon and 2p. The message will inform you if your phase tests that day. If your phase is called, you

will need to report for drug testing. You will be given the address of testing facilities and times that are available for testing. Come alone to the testing site; do not bring children or friends. Be prepared to give a urine sample as soon as you arrive at the test site. A diluted or adulterated sample is grounds for sanction or expulsion from the program. If you do not give a valid sample as ordered, the court will consider the test positive. In the early phases of the program, you may be tested as often as three to four times per week.

12. Do your income verification by the 10th of each month. Pay your Drug Court fee on time at the Horizon House, 54 N. 200 E., Monday through Friday between 8:00 a.m. and 4:30p.m.

13. Maintain regular contact with the Drug Court Tracker and follow the Drug Court Tracker's directions. The Drug Court Tracker may modify the curfew that you are required to follow and may authorize modifications in the travel limitation. Curfew is 10:00pm on phase I, 11:00pm on phase II & III. It is your responsibility to call 435-704-4087 when you get home each night for a curfew check in.

14. Follow all provisions of the Drug Court plea agreement and this handbook.

Drug Court Fees

Drug Court participants are assessed a fee while participating in drug court. Fees are determined on a sliding fee scale between \$0 and \$200 per month, based on income. ***Income will be verified monthly by the 10th of the following month*** and fees adjusted accordingly. Your total fee will cover only a portion of the cost of your Drug Court drug testing and treatment. The remainder is paid by the Drug Court through funding provided by the State of Utah. Payment of Drug Court fees will be made at the Horizon House, weekdays, between 7:30 a.m. and 4:00p.m. Bring your receipt for each payment to the following Drug Court session. Failure to pay Drug Court fees will be a violation of Drug Court program rules and could result in sanctions.

Treatment Procedures

The Drug Court has arranged for Drug Court participants to obtain treatment at a licensed substance use disorder treatment facility, Southwest Behavioral Health Center's Horizon House. You will be assessed for the severity of your substance use disorder to determine both your eligibility for the Drug Court program and to assist in designing your treatment plan. The treatment program includes assessment, evaluation, individual and group counseling, relapse prevention, random drug screens, recovery support and ancillary services. These may include: vocational rehabilitation, employment services, family counseling, medical services, and/or education, recreational, and community support services.

A TB test (and a physical, if you were recommended for residential treatment) will be required within seven (7) days after signing Drug Court Agreement. These can be done by your own physician; the TB test can be obtained at the Southwest Health Department.

The three phases of the treatment program are

Phase I

- A Substance Use Disorder evaluation will be completed to determine appropriateness for the drug court program & placement criteria according to ASAM. The evaluation will include an assessment and a RANT.
- Individual counseling.
- Intensive Outpatient Program (IOP) (3 hours, 3 times weekly) or Residential treatment if indicated by ASAM placement criteria.
- Attendance at recovery support program (at least two recovery support program sessions each week for at least eight consecutive weeks prior to advancement). ***Signature sheet from these meetings must be turned into Treatment Provider weekly.***

****To advance to Phase II, the participant will achieve the following:**

- Successfully complete the intensive portion of the Treatment Program.
- Provide attendance form assuring attendance at a minimum of two recovery support program sessions in each week for at least eight consecutive weeks prior to advancement.
- Obtain a sponsor/mentor from your recovery support program.
- Regular attendance at individual and group counseling sessions (as recommended by the Treatment Provider).
- A minimum of 10 consecutive weeks of negative drug tests.
- Drug Court fees are current and/or alternative payment plan has been agreed upon and is being met.
- Obtain drug/alcohol free living conditions.
- Apply and write a phase up letter to advance to Phase II.
- Be recommended for advancement by the Drug Court Team.

Phase II

- Individual counseling (as recommended).
- Group treatment (as recommended).
- Family support group (as recommended).
- Vocational skills training (as recommended).
- Educational skills training (as recommended).
- Court approved recovery support program attendance (2 times per week).
- Drug Court fees are current and/or alternative payment plan has been agreed upon and is being met.

****To advance to Phase III, a participant will achieve the following:**

- Provide attendance form demonstrating attendance at a minimum of two (2) recovery support program sessions each week for at least eight consecutive weeks prior to advancement.
- Maintain a relationship with sponsor/mentor from your recovery support program.
- Regular attendance at individual and group counseling sessions (as directed by Treatment Provider).
- A minimum of 10 consecutive weeks of negative drug tests.
- Drug Court fees are current and/or alternative payment plan has been agreed upon and is being met.
- Enroll in GED classes (if you do not have a diploma or GED).
- Maintain a drug-free living environment
- Be engaged in full-time employment, schooling, parenting, or a combination thereof.
- Find reliable transportation.
- Apply and write a phase up letter to Advance to Phase III.
- Be recommended for advancement by the Drug Court Team.

Phase III

- Individual counseling (as recommended).
- Relapse prevention (as recommended).
- Family support group (as recommended).
- Vocational training (as recommended).
- Educational training (as recommended).
- Recovery support program (minimum two times weekly).

****Completion of Phase III will ready the participant for Phase IV; to advance**

a participant will achieve the following:

- Provide attendance form demonstrating attendance at a minimum of two recovery support program sessions in each week for at least ten consecutive weeks prior to advancement.
- Regular attendance at individual and group counseling sessions as directed by the Treatment Provider.
- A minimum of 10 consecutive weeks of negative drug tests
- Drug Court fees are current and/or alternative payment plan has been agreed upon and is being met.
- Maintain an independent drug-free living environment.
- Obtain a GED or High School Diploma.
- Be engaged in full-time employment, schooling, parenting, or a combination thereof.
- Maintain regular contact with your sponsor/mentor.
- Apply and write a phase up letter to Advance to Phase IV
- Be recommended for phase IV by the ICDC Team.

Phase IV (6 MONTH) Transition Requirements

- Phase IV is to prepare the participant to complete the drug court program.

- Participants are required to attend the Phase IV group as per team recommendations.
- Participants are responsible to have regular contact with the tracker and to inform him of any changes (address changes, work address, and phone numbers).
- Participants are expected to give UA and/or breathalyzer test at any given time during these six months. The tracker can and will check on their living arrangement. The same rules apply, as stated in the contract, for searching residences and vehicles at any time during these six months.
- Participants may be asked by Trackers to appear in court or attend additional counseling at the Southwest center.
- Participants are required to document and attend two recovery support groups a week during this six-month period.
- Participants are to obtain permission from the trackers before they are permitted to leave the state, go out of town or have an over night stay at a place other than their approved residences.
- Participants are to remain free from new/additional charges including any citation while in this phase. New charges/citation will result in sanctions that could affect the time of this phase. This could also result in termination from this Drug Court Program.
- Eligibility for and timing of transitioning out of the Drug Court program will be at the discretion of the Drug Court Team.

Confidentiality

Federal law requires that participant privacy be protected. The treatment provider has developed guidelines and procedures which comply with federal law and protect participant confidentiality. Each Drug Court participant must sign a release authorizing the Drug Court Team to receive information about the participant's progress in treatment. Information about the participant's attendance, drug tests, employment, living conditions, and general progress in the Drug Court program may be discussed in open court. When you graduate from the Drug Court, you may ask that your court file be sealed.

Sanctions

Failure to appear in Drug Court will likely result in a warrant being issued and incarceration. If a participant cannot appear in Court, he or she must notify the Court Clerk and Tracker immediately. The following actions may result in sanctions:

- Absence from treatment groups and/or individual treatment sessions, recovery support program, or job counseling.
- Failure to report to the Drug Court Trackers.
- Failure to progress or cooperate with Court or Treatment Staff.
- Failure to pay Drug Court fees.
- Violation of the Drug Court rules listed in Participant Handbook.
- Positive drug test.
- Dishonesty.

Minor violations may result in non-judicial sanctions. Non-judicial sanctions may be imposed by the Drug Court Trackers and/or Treatment Provider and may include:

- Community Service
- Written or Behavioral Assignments.
- Increased attendance at Drug Court sessions.
- Increased frequency of drug testing
- Earlier Curfew

A non-judicial sanction may include other sanctions as outlined in the plea agreement.

Repeated violations and major violations may result in judicial sanctions. Judicial sanctions include:

- Demotion to a prior Drug Court progress phase
- Incarceration
- Any non-judicial sanction.

Other judicial sanctions may be imposed at the discretion of the Judge and may include any other sanction allowed by law. *See Incentives and Sanctions Matrix.*

Probationary Status

Drug Court Participants who have repeatedly been sanctioned by the Court may be placed on probationary status. They shall be under such terms and for such length of time as deemed appropriate by the Staffing Team and the Court. This status can include additional testing requirements, temporary return to a prior phase, (any change in treatment level will be determined by following ASAM placement guidelines) increase recovery support meeting requirements, increased Tracker involvement, and such other terms as deemed reasonable to support the needs of the Participant.

New charges, warrants, and/or new arrests could result in termination from the Drug Court program.

Other violations which may result in termination from the program include, but are not limited to:

- Repeated positive drug tests
- Dishonesty
- Submitting an invalid drug test
- Missing or appearing late for Court or counseling
- Any violation of the Drug Court plea agreement or Drug Court rules.
- Any violence or threat toward court staff, treatment staff, or other participants

Tampering with urine samples, or the drug testing process, may result in immediate termination from the Drug Court program.

All decisions regarding terminations of participants from Drug Court will be made by the Drug Court Judge after consultation with the Drug Court Team.

Incentives

ICDC clients are rewarded for progress in the Drug Court program during weekly Drug Court meetings. Incentives may include:

- Acknowledgment of accomplishments during court sessions (compliance with treatment program, completion of GED, obtaining a job, etc.).
- Gift certificates for a local restaurant or recreational activity.
- Presentation of advancement certificates, key chains, tee shirts and/or graduation certificates.

CONCLUSION

The Drug Court program in Iron County is designed to treat substance use disorders and to assist you in achieving recovery. The program is designed to promote self-sufficiency and a return to the community as a productive and responsible citizen. The program is voluntary. The Judge, The Iron County Prosecutor, your Drug Court Tracker and the Treatment Staff, as well as other recovering people are here to support you. Best wishes in your recovery.